

Delmar Middle School and Delmar High School



Student & Parent Handbook 2022-2023

TABLE OF CONTENTS

District Policy Statement/Mission Statement

Academics

- Academic Requirements, 6-7
- Exam Schedule, 7-8
- Honor Roll/Merit Honor Roll/ ACAP Policy, 8

Room Assignments/Lockers/Map

- Teacher Homeroom Assignments & Class Advisors, 9-10

Time Schedules

- Bell Schedule/Delay Schedule/Rotation Schedule, 12-16

Student Expectations and Responsibilities (Chapter 1)

- Guidelines for Student Behavior, 17
- Code of Student Conduct, 17-18
- Student Expectations, 18
- Assembly Expectations, 18
- Attendance Policy, 18-20
- College Visits, 20
- Civic Engagement, 20
- Religious Holidays, 20-21
- Tardy Policy, 21
- Distribution of Attendance Policy, 22
- Bookbag/Purse Policy, 22
- Cafeteria Regulations, 22
- Communication/Electronic Devices Policy, 23
- Dance Policy, 23
- Debt/Student Obligation, 24
- Dismissal, 24
- Early Dismissal/Late Arrival, 24
- Food & Drinks in School, 24
- Hall Passes, 24
- Field Trip Policy, 24
- Leaving School Property, 25
- Lockers, 25
- Loitering, 25
- Motor Vehicle/Parking, 25
- School Phone Usage, 26
- Selling Goods/Posting of Signs, 26
- Skateboard/ Rollerblades/Wheeled Shoes, 26
- Smoking, 26
- Student Face Mask/Social Distancing Policy 27
- Student Uniform Policy, 28-29
- Visitors, 29

Safeguards and Consequences (Chapter 2)

- Due Process Rights for Students, 30
- Parent Notification, 30
- Student Discipline-Student Initiated Appeal Process, 30-32
- Suspension and Expulsion, 32
- Suspension from School, 32-33
- Assignment to Educational Alternatives 33
- Expulsion, 33-34
- Student with Disabilities, 34
- Corporal Punishment, 35
- Disciplinary Referrals, 35
- Community Notification – Sex Offender Guidelines, 35

- Unsafe School Transfer Program, 35-36
- Gun Free School Act, 36
- Weapon in Safe School Zone, 36

Violations of the Student Code of Conduct (Chapter 3)

- Combination of Offenses, 37
- Removal of Students from Class or Other School Activities, 37
- 1999 Teacher Classroom Control Act, 37
- Delmar School District Violation Consequences, 38
- Discipline Consequence Matrix, 39-42
- Violation Codes, Burden of Proof and Relationship to State Law, 42
- Consequence Terminology, 42-43
- Definitions or Glossary of Violations/Consequences, 43-48
- Restriction Information, 48-49
- School-Police Relationships, 50
- Search and Seizure, 50
- Drug, Alcohol and Steroid Policy, 50-52
- Noncontrolled Substances, 52
- Aggressive Groups and Gang Policy, 52-53
- School Technology Policy, 54
- Acceptable Use/Internet Safety Policy, 54-57
- Policy for Bullying Prevention and Cyberbullying, 58-65
- Suicide Prevention Policy, 66-67
- Delmar School District Sexual Harassment Policy, 67-68
- Student Concerns and Complaints, 68-73

Student Services

- Nurse Services, 74
- Wellness Center, 74
- Guidance Services, 74
- Food Services, 74

Extra-Curricular Activities and Clubs

- Interscholastic Athletics, 75
- Clubs, 75

Emergency Procedures

- Emergency Evacuations, 76
- Lock-Down Procedures, 76
- Run, Hide, Fight Procedure, 76

Forms and Letters

- Incident Report Form, 77
- Warning, ISS, OSS Letters, 78-80

NOTE: The policies contained in this Handbook are subject to revision by the Board of Education and are in effect based on the formal approval dates as designated by the Board.

DELMAR SCHOOL DISTRICT POLICY STATEMENT

"All practices, procedures, and policies of the Delmar School District shall clearly exemplify that there is no discrimination in the hiring, training, assignment, promotion/transfer or discipline of employees, or in the educational programs and activities of students on the basis of race, creed, color, religion, national origin, age with statutory limits, sex, domicile, marital status, or handicap. Further, there shall be no discrimination in admissions to any Delmar School District Vocational program which includes: Business, Agriscience, Technology Education, Jobs for Delaware Graduates, or cooperative work programs on the basis of race, creed, color, religion, national origin, age with statutory limits, sex, domicile, marital status, or handicap."

District representatives designated to insure compliance with the above are:

PERSONNEL MANAGEMENT

Mrs. Charity H. Phillips
Superintendent
District Office
200 North Eighth Street
Delmar, DE 19940
Phone: (302) 846-9544

STUDENT PLACEMENT, ASSIGNMENT AND ACCESS TO PROGRAMS

Mr. Andrew J. O'Neal, Middle School Principal
Mr. Michael Bleile, High School Principal
Delmar Middle and High School
200 North Eighth Street
School Office
Delmar, DE 19940
Phone: (302) 846-9544

TITLE IX COORDINATOR

Mrs. Monet Smith
Chief Operations Officer
District Office
200 North Eighth Street
Delmar, DE 19940
Phone: (302)846-9544

SPECIAL EDUCATION/SECTION 504 COORDINATOR

Mrs. Stacey Stump / Mrs. Christina Fishburn
Coordinator of Student Services / 504 Coordinator
Delmar Middle School and Delmar High School
200 North Eighth Street
School Office
Delmar, DE 19940
Phone: (302)846-9544

EL DISTRITO DE LA ESCUELA DE DELMAR DECLARACION POLITICA

Todas las prácticas, procedimientos, y políticas del distrito de la escuela de Delmar muestran claramente que no hay discriminación en el empleo, el entrenamiento, la asignación, la promoción, la transferencia o la disciplina de empleados, o en el programa educativo o las actividades de estudiantes en base de la raza, credo, color, religión, origen o nacionalidad, edad con límites estatutarios, sexo, domicilio, estado civil, o alguna desventaja.

Además, no habrá discriminación en admisiones en ningún programa vocacional del distrito de la escuela de Delmar que incluya: negocios, ciencias agrícolas, educación tecnológica, trabajos para los graduados de Delaware (Jobs for Delaware Graduates), o programas de trabajo cooperativos en base de la raza, credo, color, religión, origen o nacionalidad, edad con límites estatutarios, sexo, domicilio, estado civil, o con limitaciones educacionales.

