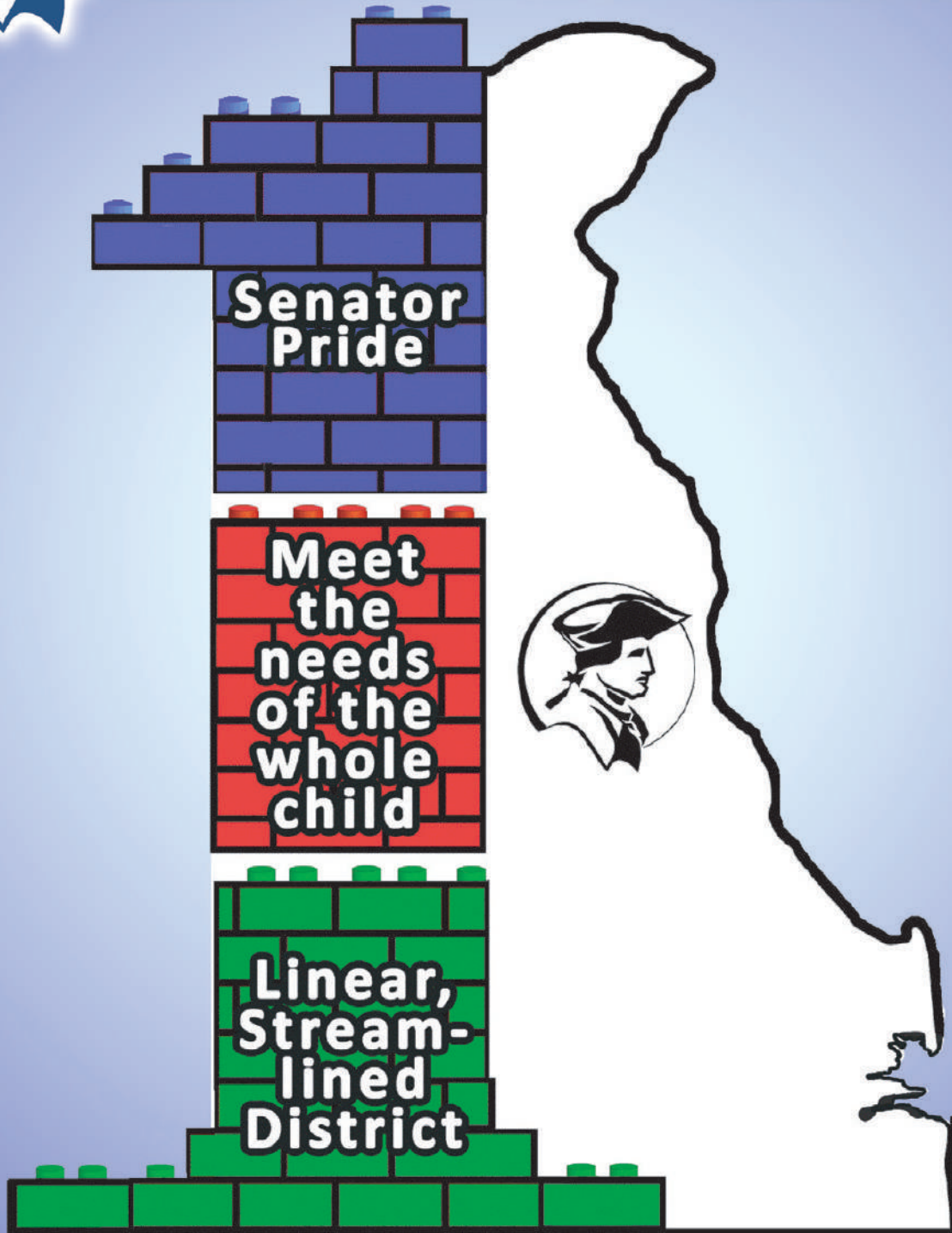




Capital School District's **STUDENT SUCCESS GUIDE**

Responsibilities, Expectations, Rights & Resources



2022-23 School Year



CAPITAL SCHOOL DISTRICT

Home of the Dover Senators
198 Commerce Way
Dover, DE 19904
302-672-1500
www.capital.k12.de.us

Board of Education

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QUICK REFERENCES

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Appendix A – Policy # 700-03 Gun Free Schools Policy

Appendix B – Policy # 200-11 Capital School District Acceptable Use

Appendix C – State of Delaware Acceptable Use Policy

Welcome to Capital's Student Success Guide

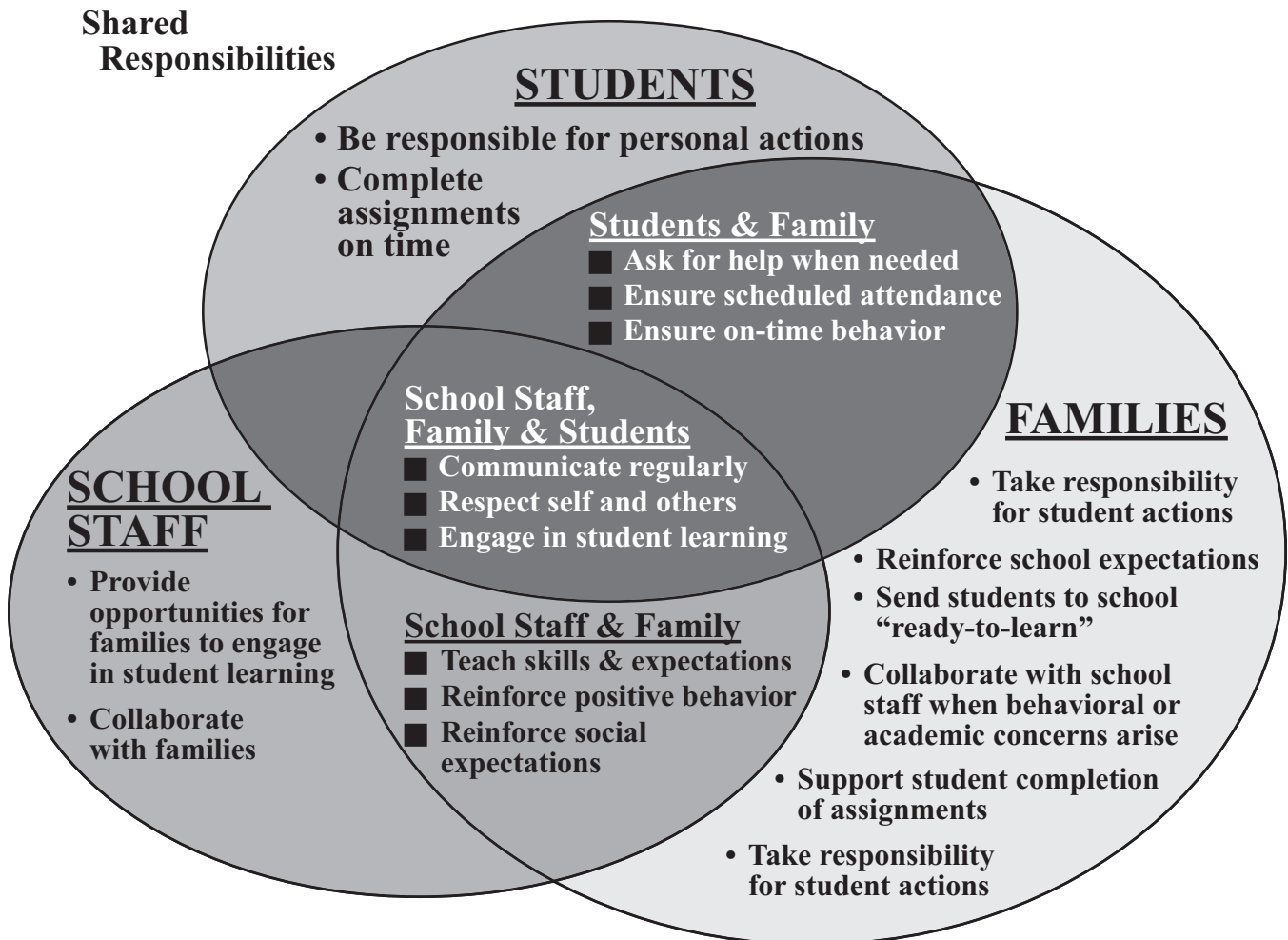
The Capital School District is focused on Meeting the Needs of the Whole Child. The goal is to help our students reflect the Portrait of a Senator; students who are Learners, Respectful, Honest, Engaged, Compassionate, Accountable, Responsible, and Determined. This guide serves to help families and students understand the behavioral expectations and supports across each of our schools. It is a resource for students, guardians, and families. The guide includes a lot of information that is very important. We encourage you to review its contents and keep it as a handy reference. If you have any questions, please talk to a teacher, staff member or school administrator.

A Positive School Environment:

- *Is supportive, inviting and safe.*
- *Provides a range of educational opportunities to best meet the needs of the whole child.*
- *Teaches students effective skills and strategies that allow them to focus on their learning and make positive behavioral choices.*

Shared Responsibilities

A positive school environment is made greater through collaboration among students, parents/guardians and school personnel. This relationship builds student success and is most productive when:



School Environment

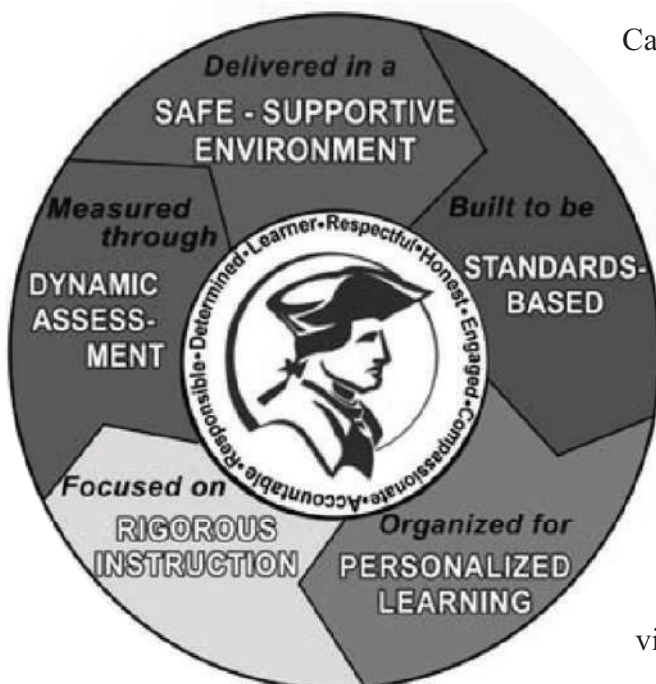
Capital School District is committed to establishing positive school environments for all learners. Positive school environments happen when all students are actively engaged in their learning. Teachers, school staff, administrators, other students, and families support every learner. This supports each student to reach their greatest potential.

Positive school environments exist when each of these are in place:

- Clear, concise, and consistently communicated expectations for respectful behavior.
- Engaging instruction and academic materials.
- Appropriate and equitable supports to assure academic success and achievement.

Learners need time, support, and encouragement to develop new skills. Administrators and staff in the Capital School District know that supporting positive behavior requires a continuum of interventions and supports. We also believe students and their families are important in promoting positive school environments.

What is the Teaching and Learning Model?



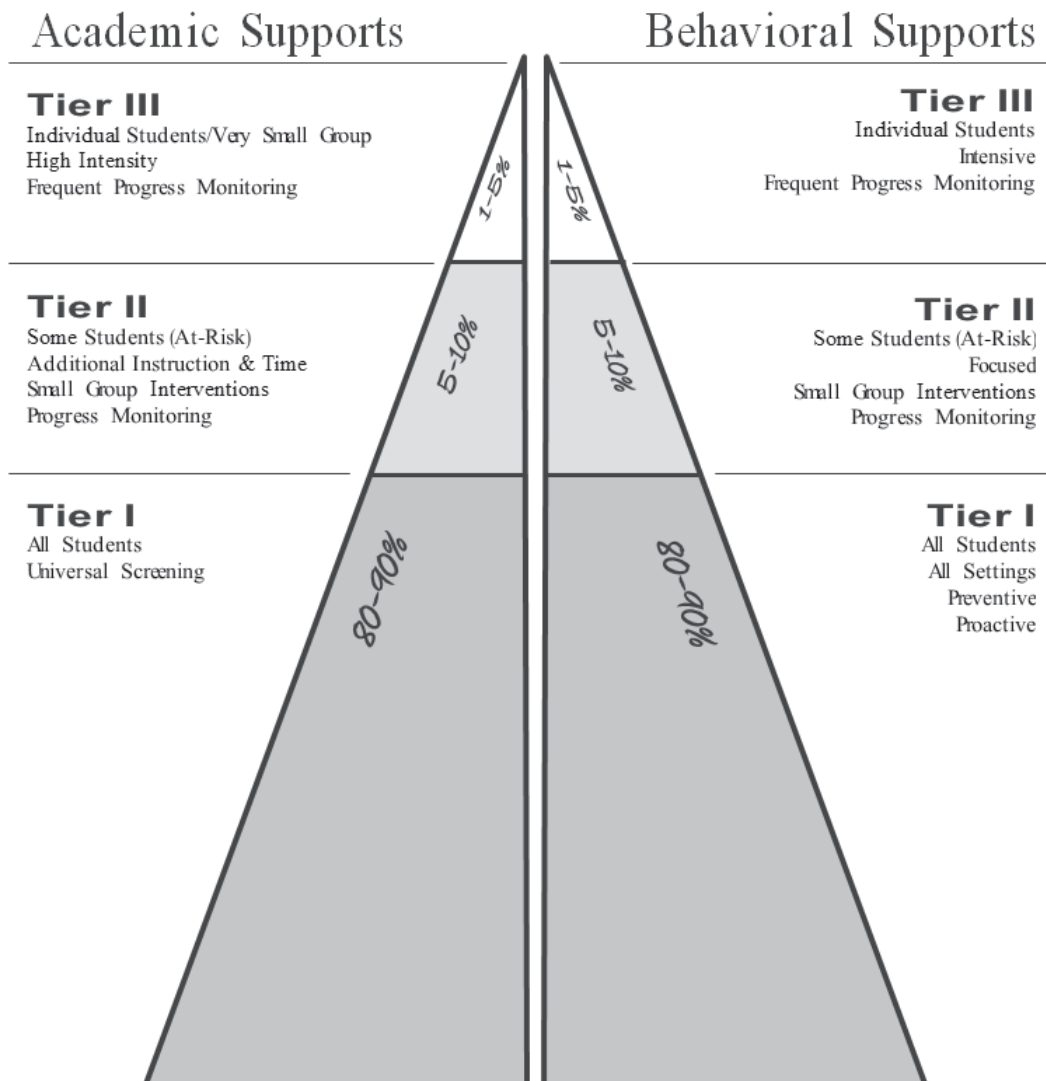
Capital School District's Teaching and Learning Model also referred to as the Instructional Model defines a course of action for teachers to meet the academic, social and emotional needs of the whole child. At the center of the model is our Portrait of a Senator. This model has been developed by staff, parents and community members. It identifies the attributes we seek to build into daily teaching and learning of our students. The work that happens every day across our schools and classrooms brings the Teaching and Learning Model to life, every member of our community is welcome to share in our Senator Pride as we fully implement this innovative model. We invite you to contact one of our schools to plan a visit to see the Teaching and Learning Model in action.

Systems of Support

The Capital School District utilizes a Multi-Tiered System of Support (MTSS) to meet student needs. This system is used for students' academic, social, emotional, and behavioral growth.

- The first tier is general strategies used across a school to support the positive behavior and academic success of all students.
- The second tier applies additional strategies for students who need more support at a targeted level.
- The third tier develops individualized support for students who need more than universal or targeted supports.

The diagram below shows how the strategies & interventions available to support students in both Academic and Behavioral areas of need work together. Tier I represents ALL students, Tier II represents 10-15% of students for whom Tier I does not provide enough support and Tier III represents the 5-10% of students for whom Tier I and Tier II are not enough.



Tier I – Strategies for All Students	Tier II – Focused Interventions & Strategies	Tier III – Intensive Interventions
This is the basic level of support that all students access. These strategies support academic, social, emotional, and behavioral learning. Tier I supports student success by providing clearly stated expectations, universal academic and behavioral support strategies, and recognition of academic success and positive behaviors within the schools.	This is the intermediate level of support where more focused strategies and interventions are in place. These supports are available to build student success in academic, social, emotional, and behavioral learning. Tier II interventions are used when the universal strategies of Tier I are not effective and students need more or different support within schools.	This is the highest level of support with individualized interventions. These interventions are created for students who do not respond to other universal or focused approaches. Tier III interventions are designed to remove barriers interfering with students' abilities to make academic, social, emotional, and behavioral progress.

For social, emotional, and behavioral needs, the following supports are in place:

Proactive **Tier I Strategies** build positive learning environments in all schools for all learners. These strategies include teaching expected behaviors and rewarding positive behaviors. They use opportunities for teachable moments before problems occur. They also include positive responses to unexpected or unwanted behavior. Some examples of Tier I Strategies include:

- Advisory/Guidance Lessons
- School-wide Positive Behavior Support (PBS) Incentives
- Leader in Me Program (LIM)
- Connection circles
- Self-reflection

Focused **Tier II Strategies & Interventions** address the needs of students who require additional supports. These supports interrupt problematic behavior, teach appropriate alternatives, and promote positive behavior choices. Tier II supports may involve staff outside of the classroom. They address specific student needs, using an intentional process to modify behavior. To determine the best strategy or intervention, staff consider potential root causes of the behavior. They also consider the role of the school, classroom, and interaction of others on the learner. Some examples of Tier II Strategies & Interventions include:

- Check-in/Check-out
- Small group counseling
- Mentoring

Individualized **Tier III Interventions** are designed for students who need the most intensive support. A team including school staff, specialists, the student, and the family develops these interventions. The team works together to identify the root causes for the challenging behavior. They then create a behavior intervention plan to prevent the problem behavior and to teach and reinforce the appropriate behavior. The team implements, monitors, and revises the plan to support student success. Some examples of Tier III Interventions include:

- Individual Counseling
- Behavior Intervention Plan

Support Staff

In addition to teachers, paraprofessionals, and administrative staff who support student learning, there are multiple staff in each building who are vital to meeting the needs of the whole child. This section contains an overview of most support staff roles. Questions about individuals and the services they provide should be directed to building administrators.

Behavioral Health Consultant (BHC)

Both middle schools have Behavioral Health Consultants (BHC), state employed consultants who are licensed behavioral health professionals. BHCs work with school teams to provide mental health screening and assessment (including trauma and suicide) to students referred by school personnel, families, or others. Additional services provided by BHCs include:

- Provide on-going clinical assessment and treatment.
- Develop and implement treatment plans.
- Assess progress and recommend appropriate strategies for improvement.
- Conduct individual and group sessions.
- Provide on-going consultation with professional staff.

Behavior Interventionist

Behavior Interventionists are specialists with extensive training in the behavior issues which can interfere with student learning and high-quality behavior interventions. Behavior Interventionists work directly with school teams, teachers, students, and families to support individual students whose behavior limits their success in the classroom environment. They collaborate with school and district staff to design and deliver student behavior interventions and train appropriate staff regarding the use of behavior management programs for individual students.

Custodial/Maintenance Staff

School custodial and maintenance staff work across all district buildings to ensure the physical safety and cleanliness of facilities. Custodial and maintenance staff are responsible for cleaning and maintaining both inside the buildings and the grounds, playgrounds, sidewalks, drives, and parking areas outside of the building.

Dean of Students

A Dean of Students works collaboratively with school teams to ensure a safe and secure learning climate within the school. Deans investigate, manage, and process student behavioral referrals and work with school staff to ensure behavior expectations are clear and reinforced across the building. They may also provide small group counseling on specific areas of needs for students and may provide support to staff in implementing quality classroom management systems and practices through professional development and coaching.

Educational Diagnostician (ED)

Educational Diagnosticians (ED) are responsible for coordinating special education services for students with disabilities within schools. They collaborate with parents/guardians, psychologists, other service

providers, teachers and administrators to ensure student services are appropriate and in compliance with federal requirements under the Individuals with Disabilities Education Act (IDEA). They provide professional development to staff, monitor student data and progress, schedule meetings, and provide case management services for students as needed.

Family Crisis Therapist (FCT)

In some elementary schools, Family Crisis Therapists (FCT) are state employed consultants who provide a range of interventions designed to remove barriers to academic and social success. FCTs provide interventions within a system of care framework and enhance collaboration among state agencies and communities to meet the needs of children and their families. They work within school teams to identify & support students, providing the following services:

- Intervene in family crisis situations.
- Provide on-going clinical assessment and treatment.
- Develop and implement treatment plans.
- Assess progress and recommend appropriate strategies for continual functional improvement within the family.
- Conduct individual and family therapy sessions.
- Provide on-going consultation with professional staff.

Food Service/Cafeteria Staff

School foodservice managers & staff ensure high standards for safety/sanitation and meal quality in each of our Capital cafeterias. Foodservice staff are responsible for the preparation and serving of all menu items. Additional responsibilities include cleaning and dishwashing, as well as the care of some equipment.

Licensed Clinical Social Worker (LCSW)

Licensed Clinical Social Workers (LCSW) provide clinical behavioral health counseling services to students and their families around issues that impact student's academic performance. Services may be provided in school or in the family's home (SSWAA, 2020). Licensed Clinical Social Workers may provide additional services such as:

- Providing or insuring services to students and families with multiple issues involving mental and emotional health that could be related to substance abuse, past trauma or mental illness.
- Consulting with physicians, medical professionals and therapists when appropriate.
- Facilitating dialogue that involves the appropriate individuals as needed.
- Working with other school personnel to properly assess and help students with unique needs flourish in the school setting.
- Collaborating with student IEP team to develop and support the goals on the students' IEPs.
- Collaborating with the school administration and support staff to conduct assessments and create behavior plans that work to support the whole child.

Nurse

All Capital schools have at least one school nurse in each building during the regular school day. School nurses play an essential role in keeping children healthy, safe, and ready to learn. The school nurse is a member of a unique discipline of professional nursing and is often the sole healthcare provider in an academic setting. Twenty-first century school nursing practice is student-centered, occurring within the context of the student's family and school community ([NASN, 2016a](#)). The school nurse may provide the following services/supports:

- Emergency care
- Management of acute and chronic health conditions
- Referral and support to access primary care and preventive services
- Communicable disease control measures
- Counseling for health promotion
- Identification and management of health-related barriers to student learning

The school nurse also provides education to small groups and individuals on topics such as asthma and diabetes to promote healthy life choices, increase compliance with prescribed regimens, and improve student attendance and academic outcomes.

Occupational Therapist (OT)

School-based occupational therapists (OT) provide educationally relevant services in school settings. Therapists are trained to provide many types of developmental and rehabilitative services. The federal guidelines require the school-based therapist to provide only those services that are necessary to enable students to benefit from their special education programs. Occupational therapists can support students with:

- Home/work/school activities (use of adaptive methods, and/or equipment)
- Design devices, proper position, activities to improve visual motor skills, perceptual motor skills, child/family/home programs
- School-related self-care activities
- Instruction and consultation with adaptive equipment
- Pre-vocational skills

Physical Therapist (PT)

School-based physical therapists (PT) provide educationally relevant services in school settings. Therapists are trained to provide many types of developmental and rehabilitative services. The federal guidelines require the school-based therapist to provide only those services that are necessary to enable students to benefit from their special education programs. Physical therapists can support students with:

- Gross Motor Development
- Functional mobility in the school setting (ambulatory or wheelchair depending

on student's primary mode of mobility)

- Positioning and classroom accessibility
- Environmental modifications
- Equipment ordering and adaptations
- Educational staff collaborations

Psychologist

School psychologists are uniquely qualified members of school teams that support students' ability to learn and teachers' ability to teach. They apply expertise in mental health, learning, and behavior, to help children and youth succeed academically, socially, behaviorally, and emotionally. School psychologists partner with families, teachers, school administrators, and other professionals to create safe, healthy, and supportive learning environments that strengthen connections between home, school, and the community (NASP, 2019). School psychologists may provide the following services and supports:

- Data collection and analysis
- Assessment
- School-wide practices to promote learning
- Consultation and collaboration
- Academic, mental health, and behavioral intervention
- Special education services
- Crisis preparedness, response, and recovery
- Family-school-community collaboration

Safety Monitor/Constable

School Safety Monitors/Constables are present in all schools. The Safety Monitors are Capital employees who are Delaware Commissioned Constables, charged to "Protect life and property, and preserve peace and good order... Exercise the same powers as peace officers and law-enforcement officers, in order to protect life and property..." per Title 10 Chapter 27, § 2705 of the Delaware Code. Capital's School Safety Monitors have prior law enforcement experience and are employed by the district to help ensure the safety of students, staff and visitors. Monitors are responsible for the safety and well-being of students, staff, volunteers and visitors; school-level duties assigned may include:

- Supervision and monitoring of students and visitors within and outside the school building.
- Enforcing appropriate student behavior including communicating with students regarding issues and/or behavior.
- Serving as a member of the school safety committee including assisting with drills and emergency action planning.
- Serving as a mentor and positive role model for students.

School Counselor

School Counselors are certified educators who improve student success for ALL students by implementing a comprehensive school counseling program. School Counselors design and deliver school counseling programs that improve student outcomes. They deliver developmentally appropriate activities and services that help students develop the mindsets and behaviors for student success and improve their achievement, attendance, and discipline (ASCA, 2020). School Counselors are responsible for:

- Support students with academic planning and goal setting.
- Deliver school counseling classroom lessons based upon student success standard.
- Provide short-term counseling to students.
- Collaborate with families, teachers, administrators, and community for student success.
- Advocate for students at student-focused meetings.
- Analyze to identify student strengths, needs and challenges.

School Resource Officer (SRO)

School Resource Officers (SRO) assigned to Capital School District schools work with the entire school community to decrease crime and discipline rates thereby striving to ensure the schools are safe and reflect positive learning environments for students and staff. The School Resource Officers are responsible for:

- Maintaining a police presence within the school building and removing any element that could jeopardize the safety of the students and school staff.
- Providing education to students and staff on legal and safety issues, and will initiate enforcement action as appropriate. SRO's will initiate conflict resolution with students and staff as a prevention tool.
- Reporting any incidents categorized under House Bill 322.
- Serving as a mentor and positive role model.

Speech Language Pathologist (SLP)

School-based Speech Language Pathologists (SLP) provide educationally relevant services in school settings. Therapists are trained to provide many types of communication services. The federal guidelines require the school-based therapist to provide only those services that are necessary to enable students to benefit from their special education programs. SLPs provide a range of services to include:

- Collaborate with the IEP team and parent/guardian(s) to determine the needs of the student.
- Provide information on speech development to school staff and parents.
- Coordinate integrated therapy with the classroom teacher, to be incorporated into the educational program.
- Provide speech-language evaluations and re-evaluations as needed.
- Complete necessary reports and paperwork pertaining to therapy services.

Student Responsibilities

Academic Integrity

Students should exhibit honesty and personal responsibility in all schoolwork and assignments. Academic integrity is necessary for self-respect, trust, student achievement, and positive relationships in our school community.

Appropriate Behavior

The behavior expectations outlined in this *Student Success Guide* are in place:

- On school property prior to, during, and following regular school hours.
- While students are on the school bus for any purpose.
- At all school-sponsored events and other activities where school administrators have jurisdiction over students, including but not limited to field trips, sports and extra-curricular programs.
- Violations of the *Student Success Guide* may result in student suspension or removal from school-sponsored activities and events.

The *Student Success Guide* 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;
- Sexual offenses which are punishable by law;
- The sale, transfer or possession of drugs which would constitute an offense punishable by law;
- The possession, use, or threatened use of a weapon which would constitute an offense punishable by law.

The superintendent or his/her designee may suspend a student pending the outcome of court action or may take the student to a Board of Education expulsion.

Nothing in this section dealing with out-of-school conduct will impact or change the application of the guide for in-school conduct.

Additionally, the principal is authorized to take action when a student's misconduct to and from school has a harmful effect on the other students or on the educational process.

The Attorney General's Office and/or law enforcement authorities notify Capital School District whenever a student is arrested for a designated off-campus crime, this notification occurs 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 Success Guide* if the out-of-school conduct indicates the student presents a threat to the health, safety or welfare of other students and staff. Example: If a student is arrested for selling narcotics in the community, he or she may be expelled from school. Students and families need to realize that out-of-school behavior can result in expulsion from school or placement in an alternative program.

Appropriate Dress

The clothing students select to wear to school should be appropriate for the academic, social, and safety demands of their day. Students have a responsibility to dress and groom to show cleanliness, promote safety, and demonstrate respect for themselves and others.

1. Tops including shirts, blouses, etc., will cover the midriff, back, sides, chest, shoulders and all undergarments.
2. Bottoms including shorts, skirts, dresses, pants, jeans, sweat pants, leggings, etc. will fall to mid-thigh on front, back and sides and will cover all undergarments, including boxer shorts, and buttocks.
3. Appropriate attire also includes undergarments which are not visible. Pajamas or look alike are not appropriate attire.
4. Material in both tops and bottoms will be solid and non-transparent. If an item is transparent or see-through, appropriate solid clothing will be worn over or underneath to meet the listed requirements.
5. Any tops or bottoms with a hole or holes that does not conform to expectations in #1 and #2 must have another layer underneath and must not expose bare skin.
6. Shoes or other appropriate footwear will be worn at all times. Flip-flops and slides may be considered a safety issue during certain activities, for example, Science, PE, Woodshop, etc. Children without appropriate footwear may be excluded from certain activities. Students and parents will be notified when flip-flops and slides are not acceptable for wear. Slippers are not appropriate footwear.
7. Hats, caps, visors, hoods and all other head coverings are not appropriate for wear in school buildings. Head coverings also include but are not limited to bandannas, picks, combs, earmuffs and kerchiefs. Religious head coverings are excluded from these requirements.
8. Outer garments such as coats and parkas will not be worn in the school building. They will be put away as appropriate in lockers or designated areas when the student enters the school. Building staff may determine when jackets and coats may be worn inside based on building or classroom temperatures.
9. Sunglasses are only appropriate for wear in the building with an appropriate physician's note.
10. All articles of clothing and accessories will avoid gang affiliation, sexual overtones, obscene, vulgar, profane, sacrilegious, discriminatory prints and graffiti, and/or references to alcohol, tobacco, drugs or weapons.
11. Administrators may grant specific exemptions to dress expectations for school spirit days, course requirements, sports uniforms, special events, performances, etc.

Attendance

School attendance is mandated by state law and regulations of the Delaware State Board of Education. 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. Capital School District Policy #700-02 *Student Attendance Regulations* is the governing document.

Examples of excused absences may be:

1. Doctor, dentist, or other medical professional visits
2. Illness or hospitalization as confirmed by medical professional
3. Court appearance as confirmed by official documentation
4. School nurse exclusion for communicable illness
5. Up to 12 personal absences per year, documented by parent/guardian note or email
6. Volunteer firefighter service

Absence notes must be submitted to the school within three school days of the child's return.

Official instructional hours for each school:

- | | |
|---|----------------------------|
| o All Elementary (K-4) schools: | 8:50 a.m.-3:30 p.m. |
| o Middle Schools (William Henry & Central): | 8:10 a.m.-2:52 p.m. |
| o Dover High School: | 7:25 a.m.-2:20 p.m. |
| o Kent County Community School: | 8:30 a.m.-3:15 p.m. |
| o Kent County Intensive ILC: | 7:40 a.m.-2:20 p.m. |

Attendance Contacts by School:

- | | |
|--|---|
| o East Dover Elementary School: | eastattendance@capital.k12.de.us |
| o Fairview Elementary School: | fvattendance@capital.k12.de.us |
| o Hartly Elementary School: | hartlyattendance@capital.k12.de.us |
| o North Dover Elementary School: | northattendance@capital.k12.de.us |
| o South Dover Elementary School: | southattendance@capital.k12.de.us |
| o Towne Point Elementary School: | tpattendance@capital.k12.de.us |
| o Booker T. Washington Elementary School: | btwattendance@capital.k12.de.us |
| o William Henry Middle School: | whmsattendance@capital.k12.de.us |
| o Central Middle School: | cmsattendance@capital.k12.de.us |
| o Dover High School: | dhsattendance@capital.k12.de.us |
| o Kent County Community School: | kccsattendance@capital.k12.de.us |
| o Kent County Secondary Intensive Learning Center: | kcsilcattendance@capital.k12.de.us |

Book bags/Purses

The District assumes a student is responsible for all items found in any bag brought to school. Examples include books bags, purses, gym bags, etc. Each student should regularly check the contents of his/her bag(s). If a student fails to secure his/her bag, or provides others access to the bag, the student remains responsible for items found in the bag. All bags can be searched with reasonable suspicion (see Student Rights: Search & Seizure).

Bus Privileges

Students will have a safe bus ride to and from school if they follow the bus rules. Any violation of these rules will be addressed as outlined in district policy and the *Student Success Guide*.

Please see:

Capital School District Policy #700-18 *Bus Safety Regulations*

Capital School District Policy #700-25 *Bus Conduct*

Bullying

The Capital School District's intent is to foster human dignity in our schools. Bullying of any type denies that ideal. No one will be subject to any type of bullying. Alleged incidents of bullying should be reported directly to school administration or through the "**Report Bullying**" link on district and school websites.

"Bullying" is defined in Section 4161 of Title 14 as any intentional written, electronic, verbal or physical act or actions against another student, school district or charter school volunteer or a school district or charter school employee that a reasonable person under the circumstances should know will have any of the following effects:

- (1) Placing a student, school district or charter school volunteer or a school district or charter school employee in reasonable fear of substantial harm to the student's, volunteer's or employee's emotional or physical well-being or substantial damage to the student's, volunteer's, or employee's property;
- (2) 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;
- (3) Interfere with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits;
- (4) Perpetuate 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 district or charter school volunteer or school district or charter school employee.

The following rights and responsibilities are in line with the Capital School District Policy #700-31 *Bullying Prevention*.

Students have the responsibility:

1. To treat everyone with respect and not bully.
2. To report incidents of perceived or observed aggression, intimidation, or harassment toward self or others to a teacher, counselor, disciplinarian, or school administrator.
3. To inform and seek the advice of a teacher, counselor, or school administrator.
4. To report the information to the principal if the situation is not resolved.
5. To try to include students who are left out.

Lockers

The District presumes a student is responsible for all items found in the student's locker. If a student fails to lock his/her locker, or provide others access to the locker, the student remains responsible for items found in the locker. Student lockers are the property of the school. Lockers may be subject to search by an administrator and/or designee at any time with reasonable suspicion to protect the health, safety, and welfare of others (see Student Rights: Search & Seizure).

Motor Vehicles

High school students may earn the privilege to drive a personal vehicle (car) to school. This privilege is granted by school administration. It may be taken away to ensure the safety of other students on school grounds or as punishment for inappropriate actions in the school and/or classroom. The District assumes a student is responsible for all items in the student's car. This applies to any car a student drives to school without regard to who owns the car. If a car is not locked, or others are permitted access to the car, the driver remains responsible for items found in the car. The car can be searched with reasonable suspicion (see Student Rights: Search & Seizure).

Student drivers have the responsibility:

1. To operate their motor vehicles in a safe and prudent manner at all times while driving on school or district property;
2. 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 Success Guide* or State law.

Technology Usage

Use of technology, including personal technology devices, is a privilege and can be revoked. Students must read and agree to the District's *Acceptable Use and Internet Policy #200-11*, which incorporates the State policy. Students and parents/guardians must sign the Acceptable Use and Internet policy before the student may use District technology, including Internet access.

Behavior Expectations

Clear and concise expectations for behavior will be communicated to all students. The communication will be consistent and understandable throughout the school. Behavior expectations will be supported by teaching of appropriate behaviors, use of positive behavior techniques, modeling of appropriate procedures/routines, and use of classroom strategies.

In Capital School District, behavior expectations for successful students include:

- Attend school daily and on time.
- Are responsible for their own work and behavior.
- Arrive prepared for class assignments and activities.
- Respect all persons and property.
- Conduct themselves in a safe and responsible manner.
- Follow school/classroom rules.
- Ask for assistance when needed.

Students with Disabilities

The *Student Success Guide* applies to all students. However, when enforcing the guide, the district must also comply with federal and state law pertaining to students with disabilities. There are procedural safeguards in place through the Individuals with Disabilities Education Act (IDEA), the Delaware state regulations, and Capital School District procedures specific to students with disabilities which offer further protections and additional clarification related to the discipline of students receiving special education services. This section of the *Student Success Guide* explains these safeguards and the procedures that are used to ensure that students with disabilities receive a free appropriate public education (FAPE) throughout any disciplinary process.

1. Students with disabilities may receive short term suspensions up to 10 cumulative school days per school year.
2. If a student with a disability has been suspended for 6 days during the current school year, the IEP team should convene to determine if the student's IEP be revised to include more supports for the student to be successful and to determine if a Functional Behavior Assessment and/or Behavior Intervention Plan are warranted if there is not one in place already. This meeting can be initiated by either the school team or the student's family.
3. If a student with a disability is recommended for removal for more than ten cumulative (10) school days, in any one school year, or if expulsion is being recommended, the IEP team must hold a Manifestation Determination meeting to determine if the incident (s) are a manifestation of the student's disability or if the behavior was a direct result of the school's failure to implement the student's IEP. The IEP Team must convene for the Manifestation Determination meeting within 10 calendar days of the removal that includes the 10th school day. While 10 calendar days are permitted, it is recommended that this meeting be held as soon as possible.

4. If the IEP team determines the offense was a manifestation of the student's disability, the team must conduct an FBA and develop a BIP to address the behavior. If a BIP already exists, then the team must review the BIP and revise if necessary. If the behavior was a direct result of the school's failure to implement the IEP, the IEP Team must take immediate steps to remedy those deficiencies and review the steps taken. The student should return to their current placement on the next day of school unless the IEP team with the agreement of the parent decides to change the placement.
5. If the IEP team determines that the offense is not a manifestation of the student's disability, the student will be subject to the provisions of the Student Success Guide and disciplined accordingly. The school based disciplinary team should consult with the Special Services leadership team prior to the removal of a student with a disability for more than 10 days to ensure that FAPE obligations are met regardless of setting.
6. Under special circumstances, IDEA authorized the school hearing officer to place a student in an Interim Alternative Educational Setting for 45 school days. In these circumstances, the Special Services leadership team should be consulted prior to final decision making. These circumstances are:
 - a. The student carries or possesses a weapon to school or on school premises.
 - b. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or on school premises.
 - c. The student has inflicted serious bodily harm upon another person while at school or on school premises. Serious bodily injury is defined as involving a serious risk of death, extreme physical pain, protracted or obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
7. In rare circumstances when a student presents an extreme risk of harm, a District can pursue the use of an impartial hearing officer to remove a student to an alternate setting for 45 school days without regard as to whether the behavior is a manifestation of the student's disability. Those situations require consultation with the Special Services leadership team and would require the rare situation where a student presents an extreme risk of harm.



Responses to Behavior Violations

When a student's behavior violates the *Student Success Guide*, staff will use a progressive discipline process. The appropriate response to student behavior will be guided by the Progressive Discipline Matrix and the Progressive Discipline STEPs: Strategies, Interventions and Responses. First, staff will use the Matrix to decide what level of response is appropriate for the behavior. Second, staff will use the STEPs to decide what response is most likely to result in a change of the behavior. The Matrix and the STEPs will be applied consistently across all schools and all students unless otherwise noted in a student's Behavioral Intervention Plan.