Los siguientes representantes del distrito aseguran el cumplimiento de lo anteriormente señalado:

Gerente del distrito

Senora Charity H. Phillips
Superintendente
District Office
200 North Eighth Street
Delmar, DE 19940
Teléfono: (302) 846-9544

Cupos para estudiantes, asignación y acceso a los programas

Senor Andrew J. O'Neal, Middle School Principal
Senor Michael Bleile, High School Principal
Delmar Middle School and Delmar High School
200 North Eighth Street
Delmar, DE 19940
Teléfono: (302) 846-9544

Coordinador del Título IX

Senora Monet Smith
Chief Operations Officer
District Office
200 North Eighth Street
Delmar, DE 19940
Teléfono: (302) 846-9544



MISSION STATEMENT

The mission of the bi-state Delmar School District is to provide all students with the opportunity to build 21st century skills; develop a sense of social responsibility, embrace cultural diversity, and to foster intellectual growth through academic excellence, the arts, and athletics.

Declaracion de Nuestra Mision

La misión del Distrito bi-estatal Delmar escuela es proporcionar a todos los estudiantes la oportunidad de desarrollar habilidades del siglo 21; desarrollar un sentido de responsabilidad social, aceptar la diversidad cultural, y para fomentar el crecimiento intelectual a través de la excelencia académica, las artes y el atletismo.

English/en Espanol

Delmar School District offers translation to Hispanic parents, when it is needed. Contact the school for meeting arrangements with the appropriate individuals. El distrito de enseñanza de Delmar ofrece servicios de traducción a los padres hispanohablantes, cuando sea necesario. Llame a la escuela para organizar una reunión con las personas interesadas.

Affirmative Action Practices

The District is an equal opportunity educational institution and will not discriminate on the basis of race, color, national origin, sex, gender or handicap in the actions, programs or employment practices as required by T. VI, T. IX and S. 504.

INTRODUCTION

Welcome to Delmar Middle School and Delmar High School. This handbook is provided to help you know your school. The rules, policies, and information are the result of long, careful effort by school staff, administrators, students, parents, and Board of Education members. As you show your Delmar spirit and take pride in your school, you will need to know all of the information in this handbook. We are proud of our school, students, and record. You can be part of making this an outstanding school.

ACADEMIC REQUIREMENTS

A student will have successfully completed a class or course when he/she has completed all tests and classroom assignments to the satisfaction of the individual teacher and has achieved a minimum competency where applicable.

Promotion Procedure

Definitions:

Unit of Credit – One credit is given for a subject which meets every day of the school year (1060 hours).

One-Half Unit of Credit is given for a subject which meets one (1) semester (approximately 530 hours).

One-fourth Unit of Credit is given for a subject which meets one (1) quarter (approximately 265 hours).

To be promoted to GRADES 6, 7, 8 or 9, students must have passed English Language Arts, Math and Science or Social Studies and have completed with grade averages of **65** or better, and 2 additional courses for a total of 5 classes.

To be promoted to GRADE 10, students must have passed English and have completed with grade averages of **65** or better, **six (6) units** of credits. In addition, students must meet all requirements as established by the Delaware State Assessment Program.

To be promoted to GRADE 11, students must have passed English and have completed with grade averages of **65** or better, **twelve (12) units** of credit. In addition, students must meet all requirements as established by the Delaware State Assessment Program.

To be promoted to GRADE 12, students must have passed English and have completed with grade averages of **65** or better, **eighteen (18) units** of credit.

To Graduate, students must have successfully completed **24 units of credit** in grades 9-12 and successfully completed all courses required by the Delmar and State of Delaware Board of Education. Required credits include four (4) credits in English Language Arts, four (4) credits in Mathematics (one must be in senior year), three (3) credits in Science, three (3) credits in Social Studies, two (2) credits in a World Language, one (1) credit in physical education, one half (1/2) credit in health education, three (3) credits in a Career Pathway, and three and one half (3 ½) credits in elective courses.

GRADING SCALE

The grading system used at the Delmar Middle School & Delmar High School is as follows. Letter grade equivalents and GPA value of the numerical grades are listed below:

Letter Grade	Percentage	GPA Value	Letter Grade	Percentage	GPA VALUE	Letter Grade	Percentage	GPA Value	Letter Grade	Percentage	GPA Value
A+	98 - 100	4	B+	89 – 91	3.33	C+	80 – 82	2.33	D+	71 – 73	1.33
A	95 - 97	4	B	86 – 88	3	C	77 – 79	2	D	68 – 70	1
A-	92 - 94	3.7	B-	83 - 85	2.7	C-	74 - 76	1.7	D-	65 - 67	0.7
MTSS Class & Driver's Education will be graded PASS/FAIL.									F	0 - 64	0

Students must complete all the minimum requirements of a course in order to pass. Minimum requirements may include notebooks, research papers, book reports, etc.

Class Weights

Regular Classes = 1

Honors Classes = 1.2

8th Grade AC Classes = 1.2

Dual Enrollment/AP/AC = 1.4

Academic Challenge Courses that give letter grades will be converted to the highest percentage available in that category on the above scale.

Dual Enrollment Students – Seniors enrolling in Dual Enrollment Classes off campus must have approval from the principal to take those courses. Students must be enrolled in math and English courses for the full year and successfully pass both courses in each the fall and spring semester.

Transfer Students enrolling in the Delmar School District with letter grade transcripts will receive a conversion to the highest percentage available in that category on the above scale.

For the Class of 2025 and earlier:

Algebra I, Spanish I and Academic Challenge (Math) are the only 8th grade courses that can receive credit on the High School Transcript.

Algebra I math credit – An 8th grade student can earn credit on their high school transcript for Algebra I if they have a minimum of a “C” average in 8th grade Algebra I and pass the final placement test (exam) with a minimum of a 65%. A parent/guardian may override the decision to move a child into Honors Geometry, however the student will not receive the high school Algebra I credit without meeting the minimum requirements.

Spanish I credit – An 8th grade student can earn credit on their high school transcript for Spanish I if they pass the Spanish I high school final exam at the end of 8th grade year. Students will still need 2 years of Spanish in High School.

Starting in 2021-2022 with the Class of 2026:




Academic Challenge (Math) are the only 8th grade courses that can receive credit on the High School Transcript.

Spanish I / II credit – A student may receive credit for Spanish I and/or Spanish II by demonstrating a Novice-High or higher proficiency on a nationally recognized test. At Delmar, we use the STAMP test (<https://avantassessment.com/stamp>) to measure students’ reading, writing, listening, and speaking proficiencies. Students that score a 3 (Novice-High) on the STAMP test will receive credit for Spanish I and II. Students that score a 2 (Novice-Mid) on the STAMP test will receive credit for Spanish I.

Progress reports will be given to all students (grades 5-12) at the mid-quarter point. At any point, teachers will notify parents/guardian when the quality of a student’s work is at the failing point or when the work is considerably below expectation.

Exams will be given in all classes (Grades 9-12) which meet for a semester of a year. Midterm and Final Exams are mandatory and will be given at the end of each semester. Exams must be taken during the corresponding exam period unless otherwise approved by the administration.

Semester averages are determined as follows:

-  First marking period grade – 2/5 of semester grade
-  Second marking period grade – 2/5 of semester grade
-  Semester examination – 1/5 of semester grade

Final grades for year long classes are determined by averaging the two semester grades.

EXAMS SCHEDULE

MID-TERM EXAMS*

	Tuesday 1/24/23 11:45 Dismissal	Wednesday 1/25/23 11:45 Dismissal	Thursday 1/26/23 11:45 Dismissal	Friday 1/27/23 11:45 Dismissal
7:50-9:45	Period 1	Period 2	Period 5	Period 6
9:50-11:45	Period 3	Period 4	Period 7	Period 8

*There are no exemptions to taking the Mid-Term Exam. Each class must offer one, and each student must take one.

FINAL EXAMS**

	Tuesday 6/6/23 11:45 Dismissal	Wednesday 6/7/23 11:45 Dismissal	Thursday 6/8/23 11:45 Dismissal	Friday 6/9/23 11:45 Dismissal
7:50-9:45	Period 1	Period 2	Period 5	Period 6
9:50-11:45	Period 3	Period 4	Period 7	Period 8

**Final Exam exemptions will be based on grades and attendance as well as state test scores – See Exam Exemption Policy.

DELMAR HIGH SCHOOL EXAM EXEMPTION CRITERIA

Prior to final exams students will be given a form in English class to take to teachers for exemptions. Students are encouraged to keep a copy of the form for their own record. Academic eligibility will be based on course grades in each class as well as attendance eligibility based on overall attendance throughout the school year. Teachers will be notified by administration of students who have been given final approval to be exempt from exams. Students should check with teachers as final exams approach.

- **THIS EXEMPTION OPPORTUNITY DOES NOT INCLUDE STATE REQUIRED EXAMS, Dual Enrollment, AP, WU or similar exams.**
- Students that take the College Board AP Exam in their corresponding AP course are exempt from the final exam in that course. If they elect to not take the College Board AP exam, they must follow the guidelines below.

In order to be eligible for exemption, students must meet the criteria below:

Attendance Requirement - Students absent **more than 10 unexcused days** will not be eligible for exam exemptions.

Department	Criteria to be Eligible for Exam Exemption
English	Meet individual growth requirement on the MAP test (given in class) Meet growth requirement on the posttest (given in class) Have a cumulative grade of 83% or higher in English class 11 th grade students: Score a AL4 on the school day SAT earn a 100% final exam grade. Score a AL3 on the school day SAT earn a 93% final exam grade.
Math	Meet individual growth requirement on the MAP test (given in class) Meet growth requirement on the posttest (given in class) Have a cumulative grade of 83% or higher in Math class 11 th grade students: Score a AL4 on the school day SAT earn a 100% final exam grade. Score a AL3 on the school day SAT earn a 93% final exam grade.
Science	Physical Science, Chemistry, Physics, and Anatomy & Physiology: Have a cumulative grade of 92% or higher. Biology students: Score a “3” on the State Science Assessment and earn a 93% exam grade Score a “4” on the State Science Assessment and earn a 100% exam grade (If State Science Assessment Scores will not be received in time then the Post Test for Biology will be used to exempt students from final exam. Final exam will be “EX”)
Social Studies	No Exemptions for Social Studies courses of 9 th , 10 th and 12 th grade. 11 th grade students: Score a “3” on the State Social Studies Assessment and earn a 93% exam grade Score a “4” on the State Social Studies Assessment and earn a 100% exam grade (If State Social Studies Assessment Scores will not be received in time then the Post Test for Social Studies will be used to exempt students from final exam. Final exam will be “EX”)
Fine Arts	Have a cumulative grade of 90% or higher
CTE	Have a cumulative grade of 90% or higher and meet growth requirement on the posttest (given in class)
Health/PE	Have a cumulative grade of 90% or higher
World Languages	Earn 92% or higher each marking period Students earning posttest and interpersonal communication assessment scores of an “A” may use this as their final exam score (given in class)

MERIT HONOR ROLL & HONOR ROLL

The Merit Honor Roll and Honor Roll is published each marking period and is determined in the following manner:

Merit Honor Roll A student must achieve a 3.6 Grade Point Average for the Quarter.
(A student cannot receive a grade below an 83%)

Honor Roll A student must achieve a 3.15 Grade Point Average for the Quarter.
(A student cannot receive a grade below a 74%)

Students must be passing all pass/fail courses to be considered for honor roll but these will not count toward grade point average.

ACAP - ADVANCED COURSEWORK ACCESS POLICY

This policy will be used during the scheduling process by our Guidance Counselors to inform students whether or not they qualify for advanced/accelerated classes.

To be eligible for an Advanced Course next school year a student must meet all criteria:

- **Student needs to be at the Meet or Exceed level (AL3 or AL4) on the State Reading and Math Assessment**
- **83% Average for first three quarters (& Mid-Term Exam for HS) in like-subject for students currently in regular course;
74% Average for first three quarters (& Mid-Term Exam for HS) in like-subject for students currently in an advanced course**
- **Spring MAP Score in the 65th percentile or better**

Advance coursework in Science and Social Studies will correlate with Math MAP (for Science) and Reading MAP (for Social Studies).

Students wanting to take advances courses but falling shy of the criteria are welcome to appeal to the School Principal.