Progressive discipline:

- *is the use of the least severe action necessary to correct behaviors that do not meet expectations.*
- *only moves to more significant actions when changes in behavior do not occur.*
- *is used to create a positive and safe school environment for all.*

Responses to repeated violations become more involved and detailed. These responses are designed not only to provide equity but also to use discipline as a teaching tool.

Discipline is not to punish the student. Instead it should inform the student and families of the need to correct the behavior and provide supports for behavior change. Staff may use more than one strategy, intervention, and response from the initial STEP or lower STEPs. Staff will document behavior and contact parent/guardians as required by the initial STEP placement.

Sometimes incidents involve multiple inappropriate behaviors. In that case, the administrator or designee may respond at a higher initial STEP. This response will be based on the severity of the incident and behaviors. In the case of repeated or patterns of misbehavior, the administrator or designee may move to the next STEP response as appropriate.

How to Use the Matrix and Steps of Progressive Discipline

1. Identify the student behavior.
2. View the Progressive Discipline Matrix:
 - a. Find the behavior on the left hand side.
 - b. Move to the right to find the student's grade level.
 - c. Move up the column and identify the step of the offense.
3. Go to the appropriate Step page following the Matrix to see:
 - a. The initial response to the student's behavior
 - b. The process of documentation at that Step
 - c. A list of potential strategies, interventions and responses to address the behavior
 - d. Repeated behaviors may be addressed at higher Step levels

Example 1:

On Friday, a third grade student was asked to move to a different seat in the classroom, improving their ability to focus and learn. Student refused four different times in a matter of 45 minutes. The last time they screamed at the teacher. This was the third time this week this had happened. Monday, the teacher moved other students away from the child and called home. Wednesday, the teacher had the child fill out a reflection sheet and talked with the student about appropriate behavior and listening to adults. This time, Friday, the teacher documented the behavior classroom issue in eSchool and referred it to the administration.

Behavior: Defiance

- Based on student grade level, this behavior has a STEP 1 response.
- The administration saw the teacher has completed a few of the strategies, interventions, and responses already in STEP 1 and realized this is a repeated offense. The administration communicated with the parent/guardian and decided to move to STEP 2 utilizing school-based services (the counselor) and possibly developing a student support plan if counseling sessions in school are not successful.

Example 2:

A tenth grade student didn't want to wait for the bell to ring because they had to meet their friend to get their lunch from McDonalds. The student left the classroom without permission five minutes before dismissal.

Behavior: Leaving assigned area without permission

- Based on student grade, this behavior has a STEP 3 response.
- The teacher wrote a referral for the behavior and forwarded it to administration.
- The administration contacted the parent/guardian. The administration documented the incident and assigned an administrative detention.



Progressive Discipline Matrix

<i>Offense Initial STEP Placement</i>									
Offense	State Code	1	2	3	4	5	6	7	Mandatory Reporting
Academic Cheating/Plagiarism	S0141	K-4	5-12						
Arson	C0133-34							K-12	Police, DOE
• Reckless Burning	S0152				K-6	7-12			
Assault									
• 1st & 2nd Degree	C0106-07						K-12		Police, DOE
• 3rd Degree	C0201				K-4	5-12			DOE if <12 years old; Police if >12
Bullying	D0701			K-4	5-12				DOE
Criminal Mischief (Vandalism)	D0301			K-12					DOE
Defiance/Insubordination	S0081-82	K-4	5-12						
Dress Code Violation	S0291	K-12							
Drug/Alcohol Possession or Use									
• Alcohol Possession and/or Use	D0501				K-4	5-12			DOE
• Tobacco Possession and/or Use	D1401			K-4	5-12				DOE
• Medications: Inappropriate Possession/Use	D1601			K-4	5-12				DOE
• Unlawful Possession of Controlled Substances or Look-Alike Substances	C0701-04				K-4	5-12			Police, DOE
• Under the Influence of Unlawful Controlled Substances	D0502				K-4	5-12			DOE
• Distribution of Alcohol, Drugs and Look Alike Drugs	C0710						K-4	5-12	Police, DOE
Extortion	C0141					K-4	5-12		Police, DOE
Failure to Report for Detention	S0221		K-4	5-12					
Falsification (Verbal)	S0321	K-12							
Falsification (Written)	S0322			K-12					
Fighting	D1101			K-4	5-8	9-12			DOE
• Instigation (of fight)	S0302			K-4	5-8	9-12			
Instigation (other than fight)	S0302	K-4	5-8	9-12					
Gambling	S0241	K-6	7-12						
Hate Crimes	C0151				K-4	5-12			Police, DOE
Inappropriate Behavior									
• Careless & Reckless Behavior	S0107			K-4	5-12				
• Consensual Sexual Misconduct	S0108			K-4	5-8	9-12			
• Disrespect Toward a Student	S0105		K-4	5-12					
• Disrespect Toward a Staff Person	S0104		K-4	5-12					
• Disruption of the Education Process	S0091	K-4	5-8	9-12					
• Plan to Violate Code of Conduct/SSG	S0106		K-4	5-12					
• Safety Violation	S0102			K-4	5-12				

State Codes: S = School, D = Department of Education/State reportable, C = Criminal/Police reportable

Progressive Discipline Matrix

Offense Initial STEP Placement									
Offense	State Code	1	2	3	4	5	6	7	Mandatory Reporting
Inappropriate Language									
• Abusive Language	S0301		K-4	5-12					
• Use of Profanity	S0011	K-12							
Leaving School Grounds w/o Permission	S0051			K-12					
Loitering	S0071	K-12							
Offensive Touching									
• Staff Victim	D0802			K-4		5-12			DOE
• Student Victim	D0801			K-4	5-8	9-12			DOE
Out-of-School Conduct									
• Report: Attorney General	S0161						K-12		
• Report: Alternative Program	S0162						K-12		
Pornography	D0101			K-4	5-12				DOE
Rape	C0122-25							K-12	Police, DOE
• Unlawful Sexual Contact III	C0301					K-12			Police, DOE
• Under 12: Unlawful Sexual Contact III									
o Staff Victim	D1802				K-5				DOE
o Student Victim	D1801				K-5				DOE
Repeated Code of Conduct (SSG) Violations	S0333						K-12		
Sexual Harassment	D1001				K-6	7-12			DOE
Skippping Class	S0041		K-8	9-12					
• Leaving Assigned Area w/o Permission	S0052		K-4	5-12					
• Tardiness: Late to Class	S0032	K-12							
Technology									
• Misuse of Technology/ Violation of the AUP	S0181	K-12							
• Unauthorized use of Personal Technology Device	S0312	K-12							
Terroristic Threatening	D0901					K-4	5-12		DOE
• Security Threat	D0902					K-4	5-12		DOE; Police if Bomb Threat
Theft									
• Felony Theft > \$1,500	D0601				K-12				DOE
• Stealing	S0111			K-4	5-12				
Trespassing	S0271			K-12					
Unsafe Driving	S0121			9-12					
Unsafe Item	S0131			K-4	5-12				
Weapon Possession									
• Possession of a Dangerous Instrument	C0621					K-4	5-12		Police, DOE
• Possession of a Deadly Weapon	C0601-20; C0622-26							K-12	Police, DOE

State Codes: S = School, D = Department of Education/State reportable, C = Criminal/Police reportable

Progressive Discipline STEPs

Behaviors for STEP 1



At Step One: Initial Response Level to the Offense is at Level One:

Classroom/Building-level strategies, interventions and responses are chosen. Staff use a Multi-Tiered System of Support (MTSS) to support and teach behavior expectations.

Examples of possible responses are listed below

STEP

1

- Teach appropriate behaviors**
- Use positive behavior techniques**
- Model appropriate procedures/routines**
- Restitution or restoration**
- Employ classroom environment strategies**
- Conference with student & Communicate concern with parent/guardian**
- Teach replacement behavior strategies**
- Review classroom & School Expectations**
- Conduct whole class lesson/meeting**
- Follow & Document Behavior Intervention Plan (BIP) if in place***

CLASSROOM LEVEL

Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A cademic Cheating/Plagiarism	•			
D efiance/Insubordination	•			
D isruption of the Education Process	•			
D ress Code Violation	•	•	•	•
F alsification (Verbal)	•	•	•	•
G ambling	•	•		
I nstigation (other than fight)	•			
L oitering	•			
T ardiness: Late to Class	•	•	•	•
T echnology Device Unauthorized use/Personal	•	•	•	•
T echnology/Violation of the AUP/Misuse	•	•	•	•
U se of Profanity	•	•	•	•

Progressive Discipline STEPs

Behaviors for STEP 2



At Step Two: Progressive Discipline Matrix calls for initial Step 2 response.

OR

Appropriate classroom/building-level strategies and responses have been ineffective. Staff will collaborate with parents/guardians and available resources to help students. Incident must be documented as a Classroom Issue in eSchool.

Examples of possible responses are listed below

STEP

2

- Utilize School-Based Services**
- Provide time to take a break for age-appropriate recovery/cool-down**
- Engage student in self-reflection activity with adult follow-up**
- Conference with teacher/administrator**
- Confiscation of item/Substitution of dress code item**
- Restitution or restoration**
- Develop and utilize Student Support Plan**
- Follow & document Behavior Intervention Plan (BIP) if in place***
- Administer teacher detention with age-appropriate reflection**

CLASSROOM LEVEL

Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A cademic Cheating/Plagiarism		•	•	•
A busive Language	•			
D efiance/Insubordination		•	•	•
D isrespect Toward a Student	•			
D isrespect Toward a Staff Person	•			
D isruption of the Education Process		•	•	
F ailure to Report for Detention	•			
G ambling			•	•
I nstigation (other than fight)		•	•	
L eaving Assigned Area or Class w/o Permission	•			
P lan to Violate Code of Conduct/SSG	•			
S kiping Class	•	•	•	

Progressive Discipline STEPs

Behaviors for STEP 3



At Step Three: Progressive Discipline Matrix calls for initial Step 3 response.

OR

Appropriate classroom level strategies/responses and additional assistance have been ineffective. Incident will be documented as a Classroom Issue in eSchool.
Parent communication required.

Examples of possible responses are listed below

STEP

3

Parent/Guardian Conference; Employ assistance from school, district and/or community-based services;

Provide time to take a break for age-appropriate recovery/cool-down

Refer to appropriate Student Support Team;

Restitution or restoration and/or service learning

Develop and utilize Student Support plan or contract;

Conduct Functional Behavior Assessment & create Behavior Intervention Plan (BIP); Review/Revise existing BIP;

Restrict privileges; Up to 1 day of Bus Suspension; Administrative detention; Up to 1 day of In-School Suspension

DDOE reporting as required and/or Police notification as required

REFERRAL

Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A busive Language		•	•	•
B ullying	•			
C areless and Reckless Behavior	•			
C onsensual Sexual Misconduct	•			
C riminal Mischief (Vandalism)	•	•	•	•
D isrespect towards staff or student		•	•	•
D isruption of the Educational Processes				•
F alsification (Written)	•	•	•	•

Progressive Discipline STEPs

Behaviors for STEP 3 continued



Elevates the issue beyond staff strategies, interventions and responses through referral.



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
F ailure to report for detention		•	•	•
F ighting	•			
L eaving Assigned Area or Class without Permission		•	•	•
L eaving School Grounds w/o Permission	•	•	•	•
M edications: Inappropriate Possession and/or Use	•			
O ffensive Touching (Staff/Student)	•			
P ornography	•			
P lan to violate the code of conduct		•	•	•
S afety Violation	•			
S kipping Class				•
S tealing	•			
T obacco Possession and/or Use	•			
T respassing	•	•	•	•
U nsafe Item	•			
U nsafe Driving				•

Progressive Discipline STEPs

Behaviors for STEP 4



At Step Four: Progressive Discipline Matrix calls for initial Step 4 response.

OR

Lower step strategies and responses have been ineffective. Incident will be Referred and parent/guardian conference is required.

Examples of possible responses are listed below

STEP

4

- Employ assistance from school, district and/or community-based services**
- Refer to Student Support Team**
- Conflict Resolution/Mediation**
- Conduct Functional Behavior Assessment and develop Behavior Intervention Plan**
- Restitution or restoration and/or service learning**
- Up to 3 days of Bus Suspension**
- Up to 3 days of In-School Suspension**
- Up to 3 days of Out-of-School Suspension**
- DOE reporting as required**
- Police notification as required**



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A rson: Reckless Burning	•			
A ssault: Third Degree	•			
B ullying		•	•	•
A lcohol Possession and/or Use	•			
C onsensual Sexual Misconduct		•	•	
C areless and Reckless Behavior		•	•	•
F elony Theft > \$1,500 (greater than \$1,500)	•	•	•	•

Progressive Discipline STEPs

Behaviors for STEP 4 continued



Mandatory Referral & Parent/Guardian conference is Required.



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
F ighting		•	•	
H ate Crimes	•			
M edication: Inappropriate possession and/or use		•	•	•
O ffensive Touching: Student as Victim		•	•	
P ornography		•	•	•
S afety Violation		•	•	•
S exual Contact III: Unlawful, Under 12 Between Student and Staff Member (staff or student victim)	•	•		
S exual Harassment	•	•		
S tealing		•	•	•
T obacco Possession and/or Use	•			
U nder the Influence: Unlawful Controlled Substances	•			
U nlawful Possession: Controlled Substances or Look-Alike Substances	•			
U nsafe Item		•	•	•

Progressive Discipline STEPs

Behaviors for STEP 5



At Step Five: Progressive Discipline Matrix calls for initial Step 5 response.

OR

Lower step strategies and responses have been ineffective. Incident will be Referred and a SCHOOL-LEVEL hearing is required.

Examples of possible responses are listed below

STEP

5

Employ assistance from school, district and/or community-based services

Refer to Student Support Team and/or Conflict Resolution/Mediation

Conduct Functional Behavior Assessment and develop Behavior Intervention Plan

Restitution or restoration and/or service learning

Up to 5 days of Bus Suspension

Up to 5 days of Out-of-School Suspension

DDOE reporting as required and/or Police notification as required



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A lcohol: Possession and/or Use		•	•	•
A ssault: Third Degree		•	•	•
B urning, Reckless (not Arson)			•	•
C onsensual Sexual Misconduct				•
E xtortion	•			
F ighting: Instigating the Fight				•

Progressive Discipline STEPs

Behaviors for STEP 5 continued



**School-Level Hearing
is Required!**



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
F ighting: Participating In				•
H ate Crimes		•	•	•
O ffensive Touching (Staff Victim)		•	•	•
O ffensive Touching (Student Victim)				•
P ossession of a Dangerous Instrument	•			
S ecurity Threat	•			
S exual Harassment			•	•
T erroristic Threatening	•			
U nder the Influence: Unlawful Controlled Substances		•	•	•
U nlawful Possession: Controlled Substances or Look-Alike Substances		•	•	•
U nlawful Sexual Contact III	•	•	•	•

Progressive Discipline STEPs

Behaviors for STEP 6



At Step Six: Progressive Discipline Matrix calls for initial Step 6 response.

OR

Lower step strategies and responses have been ineffective. Incident will be Referred and District-Level Alternative Placement Team Meeting or Expulsion Hearing required.

Examples of possible responses are listed below

STEP

6

Employ assistance from school, district and/or community-based services

Conduct Functional Behavior Assessment and develop Behavior Intervention Plan

Restitution or restoration and/or service learning

Up to 10 days of Out-of-School Suspension

Alternative Placement or Expulsion

DDOE reporting and/or Police notification, as required

DISTRICT-LEVEL HEARING

Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A ssault—1st & 2nd Degree	•	•	•	•
D istribution of Alcohol, Drugs and Look Alike Drugs	•			
E xtortion		•	•	•
O ut-of-School Conduct: REPORT: Attorney	•	•	•	•
O ut-of-School Conduct: REPORT: Alternative Placement	•	•	•	•
P ossession of a Dangerous Instrument		•	•	•
R epeated Code of Conduct (SSG) Violations (≥5)	•	•	•	•
S ecurity Threat		•	•	•
T erroristic Threatening		•	•	•

Progressive Discipline STEPs

Behaviors for STEP 7



At Step Seven: Progressive Discipline Matrix calls for initial Step 7 response.

OR

Lower step strategies and responses have been ineffective. Incident will be Referred and District-Level Expulsion Hearing required.

Examples of possible responses are listed below

STEP

7

Employ assistance from school, district and/or community-based services

Conduct Functional Behavior Assessment and develop Behavior Intervention Plan

Restitution or restoration and/or service learning

Out-of-school suspension pending

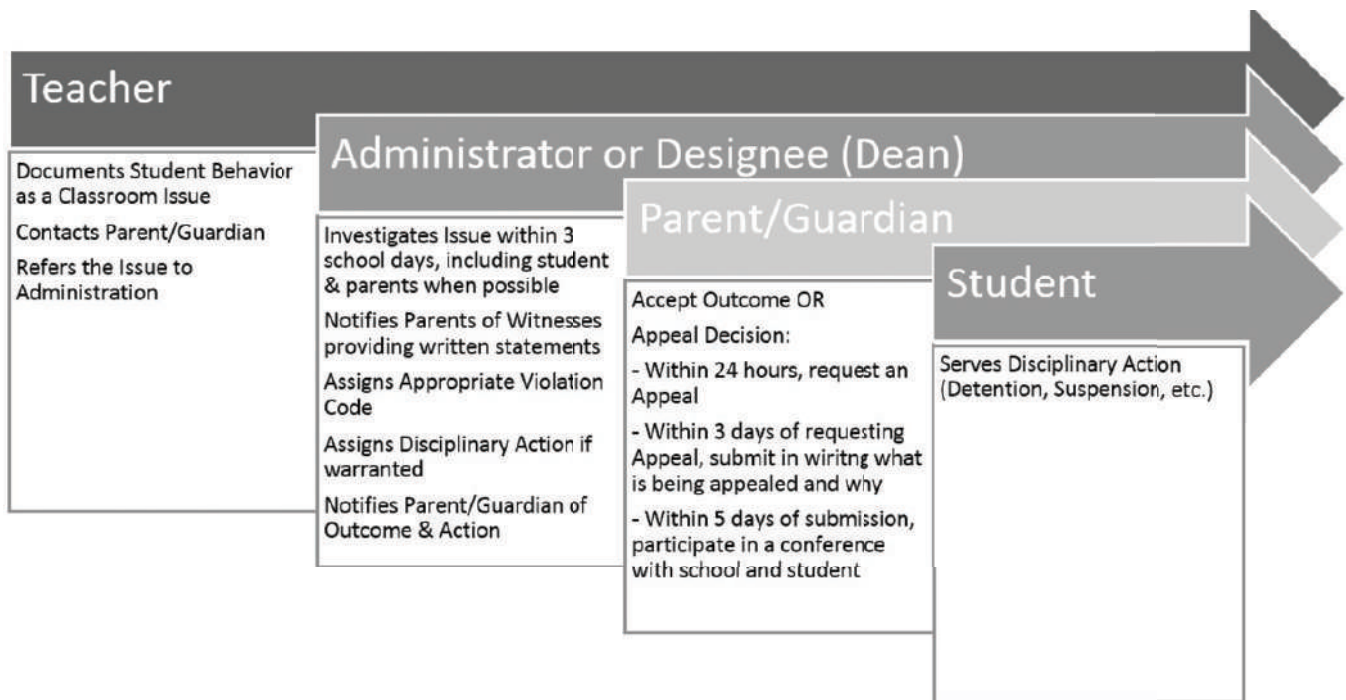
Expulsion

Police notification



Behavior & Assigned Grade Level	K-4	5-6	7-8	9-12
A rson	•	•	•	•
D istribution of Alcohol, Drugs and Look-Alike Substances		•	•	•
P ossession of a Deadly Weapon	•	•	•	•
R ape	•	•	•	•

Administrative Disciplinary Processes & Procedures



Overview

Capital School District is committed to meeting the needs of the whole child by creating a safe and supportive school environment through the implementation of high yield instructional, environment, and social and emotional learning (SEL) strategies. Teachers are expected to use reasonable behavior management techniques, classroom intervention, and SEL strategies in the classroom prior to referring a student to a building administrator for disciplinary action. Classroom strategies are often enough to provide redirection for the bulk of disruptive behaviors seen in schools. Once appropriate levels of classroom/school strategies/interventions have been implemented without success, the staff member must follow the District behavior incident reporting procedures below.