Revised 7/1/18

MIDDLE SCHOOL Room/Homeroom Assignments

DMS

Room #	Teacher	HR-Grade
800	Mrs. Webster^	5
801	Mr. Shockley*	5
802	Ms. Nastalski	5
803	Ms. Gosseline	5
804	Ms. Timmons	5
805	Mrs. Nusbaum^	5
600	Mr. Bellamy	6
601	Ms. Melvin	6
602	Mrs. Bowden	6
603	Ms. Dickerson	6
604	Mrs. Bergeron*	6
605	Ms. Wall	6
700	Mr. Dively	7
701	Science - TBD	7
702	Ms. Bendistis	7
703	Ms. White*	7
704	Mr. Albrecht	7
705	Mr. Cushman	7
900	Mrs. C. Kline	8
901	Ms. Bennett	8
902	Mrs. Fooks^*	8
905	Mrs. Spear^	8
906	Ms. Hinman	8
907	Ms. Prettyman	8
C113	Ms. Kostis	8
C128	Ms. Rogers	8
Gym	Mrs. Hall^	
Gym	Mr. A. Preston	
Gym	Mr. Lawson	
552	Ms. Coleman	
C117A	Mrs. L. Allen^	
C119	Mr. Layton	
C127	MS Tech - TBD	
553	Mr. Mascara	
554	Mrs. Hakeem	
C122	Ms. Baker	
554	MS Spanish - TBD	
551A/B	Mrs. Oursler	
	Mr. Jackson	5 th grade
	Mrs. K. Phillips	6 th grade
	Mr. Robins	7 th grade
	Mrs. Bartrug^	8 th grade
Media Center	Mrs. Copeland	
ISS	Mrs. Simms-White	
	Mr. Ernst	
	Ms. Short	
	Mr. Trimball	
	Ms. Wheatley	
* Notes Grade Level PLC Leaders		
^ Notes Department PLC Leaders		

HIGH SCHOOL Room/Homeroom Assignments & Class Advisors

High School

HS Staff with No Homeroom but assist as advisors for listed class:

Grade 9: Buck, Laird, Reckeweg, Johnson, M. Phillips, Vanderslice

Grade 10: L. Preston, Bradley, Hopkins

Grade 11: Lucas, O. Jones, Hill, T. Kline, Wells

Grade 12: Grubb, Park, Mancha, Cox, Grubb

Room #	Teacher	HR/Class Advisor
C118	Mr. Torbert	9
C120	Mrs. Malaby	9
C108	Mrs. Pierce-Cass	9
C110	Mrs. Howard*	9
C111	Ms. Bice	9
C115	Mr. Parrott	9
C129/Gym	Mrs. Hollamon*	9
C209	Mrs. Huston	10
C211	Mrs. Caudill	10
C213	Mrs. Sonnier*	10
C210	Mrs. Rodenbaugh	10
C206	Mrs. Diakos	10
C204	Mrs. Nina-Valdez	10
C208	Mrs. Lowe	10
C205	Mrs. Bender	11
C202	Mr. Lanier	11
C203	Ms. Howell	11
C207	Mrs. Higbee*	11
C121	Mrs. Legg*	11
C125	Mr. Connelly	11
C123	Mrs. Nesbitt	11
C104	Mrs. Warner	12
C103	Mrs. Marshall*	12
C102	Mrs. Reardigan	12
C105	Mrs. Mills	12
C124	Mr. Cass*	12
C107	Mr. R. Allen*	12
C106	Ms. Elliott	12
C212	Mrs. L. Preston	ELA
C102	Mr. Ji Park	Math
C110	Mr. Reckeweg	Science
C212	Mr. Mancha	Floating
C207	Ms. Hill	Social Studies
C117B	Mrs. Lucas / Mr. O. Jones	
C201	Mrs. Buck / Mrs. Laird	
C129/Gym	Mr. T. Kline	
C212	Mrs. Hopkins	
C208	Ms. Bradley	
Media Center	Mrs. Copeland	
ISS	Mrs. Simms-White	
	Mrs. Cox	
	Mr. Ernst	
	Mrs. Grubb	
	Mr. Johnson	
	Mr. M. Phillips	
	Ms. Vanderslice	
	Mr. Wells	
* Notes PLC Leaders		

DMS BELL SCHEDULE 2022-2023

Grade 5, 6, 7 & 8

GRADE 5	GRADE 6	GRADE 7	GRADE 8	MS SPECIALS	
HOMEROOM 7:50-8:00 (10 min)	HOMEROOM 7:50-8:00 (10 min)	HOMEROOM 7:50-8:00 (10 min)	MTSS TIME 7:50-8:26 (36 min)	PLANNING/ CO-PLANNING 7:50-8:30 (40 min)	
BLOCK 1 Enrichment/MTSS Class 8:04 – 9:12 (68 min)	BLOCK 1 Enrichment/MTSS Class 8:04 – 9:12 (68 min)	BLOCK 1 Enrichment/MTSS Class (Split) 8:04-8:26 (22 min)	BLOCK 1 8:30-9:32 (62 min)		
BLOCK 2 9:16-10:16 (60 min) Lunch 2 – 10:20-10:50 10:54-11:02 (8 min) (68 + 30 min)	BLOCK 2 9:16-9:46 (30 min) Lunch 1 – 9:50-10:20 10:24-11:02 (38 min) (68 + 30 min)	BLOCK 2 8:30-9:55 (85 min) (7 th Grade Specials)	BLOCK 2 (Split) 9:36-9:55 (19 min)	Special #1 7 th grade	8:30-9:11 (41 min)
				Special #2 7 th grade	9:15-9:55 (41 min)
BLOCK 3 11:06 -12:14 (68 min)	BLOCK 3 (Split) 11:06 -11:57 (51 min)	RETURN TO BLOCK 1 9:59-10:42 (43 min)	BLOCK 3 9:59-11:57 (88 + 30 minutes) (8 th Grade Specials) Lunch 4 – 11:27-11:57	Special #1 8 th grade	9:59-10:40 (41 min)
				Special #2 8 th grade	10:44-11:25 (41 min)
				LUNCH 11:27-11:57 (30 min)	
BLOCK 4 12:18-1:26 (68 min)	BLOCK 4 12:01 – 1:26 (85 min) (6 th Grade Specials)	BLOCK 3 10:46-10:48 (2 min) Lunch 3 – 10:52-11:22 11:26-12:32 (66 min) (68 + 30 min)	RETURN TO BLOCK 2 11:59-12:44 (45 min)	Special #1 6 th grade	12:01-12:42 (41 min)
				Special #2 6 th grade	12:46-1:26 (40 min)
BLOCK 5 1:30-2:56 (86 min) (5 th Grade Specials)	RETURN TO BLOCK 3 1:30 – 1:45 (15 min)	BLOCK 4 12:36-1:44 (68 min)	BLOCK 4 12:48-1:50 (62 min)	Special #1 5 th grade	1:30-2:11 (41 min)
				Special #2 5 th grade	2:15-2:56 (41 min)
	BLOCK 5 1:49-2:56 (67 min)	BLOCK 5 1:48 – 2:56 (68 min)	BLOCK 5 1:54-2:56 (62 min)		