Behavior Incident Reporting

The District utilizes an electronic incident reporting system which tracks behavior incident data at many levels allowing for monitoring and analysis of behavior trends and disciplinary actions. The process for incident reporting is as follows:

1. Classroom teacher or other staff member implements and documents strategies to address specific student behaviors and contacts the parent/guardian (as outlined in STEPs).
2. Teacher/staff submits an electronic incident report for the student describing the behavior to the building administrator or designee if the student does not respond positively to interventions.
3. Building administrator/designee reviews the report within 3 school days and makes a reasonable effort to include the student and parent/guardian in the preliminary investigation. The

Administrative Disciplinary Processes & Procedures

Principal/Designee will contact the parent/guardian via telephone call, email, or text message as indicated in eSchool and will document in the appropriate system.

4. If the offense warrants a disciplinary action, the Referral will be escalated to a Discipline Incident within eSchool (student database). The parent/guardian will be notified of the outcome and given the opportunity to appeal.
5. When necessary, the situation will be reviewed by the student support team and additional recommendations may be made.

The student has the right to refuse to provide a statement when an individual investigates allegations of behavioral violations as outlined in the *Student Success Guide*.

Due Process

Prior to any disciplinary response being put in place, the student shall be afforded due process to include:

1. Be given oral and written notice of the alleged offense and, if the offense is denied, be given an explanation of the evidence known to school authorities
2. Be given the opportunity to present the student's side of the story. Students have the right to submit a statement in writing concerning any incident requiring discipline action, but are not required to do so. Reasonable efforts will be made to notify parents/guardians of any student making a written statement. The Principal/Designee will place a telephone call to the parent/guardian work, home and personal cell phone number as indicated in eSchool.
3. Have had prior opportunity to know that the alleged offense was in violation of established rules and regulations.
4. In cases of suspension, be advised that the disciplinary response may be appealed by parents/guardians and/or by students 18 years of age or older to the next administrative level, District Office or State Board of Education (SBE).

SBE Appeals must be based on a written decision by the local school district board of education and will only be heard for suspensions of more than 10 days or offense expungement from a student's educational record.

Appeals Process

Parents/guardians and students 18 years of age or older may appeal disciplinary actions resulting in suspension to the next administrative level (e.g. actions taken by the Dean of Students may be appealed to the Associate Principal, actions taken by the Associate Principal may be appealed to the Principal, actions taken by the Principal may be appealed to the Superintendent or Designee).

The appeal request must be made in writing within 24 hours of notification of the disciplinary outcome/action. Within 3 days of requesting an appeal, an official discipline appeal form will be submitted including what decision is being appealed and why to the appropriate level of administration. Within 5 days of written submission, the appeal will be considered in a conference with the parent/guardian, the student and the appropriate school representative(s). A written decision on the appeal will be issued within 5 days of the conference and is final.

Administrative Responses to Behavior Violations

Administrative Detention

Administrative Detention requires that a student remain after school for a period not to exceed 2 hours. During this time, students may be required to complete missed work or to engage in interventions to help the student improve behavior.

Bus Suspension

Bus Suspension is the temporary suspension of bus transportation privileges for student misconduct on the bus. When assigned a bus suspension, the restriction of bus riding privileges will apply to all district transportation during the assigned suspension, not only the bus on which the original discipline offense occurred.

In-School Suspension

In-School Suspension (ISS) is the temporary removal of a student from the area indicated by the regularly assigned schedule for a full day. 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.

A written notice must be mailed home for an ISS within the following day mail delivery after the processing of the suspension. The notification shall state the reason and duration of the suspension. If the suspension is for more than three (3) days, a definite time and date for a conference shall be scheduled at a place designated by the school administrator. The principal/designee is required to hold a conference, to include the parent and child, prior to the readmission of the student. The Principal/Designee may waive this conference requirement.

Out-of-School Suspension

Suspension is the temporary removal of a pupil from the regular school program for a period not to exceed five (5) school days. The Superintendent or designee, however, may extend a suspension past the five (5) day period pending a decision on a principal's recommendation to expel for severe behavior offenses. While serving Out-of-School Suspension, a student is forbidden from being on the property of the District (this includes athletic fields, District Office, any after-school activities and/or extracurricular activities) for any reason unless accompanied by a parent or legal guardian to a pre-arranged appointment.

Prior to a suspension from school, the student shall be afforded due process as outlined above.

Prior to a student being suspended, verbal communication of the suspension (parent notice) will be attempted through the listed contact information provided by the parent/guardian. Suspended students should be picked up from school by the parent/guardian, when the suspension is assigned. When direct phone communication is not successful, notification regarding the suspension will be left on a voicemail message and/or email, and the student will be retained at school until the end of the school day. A copy of the discipline referral will be sent home with the student.

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

Administrative Disciplinary Processes & Procedures

a parent, will follow as soon as practical.

A written notice must be mailed home for any Out-of-School Suspension within the following day mail delivery after the processing of the suspension. The notification shall state the reason and duration of the suspension.

After a suspension from school of up to three (3) days, the Principal/Designee is required to hold an in-person or phone conference prior to the readmission of the student. If the suspension is for three (3) or more days, the principal/designee is required to hold an in-person 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. The Principal/Designee may waive this conference requirement.

Student Hearing Processes & Procedures

Alternative Placements

Assignment to alternative programs is the removal of a student from the regular school program with placement in a program designed to meet the student's particular needs. Alternative programs may be located at the student's home school, another district school, or an approved site outside the District. Assignment to an available alternative program will be made according to procedures established for the program and must be approved by the District Alternative Placement Team.

- **Building Level Conference**

Building Level Conferences will be set by the school disciplinarian and appropriate school administrators and notification will be provided to the student's parent and the student. To recommend Alternative Placement, the following criteria must be met:

- a. The meeting will be held by phone or in person, with either a witness or audio recording of the meeting.
- b. The Principal/Designee will explain the purpose of the meeting is to inform the parent/guardian and student:
 1. of the referral for Alternative Placement;
 2. that the student may be suspended pending the outcome of the Alternative Placement Team Meeting and;
 3. of the procedures that will take place as follow-up to the referral for Alternative Placement.

- **Alternative Placement Team Meeting**

After the school has held a Building Level Conference and forwarded all required documentation to the district, an Alternative Placement Team Meeting will be scheduled.

- a. The school shall mail a notice of the Alternative Placement Meeting to the parent/guardian and the student via regular U.S. certified mail at least five business days prior to the meeting.
- b. Team members shall include the Building Principal or Associate Principal, Superintendent's Designee, School Counselor, Alternative School representative and other staff members pertinent to the student.

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- c. The parent/guardian and student shall be informed by the Principal/Designee of the Alternative Placement Team's decision for placement within one (1) business day of the meeting.
- d. The Superintendent/Designee shall send written notice within three (3) business days to the parent/guardian describing the circumstances which led to the placement, identifying the Alternative Program to which the student is being assigned, and the conditions which must be met in order for the student to return to the Regular School Program.

District-Level Expulsion Hearing

State regulations define expulsion as "...the exclusion of a pupil from school." Students expelled from any public school (in Delaware or any other state) are not permitted to attend any public school in Delaware during the period of expulsion.

When a student commits a violation which may result in a recommendation for expulsion, the following procedures shall be followed:

Step I

1. The student shall be suspended for a minimum of five (5) school days.
2. The principal or designee shall make every effort to investigate all aspects of the discipline problem, including a conference with the student of the charges against him/her and to provide an opportunity to respond and to tell his/her side of the story. If possible, this conference shall be held prior to the student's suspension.
3. The principal or designee shall complete the investigation within three (3) school days of the incident.
4. If at the completion of the investigation the principal or designee concludes the student committed the offense and the nature of the offense warrants a recommendation for expulsion, the principal or designee shall submit the recommendation to the Superintendent. The recommendation must be accompanied by a summary of the principal's investigation and supported with other documentation attesting to supporting the violation.
5. If the Superintendent or designee does not concur with the recommendation for expulsion, alternative education placement may be issued to the student. The student and parent/guardian will be provided notification of alternative placement of which is not appealable to the Board of Education.
6. If the Superintendent or designee concurs with the recommendation for expulsion, the student's case will proceed to Step II. In addition, the student's suspension shall be extended pending a recommendation by the hearing officer as outlined in Step II of the hearing process.

Step II

1. The Superintendent or designee shall promptly (preferably within ten (10) school days from the date of the incident) notify the student and the student's parent(s)/guardian(s), of the recommendation to expel and of the date, time and location for a formal hearing on the recommendation for expulsion. For students with disabilities as defined by Federal and State law and regulations, the Superintendent or designee shall within ten (10) school days from the

Administrative Disciplinary Processes & Procedures

date of the manifestation meeting, notify the student and the student's parent(s)/guardian(s) of intent to expel and of the date, time, and location for a formal hearing. The notice of recommendation to expel shall be sent by certified mail, stating the reasons for the expulsion and the time and place of the hearing. In addition, a copy of these procedures and the District *Student Success Guide* shall accompany the notice.

2. The formal hearing shall be held not less than five (5), or more than ten (10) school days promptly after the notice of intent to expel is given. An extension may be granted by agreement of all parties.
3. An impartial hearing officer shall conduct the formal hearing. The hearing officer may be an employee of the District, but the hearing officer must be impartial.
4. The hearing officer shall have full authority to control the conduct of the hearing, including authority to admit, or exclude, evidence. The hearing officer, in conducting the hearing, shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The hearing officer shall exclude plainly irrelevant evidence. Unduly repetitive proof, rebuttal and cross-examination shall be excluded. The witnesses shall be sworn by the hearing officer.
5. The student shall have the following rights:
 - a. To be represented by counsel, at the student's expense.
 - b. To question any witnesses who testify and to receive a copy of any statements or affidavits of such witnesses.
 - c. To request that any witness appear in person and answer questions or be cross-examined (Student witnesses will not be excused from school or allowed to testify unless their parent(s) guardian(s) have given written permission prior to the hearings.) The district will make efforts to arrange the appearance of witnesses requested by the student to the extent the witnesses can offer relevant, non-repetitive testimony.
 - d. To testify and produce witnesses on his/her behalf.
 - e. To obtain, at the student's expense, a copy of the transcript of the formal hearing.
6. Following the formal hearing, the hearing officer shall prepare a written report summarizing the evidence and stating conclusion of fact. If the hearing officer's recommendation is not to expel, the Superintendent or designee may issue administrative action/placement of which is not appealable to the Board of Education.

Step III

1. A recommendation by the hearing officer to expel shall be forwarded to the Board of Education.
2. Following a review of the hearing officer's report, the transcripts, and the exhibits submitted at the hearing, the District Board shall decide whether or not to expel the student at the next scheduled District Board meeting. The duration of an expulsion is within the discretion of the District Board based upon the circumstances of each case.
3. During the period of time of the suspension pending the Board of Education decision, the student is eligible to receive work from his/her classes to be completed for credit.

Step IV

1. The parent/guardian of an expelled student may apply for the student's readmission at the end of the expulsion period and must provide verification that all conditions for readmission have been met.
2. A student is prohibited from being on Capital School District property or at any district event regardless of location during the expulsion period except when accompanied by a parent or guardian for a scheduled appointment with school officials.

Notification of Expulsion to Division of Motor Vehicles

In any case where a student is expelled from the District, the Superintendent or designee shall send written notice of the expulsion to Division of Motor Vehicles. Under Delaware law, such notice serves as sufficient authority for the Division of Motor Vehicles to suspend, or refuse to renew any driver's license already issued to the expelled student, or to refuse to issue a license to the expelled student. An expelled student whose license has been suspended may have the license reinstated, or a new license issued if (a) the length of the expulsion is complete; (b) the expelled student is 19 years of age or older; (c) two years have elapsed since the date of the expulsion. Expelled students and their parents, and/or guardians should refer to Title 14 of the Delaware Code, section 4130.

Unsafe School Choice

Under limited circumstances, a student who becomes the victim of a violent felony perpetrated by another student may make use of the choice process to change schools. Unsafe school shall be identified as outlined in Title 14 Del. Code §4112. To access the most recent version of the regulation, use the following link: <http://regulations.delaware.gov/AdminCode/title14/600/608.shtml>.



Reporting School Crime

Delaware Code Title 14 Del. Code § 4112

Delaware Code requires mandatory reporting of the offenses listed in 14 Del. C § 4112 to both police and the Delaware Department of Education (DDOE). Under 14 Del. Admin. C 601 additional acts of misconduct must be reported to the DDOE. 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:

• **14 Del. C. §4112 Offenses:**

- o Violent Felony
- o Assault III
- o Unlawful Sexual Contact III
- o Weapons Offense(s)
- o Prohibited Controlled Substances

• **14 Del. Admin. C. 601 Offenses:**

- o Offensive Touch Employee Victim
- o Terror, Threat, Employee Victim
- o Pornography, Possession and/or production thereof
- o Bomb threats
- o Criminal mischief (vandalism)
- o Tamper, with public and record
- o Alcohol possession and use
- o Felony theft (1,500)
- o Bullying
- o Offensive Touching (student victim)
- o Terroristic Threatening (student victim)
- o Sexual Harassment (student victim)
- o Fighting/disorder, conduct
- o Inhalants
- o Drug paraphernalia
- o Tobacco: possession and/or use
- o Steroids: Possession and/or use
- o Medications: Inappropriate Possession and/or use

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 the 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 suggests 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)

Parent Concern Procedures

Openness on the part of Capital School District personnel to the legitimate needs of children and the rights of parents creates a solid foundation for the resolution of problems. Usually, the most effective solution to a school problem is found at, or close, to the point of origin. The vast majority of problems that arise between parents and the schools are quickly resolved to the satisfaction of the parents and the benefit of the child.

Occasionally, a persistent concern may arise, which is not or cannot be, quickly resolved at the point of origin. Under these circumstances, the District wished to make certain that adequate avenues are open for the parent to pursue the concern. The following procedure is established to provide direction for parents attempting to resolve such concerns.

Informal Procedures

1. The parent shall first try to settle the concern on an informal basis with the employee involved or responsible.
2. If, however, the complaint is filed with the employee's immediate supervisor, instead of the employee, the employee will be notified immediately. Within five (5) school days, the employee shall confer on an informal basis with the parent alone, or, at the request of the employee or the parent, with the parent and immediate supervisor or his/her designee.

Formal Procedures

If the matter is not resolved at the informal level by the end of the fifth school day and the parent desires to file a formal concern, the parent must file the concern in writing on the form provided by the District. The forms are available in the District Office. Parents may pick up the form or the form will be mailed upon their request.

1. The written concern must be filed with the employee's immediate supervisor within ten (10) school days.
2. The employee shall be notified immediately and within five (5) school days of the receipt of a written complaint. The supervisor shall arrange a meeting with the individual parent and the employee. The employee may, however, authorize the supervisor to solve the complaint within the five (5) school day period.
3. Both parent and employee shall be entitled to have a representative present.
4. The supervisor shall attend and act as a recorder and fact finder and shall render a written decision no later than five (5) school days after the meeting. The supervisor shall send a copy of the written decision to the parties making the complaint.
5. If the matter is not settled to the satisfaction of either party, an appeal may be made in writing to the Superintendent of Schools within five (5) school days. The Superintendent shall schedule a meeting with the parties involved within five (5) days and shall send a copy of the decision rendered to all of the parties involved.
6. If the matter is not settled at the Superintendent's level, either party may appeal to the Board of Education within five (5) school days. Within twenty (20) calendar days, the Board shall, in a closed session, review the appeal and render a final decision at that time. A copy of this decision shall be sent to all parties involved.

Student Rights

Counseling

Personal needs or concerns can seriously threaten and interfere with the educational development of students. Schools share the responsibility to provide counseling services for students and to inform students of services provided by other agencies. Students have the right:

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

Freedom of Association

The rights appropriate to students regarding freedom of expression imply further consideration of the right to associate for the fulfillment of common purposes, the interchange of ideas, and the improvement of human relations and intercultural understanding.

1. Students shall have the right to organize clubs and associations within the school for educational, civic, social, athletic, and other lawful purposes in accordance with the following guidelines:
 - a. Group membership shall not be denied to any student because of race, religion, nationality or sex.
 - b. Clubs or associations may require special qualifications for membership if such qualifications relate directly to the purpose of the group.
 - c. Groups with a constitution and by-laws should submit such documents along with a listing of officers to the school administration and student council. Amendments to the constitution and changes in the by-laws should also be submitted.
2. Students shall have the right to decide the nature, organization, and procedures for their clubs as long as such decisions do not threaten the health and safety of students or disrupt the educational process. Clubs and associations should be organized within the guidelines and policies established through an effective Student Council or student government organization.
3. Students shall recommend faculty advisors for their clubs and associations in order to assure appropriate leadership and supervision.

Freedom of Expression and Communications (including all spoken, written, artistic)

The rights and responsibilities of students regarding freedom of speech, press, and action shall be in conformity with the safeguards established in the First Amendment to the United States Constitution and as interpreted and applied through decisions of the various courts. The following principles shall serve as guidelines in respect to freedom of expression:

1. Students shall be free to express views and opinions provided they do not seek to coerce others to follow their mode of expression or interfere with the free expression rights of others during school hours.
2. Students shall be permitted to discuss and express all views relevant to the subject matter in the

classroom limited only to the responsibility of the teacher to maintain order, to assure meaningful participation and to respect the contributions of all students.

- a. Students are, however, responsible for learning the content of the subjects for which they have been scheduled or having themselves elected.
 - b. They are further responsible for meeting the performance standards of the subjects as established by the teachers and school officials. Requirements of class attendance, participation, and the submission of written assignments are important aspects of student responsibilities.
 - c. Students shall also be provided the opportunity to participate in discussions and develop recommendations to improve the curriculum through duly appointed representatives by the student council and staff.
 - d. Evaluation of student performance shall only be related to the achievement of the subject matter content, the understanding of processes, and the development and application of learning skills; penalties involving student achievement may not be imposed as a result of student actions outside of the subject matter study.
3. Students shall have the right to express themselves through direct and symbolic means as long as such expression:
- a. Does not mock, demean, or ridicule other persons or groups.
 - b. Does not interfere with the scheduled activities or disrupt the educational process within the school.
 - c. Does not reflect obscenity, vulgarity, and inflammatory statements.
4. Students shall have the right to publish and distribute materials as long as such action or material:
- a. Does not endanger the health or safety of students.
 - b. Does not threaten to disrupt the educational process.
 - c. Does not reflect a libelous nature.
 - d. Does not indicate a commercial purpose.
 - e. Does not contain obscene and inflammatory statements.
 - f. Is in compliance with the Capital School District *Bullying Prevention Policy #700-31*. For the 2020-21 year, postings on Facebook, Twitter, YouTube, Snapchat and Instagram, at a minimum, will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. This list is not considered exclusive and any social media outlet which allows for communications that may be viewed by the intended victim shall be considered as an electronic medium for the purposes of enforcing the electronic bullying aspects of this policy. Internet sites such as “blogs” which may be created or used by individuals for the specific purpose of bullying as defined above shall also be treated in the same manner as other publicly accessible internet portals.
 - g. Does not involve an unauthorized use of district funds and materials.