90 Minute Delay Schedule
DMS BELL SCHEDULE 2022-2023
Grade 5, 6, 7 & 8

GRADE 5	GRADE 6	GRADE 7	GRADE 8	MS SPECIALS	
HOMEROOM 9:20-9:30 (10 min)	HOMEROOM 9:20-9:30 (10 min)	HOMEROOM 9:20-9:30 (10 min)	MTSS/ HOMEROOM 9:20-9:30 (10 min)	PLANNING/ CO-PLANNING 9:20-9:30 (10 min)	
BLOCK 1 NO Enrichment / MTSS Class	BLOCK 1 NO Enrichment / MTSS Class	BLOCK 1 NO Enrichment / MTSS Class	BLOCK 1 9:34-10:24 (50 min)		
BLOCK 2 9:34-10:16 (42 min) Lunch 2 – 10:20-10:50 10:54-11:20 (26 min) (68 + 30 min)	BLOCK 2 9:34-9:46 (12 min) Lunch 1 – 9:50-10:20 10:24-11:20 (56 min) (68 + 30 min)	BLOCK 2 9:34-10:44 (70 min) (7th Grade Specials)	BLOCK 2 (Split) 10:28-10:44 (16 min)	Special #1 7 th grade	9:34-10:07 (33 min)
				Special #2 7 th grade	10:11-10:44 (33 min)
BLOCK 3 11:24 -12:32 (68 min)	BLOCK 3 11:24 -12:31 (67 min)	BLOCK 3 10:48-drop off @ class Lunch 3 – 10:52-11:22 11:26-12:32 (66 min) (66 + 30 min)	BLOCK 3 10:48-12:31 (73 + 30 minutes) (8th Grade Specials) Lunch 4 – 11:27-11:57	Special #1 8 th grade	10:48-11:21 (33 min)
				Special #2 8 th grade	11:25 drop off @ Special #2 LUNCH 11:27-11:57 11:59-12:31 (32 min)
BLOCK 4 12:36-1:44 (68 min)	BLOCK 4 12:35-1:44 (69 min) (6th Grade Specials)	BLOCK 4 12:36-1:44 (68 min)	RETURN TO BLOCK 2 12:35-1:09 (34 min)	Special #1 6 th grade	12:35-1:08 (33 min)
				Special #2 6 th grade	1:12-1:44 (32 min)
BLOCK 5 1:48-2:56 (68 min) (5th Grade Specials)	BLOCK 5 1:48-2:56 (68 min)	BLOCK 5 1:48 – 2:56 (68 min)	BLOCK 4 1:13-2:03 (50 min)	Special #1 5 th grade	1:48-2:20 (32 min)
				Special #2 5 th grade	2:24-2:56 (32 min)
			BLOCK 5 2:07-2:56 (49 min)		

2022-2023 ROTATION SCHEDULE

GRADE 5

GRADE	5	ORANGE A	ORANGE B	WHITE A	WHITE B	BLUE A	BLUE B	GREY A	GREY B
HR	7:50-8:00	HOMEROOM							
1	8:04-9:12	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4
2	9:16-11:02 Lunch 10:20-10:50	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4	BLOCK 1	BLOCK 1
3	11:06-12:14	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2
4	12:18-1:26	BLOCK 4	BLOCK 4	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3
5	1:30-2:11	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
5	2:15-2:56	SPECIALS		SPECIALS		SPECIALS		SPECIALS	

GRADE 6

GRADE	6	ORANGE A	ORANGE B	WHITE A	WHITE B	BLUE A	BLUE B	GREY A	GREY B
HR	7:50-8:00	HOMEROOM							
1	8:04-9:12	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3	BLOCK 5	BLOCK 5
2	9:16-11:02 Lunch 9:50-10:20	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1
3	11:06-11:57	BLOCK 3	BLOCK 3	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2
4	12:01-12:42	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
4	12:46-1:26	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
3	1:30-1:45	BLOCK 3	BLOCK 3	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2
5	1:49-2:56	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 3	BLOCK 3

GRADE 7

GRADE	7	ORANGE A	ORANGE B	WHITE A	WHITE B	BLUE A	BLUE B	GREY A	GREY B
HR	7:50-8:00	HOMEROOM							
1	8:04-8:26	BLOCK 1	BLOCK 1	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5
2	8:30-9:11	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
2	9:15-9:55	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
1	9:59-10:42	BLOCK 1	BLOCK 1	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5
3	10:46-12:32 Lunch 10:52-11:22	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1
4	12:36-1:44	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 3	BLOCK 3
5	1:48-2:56	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 3	BLOCK 3	BLOCK 4	BLOCK 4

GRADE 8

GRADE	8	ORANGE A	ORANGE B	WHITE A	WHITE B	BLUE A	BLUE B	GREY A	GREY B
MTSS	7:50-8:26	MTSS							
1	8:30-9:32	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5
2	9:36-9:55	BLOCK 2	BLOCK 2	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1
3	9:59-10:40	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
3	10:44-11:25 Lunch 11:27-11:57	SPECIALS		SPECIALS		SPECIALS		SPECIALS	
2	11:59-12:44	BLOCK 2	BLOCK 2	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1
4	12:48-1:50	BLOCK 4	BLOCK 4	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2
5	1:54-2:56	BLOCK 5	BLOCK 5	BLOCK 1	BLOCK 1	BLOCK 2	BLOCK 2	BLOCK 4	BLOCK 4

2022-2023 Delmar High School Bell Schedule

High School
MTSS TIME 7:50-8:26am (36 min)
8:26am Breakfast After the Bell
Block 1/2 8:30-9:56 (86 min)
Block 3/4 10:00-11:26 (86 min)
Block 5/6 11:30-1:26 (86 + 30 min) Lunch 1 – 12:17-12:47 Lunch 2 – 12:56-1:26
Block 7/8 1:30-2:56 (86 min)

2022-2023 DHS DELAY SCHEDULE

90 MINUTE DELAY	
Period	Class Time
NO MTSS TIME on 90 Minute Delay	
Block 1/2	9:20 – 10:21
Block 3/4	10:25 – 11:26
Block 5/6	11:30 – 1:26 Lunch 1 – 12:17 – 12:47 Lunch 2 – 12:56 – 1:26
Block 7/8	1:30 – 2:56

GUIDELINES FOR STUDENT BEHAVIOR

Delaware law states, "Every teacher and administrator in the public schools of this State shall have the right to exercise the same authority as to control behavior and discipline over any pupil during any school activity as the parents or guardians may exercise over such pupils."