The right to publish and distribute materials shall be accompanied by the following responsible actions:

- a. Designation of the person or persons who wrote and published the materials.
 - b. Adherence to acceptable standards of journalism.
 - c. Distribution of materials before and after hours.
 - d. Distribution through permission of building principal and/or designee during regular school hours.
 - e. Display of materials on bulletin boards provided for students' use.
 - f. Acceptance of the legal consequences for student expressions and publications.
 - g. Faculty advisors, appointed by the administration, may counsel students as to literary style, format, and suitability of materials.
5. Students shall have the right to hold peaceful assembly involving free discussion, passing of resolutions, and exercising lawful action pertaining to matters which directly concern their educational process. The school administration may require that meetings or assemblages be held at times which will not disrupt classes or other, scheduled school activities, will not present hazards to persons or property, and will avoid conflicts through advance notice of intent to hold meetings.
 6. Students shall have the right to petition, on prescribed forms and with the permission of the student government, school officials regarding activities directly related to the conduct and improvement of the educational process and services. Such proposals should contain recommendations for constructive and responsible improvement and action, and should be given full consideration by school officials.
 - a. The school administration should require that signatures on petitions be collected so as not to create a distraction or to foster a disruptive influence.

Role of Police Authorities

The Capital School District does have the authority and will contact law enforcement if deemed necessary to protect the physical safety of students or the school or to prevent criminal conduct of persons other than students.

The police authorities have a most vital responsibility in assuring the maintenance and enforcement of the various types of laws and ordinances. One of the primary aims is prevention and suppression of delinquent conduct through liaison with a variety of community agencies concerned with the activities of youth. Cooperation provided by school officials contributes considerably toward the successful functioning of law enforcement officials or court officials.

1. Students shall be released to the custody of police authorities whenever a warrant for such action is provided to the school administrator.
2. Students shall not be subject to harassment or intimidation by police authorities while attending school.
3. Students shall be available for interrogation in the office of a school administrator when such

request is received from law enforcement officials or court officials. Such questioning should observe the following guidelines:

- a. The principal should notify the parent(s) or guardian before the police commence the questioning or interrogation of a minor on school grounds to provide parents an opportunity to be present or consult an attorney whenever practicable.
- b. The student should be apprised of the reasons for the questioning and his legal rights.
- c. The principal or his designated representative should be present during the questioning session.
- d. The procedural aspects of due process should be observed.
- e. When a student is being questioned as a witness on school grounds for a crime committed on or off school grounds by a police authority the parent shall be notified before questioning.
- f. A student must be notified before questioning begins that their statement may be used in a court proceeding or school expulsion hearing. Further, the student must be notified that they may be called to testify during a court proceeding or during a School Board hearing. In the event a student witness expresses the desire for his/her identity to remain confidential, and refuses to provide testimony during subsequent proceedings or hearings, his/her identity shall remain anonymous and confidential and stricken from any thus far written or transcribed record. Said informing student shall not be called to testify in aforementioned proceedings or hearings without said student's expressed and written agreement to do so.
- g. If a student witness provides a written statement to school authorities, a copy of the statement will be available to the student and the parent(s) or guardian(s).

Safety

All students who attend the Capital School District have the right to attend school in a safe and orderly environment where they are encouraged to learn. Students have the right to learn in an environment free from the threat or act of psychological or physical violence.

District personnel does have the authority and will use physical restraint when needed in accordance with state and federal law.

Search and Seizure

Students shall be free from unreasonable search and seizure of property as guaranteed by the Fourth Amendment to the U. S. Constitution. The right to be free from unreasonable search and seizure is balanced by the school's responsibility to protect the health, safety, and welfare of others. School administrators or their designee will conduct a search whenever there is reasonable suspicion that the student's person or property contains prohibited substances, items, or material detrimental to the safety and welfare of other students or staff, or in violation of the law or rules of the *Student Success Guide*. A written record of any such action will be prepared and kept on file. General searches of school property may be conducted by the school administration whenever there is appropriate cause. Students are responsible and accountable for the contents of all items found in their motor vehicles, lockers, book bags, purses, and any bags or containers used to carry personal property (see Student Responsibilities). Any search conducted by an administrative designee must be reported to the building administrator and all searches must be reported

to the student's parent/guardian.

All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's possession and covered by 16 Del. Code Ch. 47 shall be sealed, labeled, stored in a locked storage container, and 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.) Students have the right:

1. 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.
2. To privacy of the contents of their motor vehicles unless the principal or designee has reasonable suspicion to believe that the student is concealing prohibited substance or objects and other items that may be disruptive to the educational process.

Student Government

It is important to the maintenance and improvement of democratic institutions that students have the opportunity to participate effectively in the decision making processes necessary for developing responsible and productive citizens.

1. Students shall have the right to organize and conduct student council or government association activities that contribute toward the understanding and functioning of the objectives of the school system and assure an important role in the decision making affecting their educational betterment.

This right shall be emphasized within the guidelines and practices recommended by the National and State Associations, and within the rules and regulations established by the respective school districts; however, the following factors should be considered.

- a. The organization, operation, and scope of the student government shall be defined in a written constitution developed through effective student participation and approved at least once every three years by a majority of the students.
 - b. Student government shall function with respect to its constitutional and by-law provisions and within the regulation and policy of the Capital School District Board of Education, laws of the State of Delaware and the Constitution of the United States.
 - c. The school administration shall assure that all students have the right to vote and hold office as provided in Section 2 which follows.
 - d. The decisions of the government association shall not be influenced by the faculty and may not be arbitrarily vetoed by the administration. Appeal of a decision by students or staff should be reviewed by a committee composed of administrative, faculty, and student representatives to assure compliance with the purpose the student organization.
 - e. The student government organization shall be responsible to the needs and interests of all students and shall conduct open meetings to assure maximum involvement of students.
2. Students shall have the right to select officers and representatives from among the student body in accordance with the provisions established in the constitution of the student government

association. Provisions as to the qualifications of candidates should be as broad as possible to assure the greatest participation and representation of all students. Where candidates do not meet the established qualifications, opportunities should be provided to have student body representation on various committees and sub-committees.

3. Students shall have the right to recommend to the administration the name of a faculty advisor or sponsor selected by members of the student government organization. The faculty advisors shall advocate that the purposes of the constitution are fulfilled and that the members develop rules and regulations within the framework of the school's philosophy without interference or domination from the school administration.
4. Students shall have the right to organize and conduct clubs and associations under the guidelines and recommendations established.

Student Records

Student records are records that directly relate to a student, and are maintained by the District or its employees. Student records do not include records kept in the sole possession of an employee, used only as personal memory aide, and not shared with any other person except a substitute. 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. *Student Success Guide* violations and disciplinary actions will normally be recorded and maintained annually. Expulsions will be recorded on the student's cumulative record folder. Students have the right:

1. To release, inspect, review, and challenge the information contained in their school records within the District guidelines and legal age requirements (School personnel 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.)
2. To sign for a release of information contained in their records to authorized agencies (The student must be fourteen years of age or older to sign this release.)
3. 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 eighteen 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 Superintendent of the District at the address listed in the front of the *Student Success Guide*. Such notice must be received within 30 days of student receipt of the *Student Success Guide*. 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 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.

The Family Education Rights and Privacy Act (FERPA)

The Family Education Rights and Privacy Act (FERPA) affords 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 as 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 issues contained in students' education records requires parent/guardian consent. Some exceptions apply including the following:

1. 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 attorney, auditor, medical consultant, or therapist); or a parent/guardian or student serving on a committee or assisting another school official. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill a professional responsibility.
2. 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.

Complaint

Parents/guardians may file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA by submitting a complaint to:

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

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 to 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 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 at the start of each school year and after any substantive changes.

Complaint

If parents/guardians believe their rights have been violated, they may file a complaint with:

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

Title I

Title I is the largest federal education program for schools. States receive funds that are allocated to districts and schools based on poverty. Funds are used to provide educational services to students who are at risk of failing to meet state standards.

The primary purpose of the Title I program is to assist students in increasing their academic achievement. Helping all struggling students to become proficient is the goal of a school-wide Title I Program. If any child experiences reading or math difficulties based on assessment data, an intervention team will meet to plan appropriate intervention services to support the child. This support may be provided by the classroom teacher, a reading teacher, a math specialist or an instructional paraprofessional. All services will be coordinated and aligned with classroom instruction and the intervention team will meet regularly to determine student progress and to adjust classroom instruction as needed. Student progress will also be communicated to parents on an ongoing basis. If you have any questions or concerns regarding the Title I program or the services your child is receiving, please share these concerns with the classroom teacher first, and then the building principal. If the concerns are not addressed at the building level, please contact the District Office. You can contact the Office of Elementary Instruction at (302) 857-4228. If concerns are not addressed at the district level, you may file a complaint with the Delaware Department of Education.

What does the structure of Title I look like in Capital School District?

The seven elementary schools are included in the grant and operate using a Title I school-wide program. In a school-wide program, all federal, state, and local funds are consolidated to upgrade the entire educational program of the school. Each school is still required to establish a process for determining which students are at risk of not meeting the standards and must provide additional support and/or services for these students. Schools focus on additional time and instructional interventions to close achievement gaps.

Do children who are homeless receive Title I services?

All districts receiving Title I allocations are required to reserve a portion of their funds for homeless children. Examples of some of the services provided are: backpacks with school supplies, clothing, shoes and coats, and emergency transportation if needed. A portion of the Homeless Liaison's salary is also funded through the Title I grant.

Additional information on Capital's Title I programming can be found at:

https://www.capital.k12.de.us/programs_and_services/title_one

Community-Based Resources

**All resource information is current as of the date of this document's publication. Inclusion does not indicate endorsement by the Capital School District and is for informational purposes only.*

GENERAL RESOURCES

American Red Cross Delmarva
302-656-6620
Emergency shelter assistance.
www.redcross.org/de/wilmington

Catholic Charities
302-674-1782
Fuel, crisis and summer cooling assistance.
www.ccwilm.org

Children & Families First
800-220-3092
Resources for children and families facing adversity.

Delaware Helpline
Dial 2-1-1 or 800-560-3372
Central resource for access to ALL health and human services available in Delaware.
www.delaware211.org

Division of Health and Social Services
Medicaid, food, utility, public health, and general assistance.
655 South Bay Road • Dover, DE 19901
<http://www.dhss.delaware.gov/dhss>

Domestic Violence Hotline
302-424-8058
Bilingual hotline: 302-745-9874
www.dcadv.org

Food Bank of Delaware
302-424-3301
Supplemental food for qualifying households.
www.fbd.org

Goodwill Retail Store
Used clothing & other goods at reduced costs.
• Gateway Shopping Center, **302-678-4602**
1030 Forrest Avenue Suite 113 • Dover, DE 19904
• Rodney Village, **302-674-9071**
1678 S. Governors Avenue • Dover, DE 19904
www.goodwillde.org

Goodwill Staffing Services
302-741-0456
Temp-to-hire and direct placement services to help people find temporary jobs with the goal of obtaining full-time employment.
www.goodwillde.org

Parent Information Center (PIC) of Delaware
888-547-4412
Information and support for parents of students with disabilities.
<http://www.picofdel.org>

Planned Parenthood
800-230-PLAN (7526) or 302-678-5200
Reproductive health education, counseling and medical services.
805 S. Governors Avenue • Dover, DE 19901
<http://www.plannedparenthood.org/planned-parenthood-delaware>

Westside Family Healthcare
302-678-4622
Primary medical and dental care with a sliding fee scale for those who qualify.
1020 Forrest Avenue • Dover, DE 19904
<http://www.westsidehealth.org/en-us>

OUTPATIENT COUNSELING PROVIDERS

ABR Counseling
302-678-4558
1001 South Bradford St. • Dover, DE 19904

Center for Mental Wellness
302-674-1397
121 W. Loockerman St. • Dover, DE 19901
www.acfmw.com

Catholic Charities
302-674-8384
2099 South Dupont Hwy. • Dover, DE 19901
www.ccwilm.org

Delaware Guidance Services
302-678-3020
103 Mont Blanc Blvd. • Dover, DE 19904
www.delawareguidance.org

Mind and Body Consortium
302-674-2380
156 S. State Street • Dover, DE 19904
www.mindandbodyde.com

SOAR (Survivors of Abuse in Recovery) Inc.
302-422-3811
32 Loockerman, Suite 103 • Dover, DE 19904
<http://www.soarinc.com>

Community-Based Resources

**All resource information is current as of the date of this document's publication. Inclusion does not indicate endorsement by the Capital School District and is for informational purposes only.*

Grandparent Support
302-235-5544

Bereavement Support for Families
Children and Families First
302-235-5544

SUBSTANCE ABUSE TREATMENT

Catholic Charities
302-674-1600
2099 S. Dupont Hwy. • Dover, DE 19901

Brandywine Counseling
302-856-4700
769 Masten Circle, Ste 11315 • Milford, DE 19963

SODAT Delaware
513-9539
1114 S. Dupont Hwy. • Dover, DE 19908
<http://www.sodatdelaware.com>

Rise (ages 13-17)
302-472-0381

INPATIENT MENTAL HEALTH PROVIDERS

Dover Behavioral Health
302-741-0140
725 Horsepond Rd. • Dover, DE 19901
www.doverbehavioral.com

Meadowwood Hospital
855-900-5340
575 South Dupont Hwy. • New Castle, DE 19720
www.meadowwoodhospital.com

Rockford Center
302-996-5480
100 Rockford Dr. • Newark, DE 19713
www.rockfordcenter.com

24 HOUR CRISIS HOTLINES

Department of Services for Children,
Youth & Their Families

• **Child Abuse & Neglect Report Line**
800-292-9582
24-hour reporting for suspected child abuse and neglect.

• **Mobilization Response and Stabilization Unit**
800-969-4357 (HELP)

24-hour mental health crisis services for children under 18.

<http://kids.delaware.gov>

Delaware Crisis Intervention Services
800-345-6785

24-hour suicide and mental health crisis services for adults.

www.dhss.delaware.gov/dsamh/crisis_intervention.html

National Suicide Prevention Lifeline
800-273-TALK (8255)

www.suicidepreventionlifeline.org

LGBTQ (Lesbian, Gay, Bisexual, Transgender or Questioning) Youth Delaware
800-969-HELP (4357)

Safe Arms for Babies
800-262-9800

ALTERNATIVES FOR STUDENTS WITHDRAWING FROM HIGH SCHOOL

James Groves High School – Poly-Tech Campus
302-697-4545

High School Diploma or GED 8-week blocks (AM & PM Sessions)

www.polytechworks.com

Delaware Technical College – (Wilmington) Campus
302-857-1282

Adult Basic Education/GED Preparation
16 or older & withdrawn from high school.

www.dtcc.edu

Delaware Center for Distance Adult Learning
302-883-0420

Diploma at a Distance or GED Online Preparation
www.dcdal.org

Wilmington Job Corps Center
302-575-1710

No-cost education & career technical training for young people ages 16 through 24.

<http://wilmington.jobcorps.gov>

Behavior Offense Descriptions

Per 14 Del.C. §600(614), “Uniform Definitions for Student Conduct Which May Result in Alternative Placement or Expulsion,” some definitions may not be age appropriate and are not published here. The full regulation may be found at: <http://regulations.delaware.gov/AdminCode/title14/600/614.shtml>. Additionally, a paper copy of the regulation will be provided by the district to a member of the public upon request.

Abusive Language (S0301) – The use of profanity, vulgarity and racial slurs directed toward another person.

Academic Cheating/Plagiarism (S0141) – The act of intentionally presenting the work and/or knowledge of another as one’s own; copying.

Alcohol Possession and/or Use (D0501) – The possession or ingestion of alcohol on school property or at school functions.

Arson (C0133-34) – Recklessly or intentionally damage a building by intentionally starting a fire or causing an explosion.

Assault (1st & 2nd Degree) (C0106-07) – Intentionally or recklessly cause serious physical injury to another person; or with criminal negligence, cause physical injury to another person by means of a deadly weapon or a dangerous instrument.

Assault (3rd Degree) (C0201) – Intentionally or recklessly cause physical injury to another person.

Bullying (D0701) – Any intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of:

- (1) Placing 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
- (2) 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
- (3) Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or
- (4) 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.

Careless & Reckless Behavior (S0107) – Unintentional behavior that threatens to or causes injury or property damage or intentional behavior that causes or may cause unintentional injury or property.

Consensual Sexual Misconduct (S0108) – Consensual sexual act(s) between two individuals with the School Environment.

Criminal Mischief (Vandalism) (D0301) - A student, in the School Environment, intentionally or recklessly:

- (1) Damages tangible property of another person or entity; or
- (2) Tamper with tangible property of another person so as to endanger person or property.

Behavior Offense Descriptions

Defiance/Insubordination (S0081-82) – The act of intentionally refusing a reasonable directive from a staff member, to include:

- (1) A verbal or non-verbal refusal to immediately comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action; or
- (2) A verbal or non-verbal display of disrespect and/or uncivil behavior toward school personnel which either causes a substantial disruption or material interference with school activities.

Disrespect Toward a Staff Person/Student (S0104, S0105) – Acts of harassment that do not rise to the level of bullying and are not sexual in nature. Any actions or statements made with the intent to harass, annoy, or alarm another person which:

- a) insults, taunts, or challenges the other person or;
- b) is a cause of alarming or distressing conduct which serves no legitimate purpose and is done in a manner which the actor knows is likely to provoke a violent or disorderly response or cause a reasonable person to suffer fear, alarm, or distress.

Disruption of the Education Process (S0091) – Behavior that interferes with the teacher’s ability to teach and the students’ opportunity to learn.

Distribution of Alcohol, Drugs and Look Alike Drugs (C0710) – The transfer or attempted transfer in school, on school property, or on school field trip 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.

Dress Code Violation (S0291) – The act of wearing items or the manner of wearing items prohibited by the school dress code.

Extortion (C0141) – To obtain or attempt to obtain money, goods, services, or information from another by force or the threat of force.

Failure to Report for Detention (S0221) – When assigned a consequence by a staff member and the student did not report as notified.

Falsification (Verbal) (S0321) – Lying.

Falsification (Written) (S0322) – The act of intentionally representing a signature as authentic when it is not; forgery.

Felony Theft > \$1,500 (D0601) – (a) When a person takes, exercises control over or obtains property of another person intending to deprive that person of it or appropriate it; or (b) When a person, in any capacity, legally receives, takes, exercises control over or obtains property of another which is the subject of Theft, and fraudulently converts the property to the person's own use. The Theft is considered a felony when the value of the property received, retained, or disposed of is \$1500 or more or the victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902(2) of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12.

Fighting (D1101) – Any aggressive physical altercation between two or more individuals.

Gambling (S0241) – Participation in games of chance for money or other things of value.

Behavior Offense Descriptions

Hate Crimes (C0151) – Any crime committed or attempted to be committed by a person who intentionally:

- (1) Commits said crime for the purpose of interfering with the victim's free exercise or enjoyment of any right, privilege or immunity protected by the First Amendment to the United States Constitution, or commits said crime because the victim has exercised or enjoyed said rights; or
- (2) Selects the victim because of the victim's race, religion, color, disability, sexual orientation, gender identity, national origin or ancestry shall be guilty of a hate crime. For purposes of this section, the term "sexual orientation" means heterosexuality, bisexuality, or homosexuality, and the term "gender identity" means a gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.

Instigation (S0302) – The act of causing a disruption and/or fight by relating information between parties. Behavior which is likely to incite or produce aggressive or physical conflict between two or more individuals.

Leaving Assigned Area without Permission (S0052) – The leaving of assigned area without permission from the teacher or other staff member.

Leaving School Grounds without Permission (S0051) – The leaving of school building or grounds without the proper authority to do so.

Loitering (S0071) – The act of remaining in an area when told to move on; hanging out.

Medications: Inappropriate Possession and/or Use (D1601) – Possessing or using Nonprescription Medication or Prescription Drugs of any type in the School Environment in violation of 14 DE Admin. Code 612.

Misuse of Technology/Violation of the AUP (S0181) – The use of school technology equipment in:

- a) Soliciting, using, receiving or sending pornographic or obscene material; or
- b) Accessing unauthorized email; or
- c) The unauthorized downloading and/or installing of files; or
- d) Intentionally damaging technology equipment in the School Environment; or

A situation in which a student deliberately:

- a) Tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system in the School Environment resulting in the loss or corruption of information or the ability of the system to operate; or
- b) In any way disrupts or degrades the school or District's technology infrastructure.

Offensive Touching (D0801, D0803) – A person is guilty of offensive touching when he/she intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.

Out-of-School Conduct (Report: Attorney General) (S0161) – Department of Justice's report of out-of-school criminal conduct, regardless of jurisdiction, which shows disregard for the health, safety and welfare of others, including, but not limited to acts of violence, weapons offenses, and Drug offenses.

Behavior Offense Descriptions

Out-of-School Conduct (Report: Alternative Program) (S0162) – The *Student Success Guide* behavior expectations 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.

Plan to Violate the Code of Conduct/SSG (S0106) – Developing a plan or strategy that one knows is contrary to behavioral expectations established by the *Student Success Guide*.

Pornography (D0101) – Possession, sharing, or production of any known obscene material in the School Environment.

Possession of a Dangerous Instrument (C0621) – The unauthorized Possession/ Concealment/Sale by a student in the School Environment of any instrument, article or substance which is readily capable of causing serious physical injury or death. "Dangerous instrument" means any instrument, article or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury, or any disabling chemical spray, as defined in Delaware Code Title 11.

Possession of a Deadly Weapon (C0601-20; C0622-26) – The unauthorized Possession/ Concealment/Sale by a student in the School Environment of any instrument, article or substance which is readily capable of causing serious physical injury or death. "Deadly weapon" includes a "firearm", as defined below, a bomb, a knife of any sort (other than an ordinary pocketknife carried in a closed position), switchblade knife, billy club, blackjack, bludgeon, metal knuckles, slingshot, razor, bicycle chain or ice pick or any "dangerous instrument", as defined in paragraph (4) of Delaware Code 11 which is used, or attempted to be used, to cause death or serious physical injury. For the purpose of this definition, an ordinary pocketknife shall be a folding knife having a blade not more than 3 inches in length.

"Firearm" includes any weapon from which a shot, projectile or other object may be discharged by force of combustion, explosive, gas and/or mechanical means, whether operable or inoperable, loaded or unloaded. It does not include a BB gun.

Rape (C0122-25) – Sexual intercourse and/or attempted sexual intercourse without consent of the victim in both cases.

Reckless Burning (S0152) – Intentionally or recklessly starting a fire or causing an explosion and recklessly placing a building or property in danger of destruction or damage or places another person in danger of physical injury.

Repeated Code of Conduct/Student Success Guide Violations (S0333) – Five or more violations of the district's *Student Success Guide* within a school year, excluding chronic infractions for tardiness or unexcused absences to school/class.

Safety Violation (S0102) – Any action that could endanger the safety and welfare of students. This includes opening doors that are to remain locked during the school day to allow unauthorized people to enter the school.

Sexual Harassment (D1001) – When the person threatens to engage in conduct likely to result in the commission of a sexual offense against any person; or the person suggests, solicits, request, commands, importunes, or otherwise attempts to induce another person to have sexual contact or sexual intercourse or unlawful sexual penetration with the actor, knowing that the actor is thereby likely to cause annoyance, offense, or alarm to that person.

Behavior Offense Descriptions

Skipping Class (S0041) – Intentionally being truant from school and/or class cutting or skipping school or class or early dismissal.

Stealing (S0111) – The act of taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.

Tardiness/Late to Class (S0032) – Being late to class without an excuse.

Terroristic Threatening (D0901) – When: (1) A person threatens to commit any Crime likely to result in death or in serious injury to person or property; or (2) A 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.

Terroristic Threatening - Security Threat (D0902) – When a person makes a false statement or statements:

- (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment;
- (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or
- (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment.

Tobacco Possession and/or Use (D1401) – The use and/or possession of tobacco products on school property.

Trespassing (S0271) – When a student knowingly or unknowingly is in a Capital School District area without a legitimate purpose.

Unauthorized use of Personal Technology Device (S0311) – The unauthorized use of any personal technology device, including but not limited to cell phone, tablet, notebook, laptop, or audio player. Unauthorized use includes, but is not limited to, the use of a Personal Technology Device to electronically record acts of physical aggression or verbal confrontation between two individuals within the school environment.

Unlawful Possession of Controlled Substances or Look-Alike Substances (C0701-04) – In the School Environment, a student unlawfully possesses a Drug, Drug Paraphernalia, or any substance or paraphernalia consistent with the definitions of these substances or paraphernalia.

Unlawful Sexual Contact (C0301; D1801-02) – When a person has sexual contact with another person or causes the victim to have sexual contact with the person or a third person and the person knows that the contact is either offensive to the victim or occurs without the victim's consent.

Unsafe Driving (S0121) - Operating a motor vehicle in a careless or imprudent manner or without due regard for weather and traffic conditions.

Unsafe Item (S0131) - The possession of any item not normally found in a school setting i.e. toys, cards, play weapons, knives of any kind (including pen knives), laser pointers, etc.

Under the Influence of Unlawful Controlled Substances (D0502) – In the School Environment, a student unlawfully is under the influence of a Drug.

Use of Profanity (S0011) - The use of profanity, vulgarism and racial slurs.

Glossary of Terms

Administration includes both District Office and building administrative staff including principal and associate principal.

Administrative Designee includes any staff member who is directed by administration to carry out duties otherwise assigned to administrators in the Student Success Guide.

Alcohol means alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in 4 Del.Code §101(1), including alcohol, spirits, wine, beer and alcoholic cider.

Behavior Intervention Plan (BIP) is the student-centered plan developed by a team working directly with the student and family that outlines the undesired behaviors as well as the positive behavior support process to be used to decrease the identified behaviors and increase appropriate behaviors.

Classroom Environment Strategies encompasses a broad range of educational concepts, including the physical setting, the psychological environment created through social contexts, and numerous instructional components related to teacher characteristics and behaviors.

Conference with Student is a strategy where teachers/staff will conference with the student individually to help the student identify, examine, and change behaviors that are causing problems in the classroom and at school.

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

Crime shall have the same meaning as provided in 14 Del.C. §4112.

Distribute, Distributing, or Distribution is 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 is any "controlled substance" or "counterfeit controlled substance" as defined in 16 Del.C. §4701 (6) and (7) 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 is any non-controlled and 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, caffeine pills and diet pills. The definition of Drug-like Substance does not include tobacco or tobacco products which are governed by 14 DE Admin. Code 877 Tobacco Policy.

Drug Paraphernalia has the same meaning as provided in 16 Del.C. §4701 (17), including, for example, roach clips, miniature cocaine spoons and containers for packaging drugs.

Expulsion is the exclusion from the regular school setting for a period determined by the local District board.

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

Firearm means handgun, rifle, shotgun, or other type of firearm as that term is defined in the federal Gun Free

Schools Act at 18 U.S.C.A. §921.

Fiscal Year means the period of July 1 through June 30.

Functional Behavior Assessment (FBA) is the process that identifies a specific behavior, the purpose of the behavior, and what factors maintain the behavior that is interfering with a student's educational progress.

Gun Free Schools Violation is the prohibited bringing to school, or possession while in school, of a firearm by a student.

Look-Alike Substance is 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.

Medication is any over-the-counter medication; some of these medications may be a "Drug-like substance."

Model Appropriate Procedures/Routines is a classroom strategy where staff will formally teach appropriate behaviors and expectations that apply to specific classroom and building-wide locations and events.

Parent/Guardian Contact is a direct communication with a parent/guardian by phone, letter, text, or email.

Parent/Guardian Conference is a face-to-face meeting or telephone conference between school staff and a parent/guardian.

Persistently Dangerous School means a school that has five or more unsafe incidents for every one hundred students enrolled for three consecutive fiscal years.

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

Positive Behavior Techniques are when teachers/staff will recognize students for following the rules, directives, directions, participation expectations, etc., and reinforce positive student behaviors by praising when cooperative, having a positive attitude, and when on task.

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 prohibited items or substances.

Prescription Drugs means any substance obtained directly from or pursuant to a valid prescription or order of a practitioner, as defined in 16 Del.C. §4701(31), 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 an objectively justifiable suspicion that is based on specific facts or circumstances.

Restitution/Restoration is the process for making amends when physical damage is done, actual property is lost or a relationship is negatively impacted. This process may include financial payment, restoration of property, or personal reconciliation with the offended.

Safe School means a school in the same school district that is not currently identified by the Department of Education as a persistently dangerous school.

School means any public school including charter schools. School property shall have the same meaning as

provided in 14 Del. Code §4112 (a)(9).

School-Based Services focus on providing the necessary support for positive behavioral student growth by meeting students' emotional and academic needs. School-Based Services staff work cooperatively with students, school staff and families to create safe learning environments that promote increased school attendance, increased academic performance, and improved student behavior. These services are also provided to assist with keeping families connected to their communities and ensuring that students remain in the classroom and receive high quality and rigorous curriculum and instruction from the district's teachers. Examples of school-based services may include: counselor, nurse, Family Crisis Therapist, speech and language pathologist, school psychologist, mentor coordinator, etc.

School Environment means 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.

Self-Reflection Activity is a structured opportunity for a student to think about his or her behavior, its impact on others and themselves, and serve as a means to modify future behavior.

Service Learning is an opportunity to serve the community in order to provide a pragmatic, progressive learning experience related to a discipline infraction.

Student Success Guide is the District/Charter School approved document which specifies the rights and responsibilities of students, defines conduct that disrupts/threatens a positive/safe school environment, standardizes procedures for consequences, disciplinary action, and defines due process and grievance procedures.

Student Support Plan is created by a team, including the student when appropriate, to assist students with complex academic and/or behavioral needs in meeting their goals within the class or school structure.

Student Support Team is a problem-solving approach to identify and provide support to students with complex academic and/or behavioral needs.

Teach Class-wide/School-wide Appropriate Behaviors is when teachers/staff will formally take the time to teach and enforce clearly defined parameters of acceptable student behaviors.

Teach Replacement Behavior Strategies is a strategy teachers/staff may use, providing seven systematic steps below to promote behavior changes in their students. These steps can either be used to address minor problem behaviors or can be incorporated into a formal behavior assessment.

Step 1: Identify the problem behavior.

Step 2: Measure the problem behavior.

Step 3: Develop a hypothesis as to the purpose of the behavior.

Step 4: Choose an appropriate replacement behavior.

Step 5: Determine the level of support.

Step 6: Track the new behavior.

Step 7: Fade assistance.

Terroristic Threatening shall have the same meaning as provided in 11 Del. Code §621.

Time Out/Age-appropriate Recovery is the generic term for a brief removal of a student from a particular situation to provide him or her a structured opportunity for reflection, refocus, and/or cool-down. The specific structure may vary by school and/or need.

Unsafe Incidents means any of the following:

- The school suspended or expelled a student for a gun-free schools violation; or
- The school suspended or expelled a student for a crime committed on school property which is required to be reported under 14 Del. Code §4112;
- The school reported a crime committed by a non-student on school property that is required to be reported under 14 Del. Code §4112; or
- The school suspended or expelled a student for terroristic threatening as that term is defined in Title 11 Del. Code §621.

Violent Felony shall have the same meaning as provided in 11 Del. Code §4201 (c).

Whole Class Lesson is when lessons will be designed to address specific problem behavior(s) within the classroom and/or to review expected behaviors as necessary. Students will be engaged in finding a solution to the problem through discussion, problem-solving, role-playing, etc.

Whole Class Meeting is a positive intervention designed to be student-generated and to focus on solutions. Problem behaviors are identified and then everyone in the class brainstorms for solutions. Through this format, students learn from the inside out by being involved, instead of from the outside in, through lectures or lessons taught by others.



Board of Education

Policies Regarding Students

Adoption of Policies

The formulation and adoption of written policies for the operation of the school district shall constitute the basic method by which the Board of Education exercises its governance in the operation of the school system.

All Capital Board Policies are made available at www.capital.k12.de.us. Below is a list of Board Policies that refer directly to District interaction with students.

Section 200 – Administration

200-11 Acceptable Use and
Internet Safety Policy*

Section 400 – Home, School and Community

400-02 School Choice Policy
400-05 Curriculum Development

Section 600 – Instruction

600-01 Religion Policy
600-02 Health & Safety Instruction
600-03 Homework Policy
600-04 Student Instruction
600-05 Instructional Program
Shared Decision Making
600-06 Special Education Programs
600-07 Textbooks and
Instructional Materials
600-08 Accountability – Assessment
600-09 Dual Enrollment
600-10 Grading and Reporting
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Section 700 – Students

700-01 Entrance and Withdrawal Policy
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700-15 Student Records Protection
700-16 Marriage and Pregnancy
700-17 Student Safety
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700-19 Uniform Policy for K-8
700-20 Personal Technology (Cell Phones)
700-21 Student Activities
700-22 Fund Raising
700-23 Student-Community Relations
700-24 School Health Responsibilities
700-25 Bus Conduct Policy
700-26 Smoking Policy
700-27 Student Discipline-Sexual Harassment
700-28 Students' Rights
700-29 Graduation Requirements
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Violence and Sexual Assault
700-35 Suicide Prevention Policy

* Policy included as Appendix

Progressive Discipline STEPS

Strategies, Interventions & Responses to Behavior			
STEP 1	<p><u>Classroom/building level strategies, interventions and responses:</u> Staff will use a Multi-Tiered System of Support (MTSS) to support and teach behavior expectations. Examples of possible responses are listed below and should be used and documented as a Classroom Issue in eSchool.</p>		
Menu of Strategies, Interventions & Responses	<ul style="list-style-type: none"> ● Teach appropriate behaviors ● Use positive behavior techniques ● Model appropriate procedures/routines ● Restitution or restoration 	<ul style="list-style-type: none"> ● Employ classroom environment strategies ● Conference with student ● Communicate concern with parent/guardian ● Teach replacement behavior strategies 	<ul style="list-style-type: none"> ● Review classroom & school expectations ● Conduct whole class lesson/meeting ● Follow & document Behavior Intervention Plan (BIP) if in place*
STEP 2	<p><u>Request for additional assistance:</u> Appropriate classroom/building level strategies and responses have been ineffective OR Progressive Discipline Matrix calls for initial Step 2 response. Staff will collaborate with parents/guardians and available resources to help students. Examples of possible responses are listed below and must be documented as a Classroom Issue in eSchool.</p>		
Menu of Strategies, Interventions & Responses	<ul style="list-style-type: none"> ● Utilize School-Based Services ● Provide time to take a break for age-appropriate recovery/cool-down ● Engage student in self-reflection activity with adult follow-up 	<ul style="list-style-type: none"> ● Conference with teacher/administrator ● Confiscation of item/ Substitution of dress code item ● Restitution or restoration 	<ul style="list-style-type: none"> ● Develop and utilize Student Support Plan ● Follow & document Behavior Intervention Plan (BIP) if in place* ● Administer teacher detention with age-appropriate reflection
STEP 3	<p><u>Elevation beyond staff strategies, interventions & responses:</u> Appropriate classroom level strategies/responses and additional assistance have been ineffective OR Progressive Discipline Matrix calls for initial Step 3 response. Incident will be documented as a Classroom Issue in eSchool & Referred. Parent communication is required. Examples of possible responses are listed below.</p>		
Menu of Strategies, Interventions & Responses	<ul style="list-style-type: none"> ● Parent/Guardian Conference ● Employ assistance from school, district and/or community-based services ● Provide time to take a break for age-appropriate recovery/cool-down ● Refer to appropriate Student Support Team 	<ul style="list-style-type: none"> ● Restitution or restoration and/or service learning ● Develop and utilize Student Support plan or contract ● Conduct Functional Behavior Assessment & create Behavior Intervention Plan (BIP) ● Review/Revise existing BIP 	<ul style="list-style-type: none"> ● Restrict privileges ● Administrative detention ● Up to 1 day of Bus Suspension ● Up to 1 day of In-School Suspension ● DDOE reporting as required ● Police notification as required

Progressive Discipline STEPS

Strategies, Interventions & Responses to Behavior			
STEP 4	<p><u>Step 4 strategies, interventions & responses:</u> Lower step strategies and responses have been ineffective <u>OR</u> Progressive Discipline Matrix calls for initial Step 4 response. <i>Incident will be Referred and parent/guardian conference is required.</i> Examples of possible responses are listed below.</p>		
Menu of Strategies, Interventions & Responses	<ul style="list-style-type: none"> ● Employ assistance from school, district and/or community-based services ● Refer to Student Support Team ● Conflict Resolution/Mediation 	<ul style="list-style-type: none"> ● Conduct Functional Behavior Assessment and develop Behavior Intervention Plan ● Restitution or restoration and/or service learning ● Up to 3 days of Bus Suspension 	<ul style="list-style-type: none"> ● Up to 3 days of In-School Suspension ● Up to 3 days of Out-of-School Suspension ● DDOE reporting as required ● Police notification as required
STEP 5	<p><u>Step 5 strategies, interventions & responses:</u> Lower step strategies and responses have been ineffective <u>OR</u> Progressive Discipline Matrix calls for initial Step 5 response. <i>Incident will be Referred and <u>school-level</u> hearing is required.</i> Examples of possible responses are listed below.</p>		
Menu of Strategies, Interventions & Responses	<ul style="list-style-type: none"> ● Employ assistance from school, district and/or community-based services ● Refer to Student Support Team ● Conflict Resolution/Mediation 	<ul style="list-style-type: none"> ● Conduct Functional Behavior Assessment and develop Behavior Intervention Plan ● Restitution or restoration and/or service learning ● Up to 5 days of Bus Suspension 	<ul style="list-style-type: none"> ● Up to 5 days of Out-of-School Suspension ● DDOE reporting as required ● Police notification as required
STEP 6	<p><u>Step 6 strategies & responses:</u> Lower step strategies and responses have been ineffective <u>OR</u> Progressive Discipline Matrix calls for initial Step 6 response. <i>Incident will be Referred and <u>district-level Alternative Placement Team Meeting or expulsion hearing</u> is required.</i> Examples of possible responses are listed below.</p>		
Menu of Strategies & Responses	<ul style="list-style-type: none"> ● Employ assistance from school, district and/or community-based services 	<ul style="list-style-type: none"> ● Conduct Functional Behavior Assessment and develop Behavior Intervention Plan ● Restitution or restoration and/or service learning 	<ul style="list-style-type: none"> ● Up to 10 days of Out-of-School Suspension ● Alternative Placement ● Expulsion ● DDOE reporting and/or Police notification as required
STEP 7	<p><u>Step 7 strategies & responses:</u> Lower step strategies and responses have been ineffective <u>OR</u> Progressive Discipline Matrix calls for initial Step 7 response. <i>Incident will be Referred and <u>district-level expulsion hearing</u> is required.</i> Examples of possible responses are listed below.</p>		
Menu of Strategies & Responses	<ul style="list-style-type: none"> ● Employ assistance from school, district and/or community-based services 	<ul style="list-style-type: none"> ● Conduct Functional Behavior Assessment and develop Behavior Intervention Plan ● Restitution or restoration and/or service learning 	<ul style="list-style-type: none"> ● Out-of-School Suspension pending Expulsion Hearing ● Expulsion ● Police notification

CAPITAL SCHOOL DISTRICT



Board of Education Policy

Section: Student
Title: Gun Free Schools Policy
Policy #: 700-03
Date Approved: 12/05/12
Date Revised: 10/17/12

Purpose:

To establish rules and regulations regarding firearms in schools and to inform parents and students of the consequences of violating the Gun Free Schools Act.

Any student who brings a weapon/firearm to school or on a school bus is in violation of the GUN FREE SCHOOLS ACT and shall be expelled from school for a minimum of 180 school days. This policy shall apply to all students and the federal law will be followed. Provisions are in effect to inform all students and their parent/guardian of the consequences of violating the GUN FREE SCHOOLS ACT. The policy shall be taught to each student. All students who enroll after the school year begins will receive instruction regarding the policy as part of their orientation. The policy shall be mailed to each student's parent/guardian.