The Delmar School Board, recognizing this authority, has developed a *Code of Student Conduct* to insure that an orderly, safe and scholarly learning environment is maintained in Delmar Middle School & Delmar High School. **The primary purpose of this code is to protect the rights of students who seek an educational opportunity free from disruption, harassment, and use of teacher-time and energies in dealing with misconduct. Secondly, this code identifies appropriate disciplinary actions to bring about positive student behavior.**

It is important for students to understand the Code of Student Behavior applies to all Delmar students while on school property, during field trips, while riding the bus and at all school-sponsored activities. This code takes into consideration the severity and frequency of the misbehavior in defining the appropriate disciplinary action.

Remember, as a student at Delmar Middle School & Delmar High School, you are a representative of the entire student body. Displays of good conduct, positive attitudes, and respect for others will be reflective of you, your parents, your school, and your community.

It is impossible to note all disciplinary infractions but the most frequent and/or severe are listed on the discipline matrix. **THE LIST IS NOT ALL INCLUSIVE AND A STUDENT COMMITTING AN ACT OF MISCONDUCT NOT LISTED WILL STILL BE SUBJECT TO THE AUTHORITY OF THE PRINCIPAL OR ASSISTANT PRINCIPAL.**

Most discipline problems that occur in the classroom will be handled by the teachers under the conditions of their classroom discipline policies. These policies will be explained to students at the beginning of each course and are fair, firm, and consistent. When a problem persists or is of a severe nature, the student will be directed to an administrator. The administrator will follow School Board approved procedures in resolving these problems.

The information given in the matrix lists each Disciplinary Infraction and Corrective Action that is to be taken by the administrator. **In cases where there are two or more alternative actions for dealing with disciplinary infractions, the administrator will choose the one(s) he/she feels will serve in the best interest of the student and the school.** All suspensions will follow procedures as outlined in the suspension policy of the school district.

CODE OF STUDENT CONDUCT

The Code of Student Conduct defines specific acts which are considered violations of expected student behavior. School rules come from many sources included State Law, Board of Education Policy, and District and Classroom Guidelines and Regulations.

Appropriate behavior is necessary for the mental and physical well being of all students, teachers, and staff, the protection of taxpayer's property, and the right of every individual to receive an appropriate education. **Students will be subject to disciplinary action under the provisions of this code while:**

- on school property
- during field trips
- riding the bus
- at all school sponsored activities

The Code of Conduct shall apply to out-of-school conduct of a student if the District believes that the student presents a threat to the health, safety or welfare of other students and staff. In such cases, the District may take appropriate action including expulsion. 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 and transfer of drugs which could constitute an offense punishable by law

For the purpose of this policy, "school day" is defined as:

A period of time beginning at 12:00 midnight and ending at 12:00 midnight 24 hours later and during which 24-hour period a regular or special school day has occurred or a regular or special school activity or event has occurred.

All students enrolled in the Delmar School District must comply with the laws of the State of Delaware, the regulations and policies of the Delaware State Board of Education and the policies of the Delmar Board of Education.

With respect to handicapped students, the federal law will be followed, and a determination of whether a violation of the code of student conduct was due to the student's handicapping condition will be made prior to any discipline or change of placement in connection with this policy.

If a student with disabilities believes disciplinary actions were inappropriate due to the handicapping condition, he/she may file a grievance as outlined on page 63 entitled Student Concerns and Complaints.

The possession, use and/or distribution of alcohol, a drug, a drug-like substance and/or drug paraphernalia are wrong and harmful to students and are prohibited within the school environment. A student who off campus during a school day uses alcohol or a controlled dangerous substance and then arrives on school property or attends a school sponsored activity, whether it be at "**home**" or "**away**," shall be in violation of the Delmar School District Alcohol/Controlled Dangerous Substance Policy and subject to all the penalties provided herein. School officials will notify appropriate law enforcement agencies of violators of this policy.

Student motor vehicle use to and in the school environment is a privilege which may be extended by school districts to students in exchange for their cooperation in the maintenance of a safe school atmosphere. **Reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance or drug paraphernalia, or of a student's possession of a weapon, look-alike weapon, incendiary device, a dangerous instrument or an unauthorized communication device in the school environment may result in the student being asked to open an automobile in the school environment to permit school authorities to look for such items.** Failure to open any part of the motor vehicle on the request of school authorities may result in the police being called to conduct a search, and will result in loss of the privilege to bring the vehicle into the school environment.

CHAPTER 1

STUDENT EXPECTATIONS AND RESPONSIBILITIES

The Delmar School District is dedicated to developing each student's potential for learning. To achieve this, students, parents and school staff must share the responsibility for encouraging orderly, constructive student behavior. Therefore, the Board has developed this policy statement:

1. Students in the Delmar School District shall respect constituted authority.
2. Student conduct shall reflect consideration for the rights and privileges of others and demands cooperation with all members of the school community.
3. High personal standards of appearance, clothing, courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be maintained. Respect for real and personal property, pride in one's work and achievement within one's ability shall be expected of all pupils.

STUDENT EXPECTATIONS

Students are expected to:

- Conduct themselves in an orderly, safe and responsible manner.
- Attend all classes daily and on time.
- Be prepared for class assignments and activities, with appropriate working materials.
- Respect other people and their property.
- Refrain from abusive language, defamatory, inflammatory, and demeaning actions.
- Be clean and neat.
- Be responsible for their own work.
- Abide by rules and regulations of the school and individual classroom teachers.
- Accept, understand, and respect diversity and differences among fellow students and staff.
- Express feelings and needs in constructive, socially appropriate ways.
- Resolve differences through acceptable, peaceful methods such as dialogue and compromise.

ASSEMBLY EXPECTATIONS

Students will go to assemblies with the direction of their teachers and will remain with their class and teachers while in the assembly. Enter in a quiet and dignified manner and exhibit courteous behavior. Conversations should be minimal and students should not leave assemblies except in case of emergency and only with permission.