Special exceptions to this policy may be considered to allow the Superintendent to modify each recommendation for expulsion on a case-by-case basis. Considerations respective of age and/or special needs of the students will be weighed.

Recommendations pertaining to students with disabilities will adhere to the federal law. Prior to any determination to exclude or change the placement of a student with a disability, a meeting shall be convened. The Individual Education Plan (IEP) committee will determine whether a relationship exists between the violation and the student's disabling condition before proceeding with a recommendation for expulsion.

The term weapon, as used in the GUN FREE SCHOOLS ACT, means a firearm as defined in Section 921 of Title 18, United States Code 9 (see definition of firearm) without the shotgun, rifle, or antique firearms exclusions. These shall be included in the Capital School District's definition of weapon.

DEFINITION OF FIREARM

(Section 921 of Title 18, United States Code 9)

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 device" means --

- (A) any explosive, incendiary, or poison gas --
 - (i) bomb,
 - (ii) grenade,
 - (iii) rocket having a propellant charge of more than four ounces,
 - (iv) missile having an explosive or incendiary charge of more than one-quarter ounce,
 - (v) mine, or
 - (vi) device similar to any of the devices described in the preceding clauses
- (B) any type of weapon 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 designed 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.

The 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 redesigned 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 4634(s), 4685, or 4686 of Title 10; or any other device which the Secretary of the Treasury 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 1898; or
- (B) any replica of any firearm described in subparagraph (A) if such replica --
 - (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
 - (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States.

Mace, pepper spray, and similar devices, although prohibited in school, are not deemed "destructive devices" under this definition and are therefore excluded from the specific provisions of this policy.

CAPITAL SCHOOL DISTRICT



Board of Education Policy

Section: Administration
Title: Acceptable Use and Internet Safety Policy
Policy #: 200-11
Date Approved: 07/18/12
Date Revised: 05/16/12

Purpose:

The Capital School District recognizes that the appropriate use of technology provides students with the best opportunities to prepare them with the skills needed to be competitive within a global society. Through a wide variety of mediums, technology connects students and staff to libraries, online resources, diverse cultural and rich multimedia experiences, and a number of other academic resources around the world. While the benefits of technology far outweigh its potential shortcomings, the manner in which it is used is significant in determining its value. To that end, we are pleased to provide technology resources for student and employee use.

The State of Delaware also provides access to email, content filtering in accordance with our policies and federal regulations, such as the Children’s Internet Protection Act (CIPA), network access, and other services. As such, employees are required to sign the State of Delaware’s Acceptable Use Policy (DTI-0042.02). The Capital School District’s Acceptable Use and Internet Safety Policy reaffirms those standards and outlines the guidelines and behaviors that users are expected to follow when using technology resources, as well as expanding on key parts of the State’s policy.

Technologies Covered

Capital School District provides and supports a wide array of technologies, including but not limited to desktop computers, mobile computers and devices, interactive white boards, responders, shared storage and online collaborative systems, internet and website services, access to email, data and reporting services, and many others.

The introduction of new technologies occurs continuously within the District. The policies outlined in this document cover the items listed above, as well as any others currently in use and those used in the future. If questions arise regarding the use of a specific technology or the application of these policies, users should contact the Technology Office for clarification with enough time to properly review the request. Until the matter has been resolved, the use of that technology or resource is prohibited.

Board of Education Policy - Acceptable Use and Internet Safety

General Usage

All technologies provided by the district are intended for educational purposes. All users are expected to use good judgment and to follow the guidelines established within this document as well as the spirit of it: be safe, appropriate, careful and kind; don't try to get around technological protection measures; use good common sense; and ask if you don't know.

- Only Capital School District faculty, staff, students and individuals with written authorization from the appropriate district and state authorities are allowed to use the district's technology systems and resources. The Acceptable Use and Internet Safety Policy must be signed prior to access being granted.
- The use of any technology resources, including any associated activities, may be monitored and any records thereof may be retained indefinitely.
- Users are expected to alert the appropriate district staff immediately of any concerns for safety or security.
- Transmission of any material in violation of any international, national or state law or regulations is prohibited. This includes, but is not limited to, copyrighted materials, threatening or obscene material, harassing material, or material protected by trade secrets.
- Using district resources for commercial activities, product advertisement, or political lobbying is not acceptable.
- Illegal activities are strictly prohibited.
- Excessive personal web browsing is not permitted. Examples of excessive uses include utilizing streaming services such as listening to music or videos not related to one's job duties, playing online games (excluding websites used during instruction), or using an unfair portion of network bandwidth as compared to other users.
- Storing personal files that are not used during instruction, such as music, videos, and pictures on district servers is prohibited. Users should be conscious of the type of space that these files take up, in order to ensure that they are using district resources in the best manner possible.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, such as the Children's Internet Protection Act (CIPA).
- Users are expected to follow the same rules for good behavior and respectful conduct that they do in person when using district resources, as well as when accessing online resources from outside the district's network or with personal devices.
- Misuse of technology resources and systems can result in disciplinary action.
- Capital School District makes a reasonable effort to ensure students' safety and security online, but will not be held accountable for any harm or damages that result from the use of school technologies systems and resources.

Board of Education Policy - Acceptable Use and Internet Safety

Privileges

The use of Capital School District systems and resources is a privilege, not a right, and inappropriate use will result in cancellation of those privileges. Before being approved for access, users must agree to abide to these policies by signing their acknowledgement and agreement to these policies.

Network Etiquette

Users are expected to abide by the generally accepted rules of network etiquette, in that users should always use technology resources, in a courteous and respectful manner. Some recommendations include:

- Do not post anything online that you would not want parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways you never intended.
- Recognize that among valuable online content is unverified, incorrect, or inappropriate content. Users should only use trusted academic sources when conducting research via the Internet.
- Be polite. Be aware that emails can sometimes be interpreted differently than when speaking to someone in person. For instance, writing in all caps conveys shouting and is discouraged.
- Sending abusive messages to others in any medium is not acceptable.
- There is no expectation of privacy. Messages relating to or in support of illegal activities, even when created in jest, may be reported to the authorities.
- Users must respect the privacy of others. Revealing the personal home address, phone number of students or colleagues, and other information is prohibited.
- Use appropriate language. Avoid swearing, using vulgarities or any other inappropriate language or symbols.
- Respect the rights of other users by not disrupting the system (e.g. downloading huge files or monopolizing resources, sending unnecessary mass e-mail messages or replying to everyone in an email thread when it would be more appropriate to only respond to the original sender, etc.).

Cyberbullying

Please refer to Board Policy #700-31 *Bullying Prevention Policy*.

Education, Supervision and Monitoring

It shall be the responsibility of all teachers and technology staff to educate, supervise and monitor appropriate usage of the computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Supervisor of Technology or designated representatives.

Teachers of technology or designated representatives will provide age appropriate training for students who use Capital School District's Internet facilities. The training provided will be designed to promote the district's commitment to:

Board of Education Policy - Acceptable Use and Internet Safety

- a. The standards and acceptable use of Internet services as set forth in this Acceptable Use and Internet Safety Policy;
- b. Student safety with regard to:
 - i. safety on the Internet;
 - ii. appropriate behavior while on online, on social networking Web sites, chat rooms; etc.
 - iii. cyberbullying awareness and response.
- c. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Communication between Students and Staff

Students and staff are expected to interact professionally at all times. Due to the informal nature of some forms of communication, it is recommended that extra steps be taken to avoid even the perception of inappropriate behavior. Emails, online postings, text messages, and other forms are expected to occur transparently, be retained whenever possible, and be limited to official school business. Formal methods (letters, emails) over informal methods (e.g. text messaging) should be used unless one form of communication is clearly more effective. For instance, providing students with a cell phone number for emergencies during a field trip, or informing team members of a last minute change to a practice schedule. If communication occurs that has the potential to be misconstrued as inappropriate, it should be discussed with the school’s administrator.

Personal Safety

Users should recognize that technology resources, especially those on the internet, provide many benefits, as well as expose users to certain risks. Information should be guarded carefully, and one should never share personal information, including phone numbers, addresses, social security numbers, birthdays, and so on, without a parent’s or adult’s supervision and approval. Users should never agree to meet someone they met online in real life without parental permission.

If you see a message, comment, image, or anything else online that makes you uncomfortable or concerned for your or someone else’s personal safety, immediately bring it to the attention of an adult (teacher or staff if you are at school; parent if you are at home).

Vandalism

Vandalism is defined as any attempt to harm or destroy data, disrupt network or other services, affect another user’s access, or create, upload, or download computer viruses, spyware and malware.

Vandals will be subject to cancellation of privileges and may be liable for any direct or indirect damages incurred.

Plagiarism

Plagiarism occurs when someone uses ideas, pictures, and other information without citing the original source or author. While copying an entire paper easily constitutes plagiarism, taking small excerpts out of papers or even accidentally excluding the sources of passages that have been paraphrased can also be in violation of this policy. Even when unintentional, plagiarism is a form of intellectual theft and great care should be taken to avoid it. The best method to avoid plagiarism is to use academic resources and to cite all of the resources that you use within the body of your work.

Board of Education Policy - Acceptable Use and Internet Safety

Web Access/Filtering

Access to internet resources is controlled both by Capital School District, as well as the State of Delaware. State of Delaware network and website filtering ensures compliance with state and federal regulations, such as the Children’s Internet Protection Act (CIPA). As required by CIPA and to the extent practical, internet filters shall be used to block access to visual depictions of material deemed obscene, child pornography, or to any material deemed harmful to minors. Additionally, Capital School District reserves the right to add additional layers of protection and filtering. Bypassing any of the safeguards used to protect users, including network filtering by Capital School District and the State, is strictly prohibited. The use of any technology resources, including internet resources, may be monitored and the associated records may be retained indefinitely.

While a significant portion of the information and interaction available to users is consistent with the educational goals of the district, the diversity of a global network will also have material that is not considered to possess an appropriate educational value. Capital School District is using the available resources to ensure that everyone’s access is as safe as possible, while still providing access to the academic resources required to advance the needs of our students. If a currently blocked resource should be allowed, users may report the resource to the Technology Office so that it may be properly reviewed. Likewise, if a currently allowed resource is inappropriate, it should be reported as well. At the present time it is impossible to completely restrict access to controversial materials, so students, parents, and staff must work together to ensure appropriate use of these systems.

Email

All district employees will be provided with an email account, including any individuals that communicate on behalf of Capital School District. Any emails relating to school or district business should occur through the email provided by the district. As such, the forwarding of emails to external accounts is not permitted.

While incidental and occasional personal use of email may occur, it must not generate any costs for the district. Any such incidental and occasional use for personal purposes is subject to the provisions of this policy. The mass sharing of jokes, personal stories, chain letters, and so on is prohibited. The emailing and responding to listservs, district distribution lists, and similar technology must be approved by the appropriate district resource prior to doing so.

Users should not attempt to open files or hyperlinks, unless they know that the resource they are attempting to access is secure and appropriate. Users should not provide any usernames and passwords via email, as the Technology Office and other official agencies will not request that information via email. Users are expected to communicate via email in the same appropriate, safe, mindful, courteous manner that they do offline or in person.

Social Media Usage

“Social media” includes all forms of online applications, websites, tools, and platforms that enable communication between users. The specific types of social media change frequently but, as a general matter, include: (a) social-networking sites (e.g., Facebook, MySpace, and LinkedIn) (b) blogs and micro-blogs (e.g. Wordpress, Blogger, Twitter, and Tumblr); and (c) content-sharing sites (e.g. Flickr, YouTube, Vimeo, Scribd). Additionally, comments posted to a website or blog, and other user- generated content are subject to the standards set forth in this policy.

Board of Education Policy - Acceptable Use and Internet Safety

The creation and usage of social media websites for official purposes must be preapproved by the appropriate district resources and administrative access may be required by the Technology Office. All content should be reviewed by the principal or delegate prior to posting any material. Websites that are created without prior approval may be required to remove content or other measures until the approval has been finalized.

Official school and classroom websites and blogs are encouraged to be updated regularly, using the pre-approved building's posting process (Capital School District Acceptable Posting Procedure).

Accessing and updating social media resources for personal use is not permitted during working hours when using personal technology resources, and is not permitted at any time when using Capital School District Resources.

Social media resources may be accessed by specific individuals identified within each school for the purposes of reviewing claims of cyber-bullying, other forms of harassment, and for official purposes preapproved by the district.

The ability to access a resource should not be mistakenly identified as approval, and users run the risk of having those resources blocked in the future. There may also already be established resources that will provide the services being sought. The use of social media resources for instructional purposes must be preapproved by the appropriate district resource prior to usage, and request for approval may be routed through the Technology Office.

Mobile Devices

Capital School District may provide users with mobile computers or other mobile devices to promote learning outside of the classroom, including resources that teachers can use while offsite or at home. Users must adhere to these policies when using Capital School District resources, no matter where or when they are being utilized.

Mobile devices tend to be expensive, and are more susceptible to theft, accidental damage, etc. As such, users are expected to treat these devices with extreme care and caution. Users should report any loss, damage, or malfunction to Technology Office staff immediately. Users may be financially accountable for any damage resulting from negligence or misuse, including theft of equipment entrusted in their care.

School-issued mobile devices may be monitored and controlled, even when off the school's network.

Personal Use of District Resources and Personally-Owned Devices

Users may not use district resources for personal purposes, including the storing of personal images, music, and other data that is not used specifically in classroom instruction. Personal laptops, mobile devices, and other wireless devices should not be connected to the school's network. The introduction of wireless hot spots and other technologies that circumvent filtering is prohibited and will be treated as a severe violation.

While personally owned devices should not be connected to the district's resources as a general rule, some limited use of personal resources may be acceptable. As an example, the use of a personal memory stick would be acceptable if appropriate care has been taken to ensure that the content is free of viruses, malware, etc. The introduction of other technologies must be in compliance with all existing policies, must be approved by a school's principal prior to usage, and must not attach to network resources without the approval of the Technology Office.

Board of Education Policy - Acceptable Use and Internet Safety

Guest Access

In some cases, such as visiting state agencies, consultants, and other individuals visiting in an official Capital School District capacity, access to network resources may be temporarily granted. Prior to access being granted, users should have reviewed the State's and District's Acceptable Use and Internet Safety Policies and should forward the signed acknowledgements to the Technology Office. In an effort to make that process as smooth as possible, advance notice should be provided to the Technology Office. While these devices may not be directly managed by the Technology Office, the Capital School District requires that any connected device receive timely security updates, be protected by current antivirus software, all other standard business protection practices, and may require administrative access to any connected device. The Capital School District also reserves the right to deny access to those unable to comply with this policy.

Wireless

Wireless access is currently restricted to those devices that are directly managed and maintained by the Technology Office. Under no circumstances should access be provided for personal devices, or should any information be released regarding the wireless network. Individuals who are visiting in an official capacity should route their request for access through the Technology Office.

Security

Users are expected to assist in the protection of technology resources and systems. Users who identify a security problem, even those unintentionally created or observed, must notify a system administrator and must not communicate or demonstrate the issue to others. Users should store their passwords securely, should not provide passwords to others, or attempt to log into any system as another user. Violations will result in access and other privileges being revoked. Any user identified as a security risk or having a history of security related issues may also be denied access. Protection of user account logins and passwords is the responsibility of every individual.

The use of strong passwords, as define in the State's Strong Password Authentication Policy (SE- PWD-001) should be used whenever possible. In general, passwords should contain characters from at least three (3) of the following four (4) classes from the table below:

DESCRIPTION	EXAMPLES
English upper case letters	A, B, C, ... Z
English lower case letters	a, b, c, ... z
English (Arabic) numerals	0, 1, 2, ... 9
English Non-alphanumeric ("special characters")	#, \$, %, & such as punctuation symbols etc.

Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin. If you believe a computer or mobile device you are using might be infected with a virus, please alert Technology Office Staff. Do not attempt to remove the virus yourself or download programs advertising the ability to remove viruses.

Board of Education Policy - Acceptable Use and Internet Safety

Privacy, Confidentiality and Public Records Considerations

The Capital School District will make reasonable efforts to maintain the integrity and effective operation of technology systems and resources, but users are advised that those systems should in no way be regarded as a private medium for the communication of sensitive or confidential information. Because of the nature and technology of electronic communication, the district can assure neither the privacy of an individual user's use of district's resources nor the confidentiality of particular messages that may be created, transmitted, received, or stored thereby.

The Capital School District reserves the right to monitor or otherwise intercept any telephone conversation or transmission, electric mail, or Internet access or usage by an employee.

Users should also take every precaution to protect the sensitive data that they interact with. Users should not store sensitive information on personal devices and should report the potential loss of any sensitive data immediately. Providing non-Public information to external or internal resources should not occur without prior approval of appropriate district personnel, including the Technology Office. Examples include employee ids, student ids, social security numbers, place of birth, parent's names, and so on. Every system that retains data regarding students, parents, employees, and so on should be reported to the Technology Office. Additional details regarding data classification can be found in the State's Data Classification Policy (IN-DataClass-001).

Limitation of Liability

The Capital School District makes no warranties of any kind, whether expressed or implied, for the services being provided. The Capital School District will not be responsible for any damages to persons, files, data, hardware, or service interruptions. While Capital School District employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness. Capital School District will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network. The use of any information obtained via the system is at the user's own risk. Capital School District denies any responsibility for the accuracy or quality of information obtained through the system.

Index of Related Policies

This document should not be viewed as all-inclusive and other policies should be reviewed for additional information. If questions arise regarding any of the policies covered, please contact the Technology Office using the service request process defined within each school. Below is a list of related policies:

Capital School District:

Acceptable Posting Procedure

Policy #700-31 Bullying Prevention Policy

State of Delaware Policies:

Acceptable Use Policy (DTI-0042.02)

Information Security Policy (SE-ESP-001)

Strong Password Authentication Policy (SE-PWD-001)

Data Classification Policy (IN-DataClass-001)

Additionally, users are encouraged to take the State of Delaware Acceptable Use Policy Self-Test at:

http://dti.delaware.gov/information/aup_self_test.shtml



STATE OF DELAWARE
DEPARTMENT OF TECHNOLOGY AND INFORMATION
 801 Silver Lake Blvd.
 Dover, Delaware 19904

Doc Ref Number:	DTI-0042.02	Revision Number:	10
Document Type:	Enterprise Policy	Page:	1 of 13
Policy Title:	Acceptable Use Policy		

Synopsis:	Guide Behaviors in Using the State’s Communications and Computer Systems.
Authority:	<u>Title 29 Chapter 90C Delaware Code, §9004C</u> – General Powers, duties and functions of DTI “2) Create, implement and enforce statewide and agency technology solutions, policies, standards and guidelines, including as recommended by the Technology Investment Council on an ongoing basis and the CIO”
Applicability:	This Policy is applicable to all users of the State of Delaware communications and computing resources. The Department of Technology and Information (DTI) is an Executive Branch Agency and has no authority over the customers in Legislative and Judicial Branches, as well as School Districts, and other Federal and Local Government entities that use these resources. However, all users, including these entities, must agree to abide by all policies, standards promulgated by DTI as a condition of access and continued use of these resources.
Effective:	6/1/2006
Reviewed:	5/3/2022
Approved By:	Chief Information Officer
Sponsor:	Chief Security Officer



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DEPARTMENT OF TECHNOLOGY AND INFORMATION
 801 Silver Lake Blvd.
 Dover, Delaware 19904

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I. Policy

EXECUTIVE SUMMARY

Technology-based solutions and communication devices are woven into all aspects of our professional and personal lives. Often, business and individuals have struggled to determine the appropriate use of technology. This State policy defines the acceptable use of various technologies in our professional lives in service to the State of Delaware. The objective of this policy is to create a framework to ensure that IT resources are used in an appropriate manner and support the State of Delaware. Unauthorized use or disclosure of protected data may result in sanctions to an individual by the governing bodies of the Federal and State governments.

There is an endless array of technology services and products for State organizations to consume, and the number and type of available options is ever-growing and expanding. It is not reasonable that this policy keeps pace with frequent technology changes in real time, or that it can specifically list and address every possible service, product, or use-case scenario. This policy addresses current technology services, products, and use-case scenarios while anticipating future developments in the field.

One goal of this policy is to provide guidance and information as a framework to consider when making technology-related decisions. Another goal is to provide explicit examples of



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choices or actions that are not acceptable. As individuals involved in the affairs of State government, our jobs must be conducted with integrity, respect, and prudent judgment.

POLICY STATEMENT

It is the policy of the State of Delaware to maintain an environment that promotes ethical and responsible conduct in all online network activities by all employees, contractors, and casual seasonal staff (herein as "User(s)" or "You"), consistent with the standards set forth in Title 29, Chapter 58 of the Delaware Code. It shall be a violation of this policy for any User to engage in any activity that that does not conform to the established purpose and general rules and policies of the State network. This Acceptable Use Policy identifies certain uses and activities that the State may consider violative of the State's Employee Code of Conduct, found within Title 29, Chapter 58 of the Delaware Code. The lists and examples of prohibited conduct found within this policy is not exhaustive. Failure to demonstrate ethical and responsible conduct may be a violation of this policy, even if the conduct is not specifically enumerated herein.

1. You are responsible for exercising good judgment and acting in a manner that supports public trust regarding appropriate use of State data and resources (email, web sites, Internet services, teleconferencing, etc.) in accordance with State policies, standards, and guidelines. The State of Delaware uses internet content filtering tools designed to restrict access to unauthorized internet sites. However, while these tools limit prohibited usage, sites that violate acceptable use remain accessible and users must therefore remain vigilant when using the Internet. Alternatively, agencies with business requirements to use filtered sites may request that access. State of Delaware data or resources may not be used for any unlawful or prohibited purpose.
2. You must ensure through practice or technical means that non-public information remains within the control of the State of Delaware at all times. Conducting State business that results in the inappropriate release or disclosure of State of Delaware or Federal data or the storage of non-public State or Federal information on personal or non-State controlled environments, including devices maintained by a third party with whom the State of Delaware does not have a contractual agreement, is prohibited. You must not use an e-mail account that is not provided by the State of Delaware or its customer and partners, for government business. Sanctions may be imposed by the



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governing bodies of the Federal and State governments for any willful release of data including fines and/or imprisonment.

3. You are responsible for ensuring secure practices are utilized when conducting business with or on behalf of the State of Delaware, consistent Chapter 29, Section 9011C of the Delaware Code and other laws, regulations, and standards. Personally owned devices, when interacting with or for the State, are considered on temporary duty assignment to the State for the duration of the activity. The State retains the right to access any State records or materials developed for State use even on personally owned devices. In that regard, both personally owned devices (smart phones, tablets, home computers, etc.) and State-owned devices are mandated to comply with State security policies and practices.

You acknowledge and understand that all uses of the State’s resources are subject to monitoring and there is no right to privacy when using State resources.

4. Each user is required to read and understand this policy and sign the applicable Acceptable Use Policy Statement at time of hire. The signed acknowledgement statement must be maintained by each organization. Users who do not sign the Acceptable Use Policy Acknowledgement Statement will be denied access to the State’s Communications and Computer Systems.
5. State information and records could be subject to the [Freedom of Information Act](#).
6. Each user must comply with this Acceptable Use Policy

COMPLIANCE AND OVERSIGHT

DTI or the relevant Agency or applicable contractor may notify the User’s human resources or contractor management as applicable regarding User’s access to State systems.

DTI reserves the right to terminate or suspend service immediately or to otherwise disconnect, remove, block, filter or restrict Your use of service if DTI determines that such use is illegal or violates this Acceptable Use Policy. DTI will cooperate with legal authorities and/or relevant third parties in the investigation of any suspected or alleged crime or civil wrong. If DTI believes that You have used the systems for an unlawful or abusive purpose, DTI may forward the relevant communication and other information, including your identity, to the appropriate authorities for investigation and Your employing agency. You hereby consent to DTI forwarding any such communications and information to these authorities and Your employing agency. In addition, DTI may provide information in



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response to law enforcement requests, lawful government requests, subpoenas or court orders. DTI may also provide information to the appropriate authorities to protect the State's rights and property and in the case where failure to disclose the information may lead to imminent harm to You or others.

If Your Human Resources department finds that You have violated this Acceptable Use Policy, then refer to the employment rules, policies, and procedures of Your Human Resources department for additional information and guidance. This Acceptable Use Policy does not address any actions that your Human Resources department may or may not take.

If there is ambiguity or confusion regarding any part of this policy, contact Your supervisor or Agency/School District or Affiliate Information Resource Manager (IRM) or Technology Director. Agency/School District or Affiliate IRM's or Technology Directors can contact DTI by sending an email to eSecurity@Delaware.gov.

II. Definitions

Communications and Computer Systems – State of Delaware communications and computer systems are any equipment, hardware, software, or networks (including wireless networks) owned, provided, or used by or on behalf of State of Delaware that store or transmit voice or non-voice data. This includes telephones, cellular/wireless telephones, voice mail, computers, e-mail, facsimiles, pagers, any device that is used to facilitate teleconferencing/videoconferencing, and State Intranet or Internet access (including when accessed through personal computers).

III. Development and Revision History

Date	Revision
4/15/2003	Rev 0 – Initial version
8/8/2005	Rev 0 - Corrected hyperlinks, reference to the Merit rules, and CRS title
7/31/2006	Rev 1 - First reformatted version
5/22/2007	Rev 2 - Revised version published
9/17/2007	Rev 3 - Updated acknowledgement statement
9/5/2008	Rev 3 - Clarified the requirement to sign the Acknowledgement statement in Appendix 1



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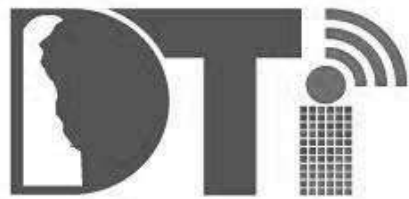
7/1/2009	Rev 3 - Add FOIA and social media topics
1/5/2012	Rev 4 - Add mobile device topic plus reformatting
6/3/2013	Rev 5 - Add revised language related to DropBox
1/2/2015	Rev 6 - Added language for Internet Content Filtering
5/26/2015	Rev 7 - Added language for unprofessional messages or images
9/28/2015	Rev 8 - Added language for FTI and social media
9/15/2017	Rev 9 - <ul style="list-style-type: none"> • Added COMPLIANCE WITH ALL LAWS AND REGULATIONS statement • Added FOIA statement • Added further detail/clarification to prohibited email activities • Added further detail/clarification to use of State resources • Added Cloud File Sharing to Internet Content Filtering • Updated Internet Content Filtering with request for exceptions instructions • Updated K12 email address
5/3/2022	Rev 10 – Major revisions in all areas such as policy statement, compliance and oversight, acknowledgement statements, prohibited use, monitoring, personal use and internet content filtering

IV. Approval Signature Block

Name & Title: State Chief Information Officer	Date



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V. Related Policies and Procedures

Delaware Information Security Policy
Strong Password Standard



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ACKNOWLEDGMENT STATEMENT

State Of Delaware - Acceptable Use Policy

State of Delaware Employee

This is to certify that I have read and agree to abide by the guidelines set forth within the State Acceptable Use Policy. As an employee of the State of Delaware, I fully intend to comply with this policy realizing that I am personally liable for intentional misuse or abuse of the State's communications and computer systems. If I have any questions about the policy, I understand that I need to ask my supervisor or IRM or Technology Director for clarification. Users are also encouraged to take and score 100% on the AUP self-test located on the DTI Internet at:
http://dti.delaware.gov/information/aup_self_test.shtml

****If I refuse to sign this acknowledgement form, I acknowledge that my Communications and Computer Systems will be denied and my employment status with the State of Delaware will be evaluated to determine how this may affect my ability to meet my job requirements and my employment may be terminated.***

Name:

Signature:

Agency/Organization/School:

Date:

**Supervisor Signature
 (*as required):**

Comments:



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State Of Delaware - Acceptable Use Policy

Non-State of Delaware Employee (All Other Users)

This is to certify that I have read and agree to abide by the guidelines and requirements set forth within the State of Delaware Acceptable Use Policy that apply to my use. As an authorized User of the State of Delaware’s communications and computing resources I fully intend to comply with this policy as a condition of access and continued use of these resources. I am personally responsible for intentional misuse or abuse of the State’s communications and computer systems. If DTI learns of my possible inappropriate use or abuse of the system, DTI will immediately notify the relevant leadership team including Human Resources or contract management, who must take immediate remedial action and inform DTI of their action(s). In instances where criminal activity is suspected, DTI will work with the proper authorities and follow their guidance in determining appropriate action. DTI may determine that an employee’s or contractor’s access may temporarily be suspended until a full investigation is completed.

Name: _____ **Date:** _____

Signature: _____

Agency/Organization/School: _____

Date: _____

Supervisor Signature
 (*as required):

Comments:



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Prohibited use of the Internet and activities including *email (sending or forwarding)*, downloading of data, accessing data or specific sites that are prohibited unless there is a legitimate business purpose:

- ✓ Emailing, downloading, or accessing jokes or language, that may be considered discriminatory, harassing, unlawful, defamatory, obscene, or otherwise inappropriate, this includes but is not limited to, messages about age, race, gender, disability, sexual orientation, national origin, or similar matters.
- ✓ Accessing, downloading, sending, or forwarding emails or materials that include pornographic or sexually explicit, discriminatory, harassing, defamatory, libelous material, or are accessed or downloaded from pornographic websites or hate websites.
- ✓ Using the email systems in a way that could affect the system's reliability or effectiveness, like, for example distributing chain letters, spam, or unauthorized or mass communication.
- ✓ Accessing or distributing information related to religious or charitable materials, activities, or causes that are not affiliated with the State of Delaware.
- ✓ Accessing gambling sites or conducting gambling online via State of Delaware Internet access.
- ✓ Downloading or using games or other software or copyrighted materials without a legitimate business or instructional purpose (and then only according to the rights and licenses granted by the owner of the games, software, or copyrighted material).
- ✓ Distributing or soliciting messages that inappropriately disparage other governments, companies, or products.
- ✓ Downloading large personal files containing graphics, photographs, videos, or audio files.
- ✓ Emailing, distributing, or soliciting mass communication related to political materials, personal or commercial ventures or solicitations (for example, messages that could be considered pyramid schemes, multi-level marketing, or fraudulent activity for personal gain).
- ✓ Accessing Underground or other websites which contain malicious software and/or instructions for compromising State of Delaware cyber security.
- ✓ Participating, accessing, and contributing to chat sites that are not business or work related.
- ✓ Auto-forwarding emails through an automated means to a non-State of Delaware destination email address is strictly prohibited. In the event auto-forwarding is required, written approval is necessary from the Chief Security Officer or designee. Selected email (s) may be manually forwarded by a State of Delaware user to a non-



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State of Delaware destination if it will not result in inappropriate disclosure of information, such as but not limited to Federal Tax Information ("FTI"), State of Delaware Tax Information, Personal Health Information ("PHI"), Personally Identifiable Information ("PII"), or any information such as Policies, Procedures or documents deemed non-public (Confidential, Secret, or Top Secret) or SSA Data.

Additional Prohibited Activity

- ✓ Intentionally importing viruses, installing malware, botnet, keyloggers ransomware or malware.
- ✓ Registering Internet domain names of the State of Delaware business/school district or those of third parties without authorization from DTI.
- ✓ Distributing or soliciting any other materials that would be improper under this policy or other State of Delaware policies.
- ✓ Excessive personal surfing, utilizing streaming services for personal use such as listening to, downloading, or watching music or videos during work hours.
- ✓ Disclosing or sharing passwords and/or accounts without prior authorization or legitimate business purpose.
- ✓ Unauthorized disclosure, distribution or storage of protected information including but not limited to: Confidential, Secret, or Top Secret information, Federal Tax Information (FTI), State of Delaware Tax Information, Protected Health Information (PHI), Personal Identifiable Information (PII), or Social Security Administration (SSA) Data.

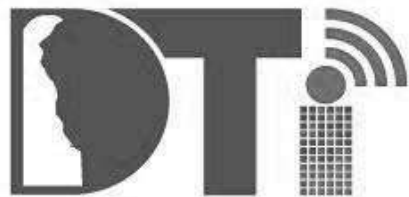
PERSONAL USE

State systems are intended primarily for business and instructional purposes, but limited personal use in accordance with your manager's discretion may be permissible if it does not:

- Interfere with work responsibilities or business/instructional operations
- Involve interests in personal or outside business and/or other non-authorized organizations and activities such as selling or soliciting personal property/items, promoting commercial ventures, charitable, religious, or political activities
- Violate any of the standards contained in any State of Delaware law or policies
- Lead to unreasonable costs attributed to excessive personal surfing, utilizing streaming services for personal use such as listening to music or watching video and downloading of music and video files may be violative of this policy or Your employing agency's rules of conduct.



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STATE OF DELAWARE MONITORING

State Communications and Computer Systems, including, but not limited to, computer networks, data files, e-mail, voice mail, and substance of dialogue found within collaborative communication tools, may be monitored and/or accessed by the State of Delaware to ensure the integrity of the technology, protect against fraud and abuse, detect unauthorized access or use, and for other business purposes. Although DTI does not randomly monitor message or network transactions, DTI may without notification or approval, monitor, access, and review any and all communications originating from the State of Delaware or delivered to the State of Delaware. Employees should have no expectation of privacy in regard to use of these services. This is in accordance with 19 Del. C. chapter 7.

Violation of any provision of this Policy, whether as a single instance or repeated occurrence, may result in the immediate interruption, suspension, or termination of your access and use of the systems. You acknowledge, understand, and agree that the State of Delaware shall not be required to issue warnings, reprimands, or undergo any formal or informal process prior to causing the Services to be interrupted, suspended, and/or terminated. Any determination of non-acceptable usage serious enough to require disconnection will be promptly communicated to the Senior Manager at the agency or affiliate by the DTI Executive Team.

Unauthorized activity or unacceptable usage determined at the agency/school district or affiliate may be subject to remedial action being taken in accordance with any applicable acceptable use policy of that agency/school district or affiliate as well as those actions outlined above. The remedial action outlined in agency/school district or affiliate policies may differ from the remedial action as outlined in this policy.

DTI provides access to state, national, and international resources to its clients through connections with networks outside of Delaware. In general, it is the responsibility of those networks to enforce their own acceptable use policies. DTI will make every attempt to inform its clients of any restrictions on use of networks to which it is directly connected; as such information is made available by the network provider.



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DTI accepts no responsibility for traffic that violates the Acceptable Use Policy of any directly or indirectly connected networks beyond informing the client that they are in violation if the connected network so informs DTI.

INTERNET CONTENT FILTERING

The State uses Internet content management tools designed to restrict access to unauthorized Internet websites. Internet websites may be restricted for several reasons such as the website is insecure, is contaminated with virus or malware, places unconstrained demands on limited State resources, or contains inappropriate content.

Category definitions can be verified by contacting the DTI Service Desk at 302-739-9560. If a user believes that a site is improperly categorized, a review request can be sent to the DTI Service Desk at DTI_ServiceDesk@Delaware.gov.

The Agency/Organization head or their designee may request exceptions to these restrictions if the user, or group of users, require access to perform their work responsibilities. Examples of this include public safety officials obtaining access to Violence/Hate/Racism to conduct investigations, public information officers requiring access to social media sites, and training personnel requiring access to streaming video content for education.

The Agency/Organization head can make this request by sending an email request with the User's name and/or email address and the access required on the State of Delaware network.

Send the request to the DTI Service Desk at DTI_ServiceDesk@Delaware.gov.

At no time do approved allowances/exceptions alter the requirements of the Acceptable Use Policy.



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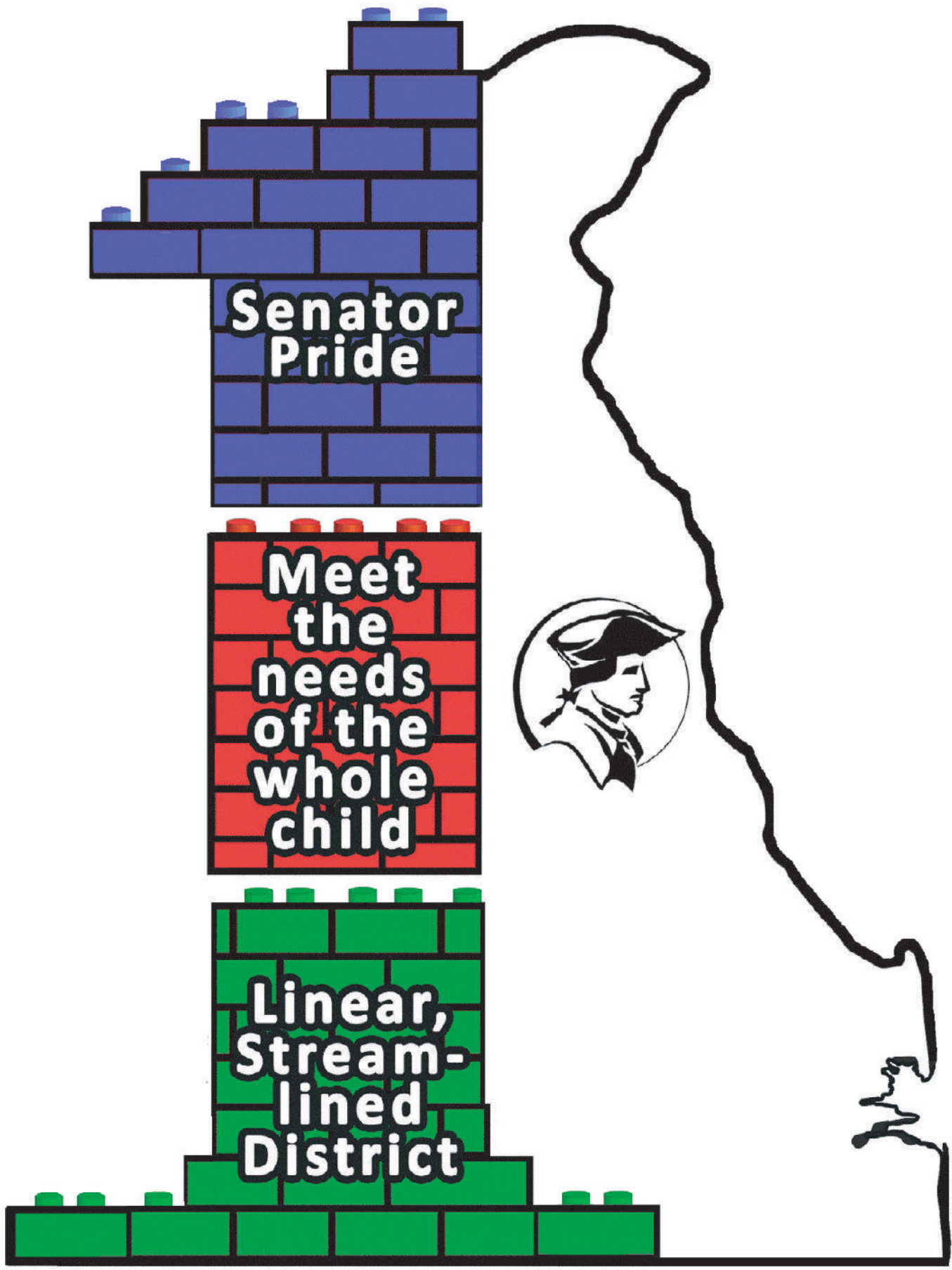
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**Senator
Pride**

**Meet
the
needs
of the
whole
child**

**Linear,
Stream-
lined
District**