ATTENDANCE POLICY







Regular attendance is important for promotion and success in schoolwork. State law requires all students to attend school during the days and hours that school is in session. The school will routinely call the parent of an absent student, either at home or at the parent's place of employment, unless the main office has already received notice from the parent about the absence. Students should follow these procedures whenever they are absent from school:

Definitions and Procedures:

Attendance Time Calculation:

Sign In to school after 7:50am but prior to 8:30am – Tardy
Sign In to school after 8:30 am but prior to 11:15am – Half Day Absence
Sign In to school after 11:15am – Full Day Absence
Sign Out of school after 11:15am but prior to 2:15pm – Half Day Absence
Sign Out of school after 2:15pm - Dismissal

Medically Excused Absence: these absences require a signed medical note from a health care provider. All medical notes must be presented to the school nurse **within 30 days of the absence**. NO altered medical notes will be accepted by the office for student absences. Notes found to be altered or forged will be subject to disciplinary action per the code of conduct. Medically Excused Absences do not count toward the ten-day policy. Reasons for these absences that are recognized by Delaware Law and the State Board of Education include:

-  Physical or mental conditions excused by a doctor's note.
-  Illness attested by a physician's certificate.
-  Contagious disease in the home of the student.
-  Death in the student's own home, or that of the grandparents or other relatives. Documentation by memorial card or obituary will be required for deaths other than parents and grandparents.
-  Business for which the student is legally required to be present.
-  Illness and temporary disability associated with pregnancy shall be treated as any other absence due to illness or temporary disability and shall be subject to the provisions of Title 14 of the Delaware Code.

The Delmar School District recognizes that students have mental health, just like physical health. At times, students may miss school for reasons related to their mental well-being. When students miss school for mental health reasons, it is essential to connect them to resources based on their needs, similarly to going to a doctor for a physical illness. This policy defines mental and behavioral health and provides resources to support students' absences due to social, emotional, and behavioral wellness.

Definitions:

Mental health is the emotional, psychological, and social well-being of a person. Mental health issues may include, but are not limited to, mood, anxiety, and post-traumatic stress.

Behavioral health encompasses mental health and relates to habits that have an impact on the overall mental and physical health. Behavioral health issues may include, but are not limited to, examples such as substance abuse, eating disorders, self-harm and addiction.

Connecting with Supports & Resources Within the School

It is important to establish and maintain communication with your student's school counselor when absences are related to social, emotional or behavioral wellness. The school counselor can assist with supporting the student in school, as well as connect them to additional supports outside the school. School counselors can also help students communicate with teachers and return to school successfully. The school counselor can be reached by calling the school directly.

Resources Inside the School

Delmar Guidance Counselors	302-846-9544
Tidal Health Wellness Center	302-846-0303
Children and Families First Behavioral Health Consultant	302-846-9544 ext 139

Resources Outside the School

Emergency (Local)

Police/Fire/Ambulance	911
Child Mental Health Crisis Line	1-800-969 HELP (4357)
Crisis Text Line	In Delaware- Text DE to 741741 In Maryland- Text HELP to 741741
Sexual Assault Crisis Services (Contact Lifeline)	1-800-262-9800
National Hotlines & Resources LGBT National Help Center	1-800-246-7743 call/online chat
LGBTQ Youth Crisis Line	1-866-488-7386 call/text START to 678-678/online chat
National Eating Disorders Association	1-800-931-2237 call/text/online chat
National Domestic Violence Hotline	1-800-799-SAFE (7233) call/online chat

Administratively Excused Absence: excused by an administrator for hardships or extenuating circumstances. They do not count toward the ten-day policy.

Personal Day Absences: The maximum number of personal days that a student may accumulate is ten (Any absence that is not Medical).

- 🐾 Have your parent write and sign a note giving date(s) of absences and reason.
- 🐾 Upon your return to school from a personal absence, present all non-medical notes to the first period teacher for your admission slip. Green slips indicate excused personal absences and pink slips indicate unexcused personal absences.
- 🐾 "Admission Slip" should be presented to all of your teachers to receive make up if excused.
- 🐾 If you do not bring your note from home, you will be given an *unexcused* admit slip. You will still be responsible for bringing a note from home within five school days.
- 🐾 **Any absence in excess of the ten-day maximum is defined in our policy as an *unexcused* absence.**

Attendance Regulations: To meet graduation or promotion requirements, each student must be present in class for the required number of days as stated in Delaware code unless medically or administratively excused. This regulation will be administered, with due regard to the handicapped learner, as outlined below.

- 🐾 **Any student who accumulates more than 10 but less than 20 personal day absences, not including medical/administrative, may make up those days in excess of ten during a summer make-up session (Attendance Summer School). Failure to make up those days at the assigned time/days will result in the student receiving no credit for courses taken during that school year.**
- 🐾 The student and/or his/her parent(s)/guardian(s) will be expected to provide transportation to the summer school session.
- 🐾 Seniors who accumulate any unexcused personal day absences over 10 but less than 20 will not participate in the commencement exercises and will not receive their diplomas until the days are made up during the summer session.
- 🐾 Students are entitled to make up any work that is missed as a result of medical, administrative, or excused absences; however; make-up work must be completed within the number of days the student was absent.
- 🐾 Students will not be allowed to make up work as a result of an unexcused absence and zeroes will be given for all work missed on those days.
- 🐾 A student must be in attendance for at least ½ day (11:15am) to participate in any extra-curricular activities unless medically or administratively approved. Participation in a non-school day activity will be governed by the students' attendance on the preceding school day.

The **Visiting Teacher** will be notified once a student accumulates ten (10) days of unexcused absences. Any student who accumulates more than ten (10) unexcused absences will not be eligible for graduation or promotion.

- 🐾 Letters of notification will be mailed to parents/guardians when the student reaches the seventh (7th) day of accumulated absences and a certified letter return receipt requested will be sent when the student reaches fifteen (15) absences.
- 🐾 Jobs for Delaware Graduates (J.D.G.) students must attend their regularly scheduled classes in order to participate in their afternoon work program.
- 🐾 Early excusals for medical reasons will be allowed through the nurse only. To receive a medical excuse, documentation of the medical treatment must be returned to the nurse. Any other early excusals will be denied unless consent is given by the parent or guardian, either in person or in writing. Non-medical excuses must be approved by the principal or assistant principal.
- 🐾 Students are not permitted to leave school property at any time without authorized permission once they have arrived on school property.

College Visits: Junior and Seniors only are allowed 5 days for educational college visits that will be excused with documentation. Documentation from the college with visit date & time must be submitted to be excused. Any athletic showcase/event that is not a Delmar sanctioned sports team event will not be considered a college visit.

Civic Engagements: Each grade 6-12 student shall be permitted one excused absence per school year to attend civic engagements, *such as visits to the United States Capitol, Delaware Legislative Hall, political or cultural significance sites, to advocate or testify on behalf of legislation, or to participate in a rally, march, or protest.* The student's parent, guardian, or relative caregiver must submit a signed, written excuse which is received by the school at least three (3) days before the student's absence.

Religious Holidays: A student shall be excused for religious holidays when the school receives a student's parent, guardian, or relative caregiver's signed, written excuse, including, but not limited to the religious holidays listed in 14 Delaware Administrative Code Section 615, School Attendance.

- Rosh Hashanah (Jewish)
- Yom Kippur (Jewish)
- Dussehra (Hindu)
- Sukkot (Jewish)
- Diwali (Hindu)
- Birth of Bahá'u'lláh (Baha'i)
- Sangha Day (Buddhist)
- Maha Shivaratri (Hindu)

- Naw- Rúz (Baha'i)
- Holi (Hindu)
- Ram Navami (Hindu)
- Beginning of Ramadan (Islamic)
- Theravada (Buddhist)
- Laitlat Ul Qadr (Islamic)
- Eid al-Fitr (end of Ramadan) (Islamic)
- Vesak (Buddhist)
- Shavuot (Jewish)

A student who is absent due to a religious holiday observance shall not be deprived of any award or eligibility to compete for any award. Teachers are discouraged from scheduling major grading events, such as tests, examinations, presentations, or project due dates on religious holidays. A student who misses a grading event due to an excused absence for observance of a religious holiday must be allowed the opportunity to take the test on an alternate day or take an alternate test or be given some other means to recover credit.

REQUESTS FOR MAKE-UP ASSIGNMENTS DUE TO EXTENDED ABSENCES. When students will be absent for more than two days, requests for make-up assignments are to be submitted to Guidance at least ONE day in advance of desired pick-up time.

TARDY POLICY

You must be **IN** your classroom prior to the ringing of the bell to begin class to be considered on time. Classroom teachers have the discretion of requiring students to be in their assigned seats at the bell to be considered on time. Students who arrive at school after the beginning of 1st period until 8:30 a.m. must report to the "Tardy Office" located in the ticket booth. After 8:30 a.m., students must report to the school office. All late arriving students must first check in before being admitted to class.

Records for student tardiness will be kept separately. The Tardy Office will handle school tardies. The respective teacher will handle class tardies. The following chart depicts what consequences will be used to manage student tardiness.

# Lateness	Late to School (Per Semester)	Late to Class - 2 nd – 8 th Periods (Per Semester)
1 st	Warning	Warning
2 nd	Warning	Warning
3 rd	30 Minute Office Assigned Detention Admin Contact Parent/Guardian	30 Minute Teacher-Assigned and Proctored Detention
4 th	Warning	Referral to Administrator 30 Minute Office Assigned Detention Admin Contact Parent/Guardian
5 th	Warning	Referral to Administrator 30 Minute Office Assigned Detention Admin Contact Parent/Guardian
6 th	2 nd - 30 Minute Office Assigned Detention Admin Contact Parent/Guardian	
7 th	Warning	
8 th	Warning	
9 th	Referral to Administrator 30 Minute - Office Assigned Detention Admin Contact Parent/Guardian	
10 th	Warning	
11 th	Warning	
12 th	Referral to Administrator 30 Minute - Office Assigned Detention Admin Contact Parent/Guardian	
13 th	Warning	
14 th	Warning	
15 th	Referral to Administrator 1 Day ISS - for Insubordination	↓

Distribution of Attendance Policy:

- This attendance policy shall be posted on the district website.
- The school principal or designee shall distribute the school's attendance policy to their educators and support staff at the beginning of each school year.
- The school principal or designee will notify a parent/guardian, or relative caregiver of each student in writing where this policy can be accessed and will provide a hard copy of this policy to a parent, guardian, or relative caregiver upon request or when absences have exceeded ten (10) unexcused absences. This hard copy will include phone numbers to area supports and a school contact number.
- The school principal or designee shall distribute and explain these policies to every student at the beginning of each school year, and to each student enrolling or re-enrolling during the school year.

Adopted 8/8/93 – Revised 7/29/93, 8/19/97, 6/16/98, 7/17/01, 8/20/19, 6/16/20 (Approved 7/21/2020); Revision under Presentation & Review 5/17/22, Approved 6/21/22

BOOKBAG / PURSE POLICY / PERSONAL BELONGINGS

The District presumes a student possesses, and is therefore responsible for, all items found in the student's book bag, purse, or similar bag or container used to carry books or personal property (referred to as "book bag") or jacket/coats or personal items that can carry items. Regularly check the contents of your book bag/jacket/coats, etc. If you fail to secure your book bag, or personal belongings or provide others access to your book bag or personal belongings, you remain responsible for items found in your book bag or personal belongings.

Students have the right: To privacy in their personal possessions unless the principal/designee has reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance, drug paraphernalia or of a student's unauthorized possession of items which include but are not limited to: electronic beeper, cell phone, or other communication mechanism; weapon, stolen property, or dangerous instruments in the school environment.

Students have the responsibility: Not to carry, conceal, or possess any materials which are illegal, disruptive, dangerous, or offensive to others. Cell phones must have the power turned off and be out of sight during the school day from 7:45am – 2:56pm.

CAFETERIA REGULATIONS

1. Students may charge meals. Students and/or parents are expected to pay charges in a timely manner. If, at the end of 2 weeks, the charge is not paid, the student's name and amount of charge will be placed on the unmet list. No charges will be accepted after May 31st of the school year.
2. Free and/or reduced priced meals are available to those families who qualify. Parents should apply through the Child Nutrition Department. All applications are subject to verification.
3. The Delmar School District will set prices for school meals with recommendations from the Child Nutrition Department.
4. Fundraising competitive foods shall not be offered for sale to students until the conclusion of the student school day. Items sold must be limited to school fund raisers approved by the school administration.
5. Students may bring their meals from home to be eaten in the cafeteria. Take out foods should not be brought into the cafeteria during the school day. Students should not bring sodas and energy drinks into the cafeteria for lunch.
6. Students should:
 - 🐾 Report **directly** to the cafeteria at the beginning of their scheduled lunch period
 - 🐾 Bathroom privileges will not be given at the beginning or end of the lunch shift
 - 🐾 Return trays to designated area and leave table and surrounding area neat and clean
 - 🐾 Put trash in trash containers
 - 🐾 Keep noise to a minimum
 - 🐾 Horseplay or use of foul language will not be tolerated
 - 🐾 Do not leave the cafeteria without a hall pass
 - 🐾 Separate recyclable materials into appropriate containers
 - 🐾 **LEAVE THE CAFETERIA BETTER THAN YOU FOUND IT!**

COMMUNICATION/ELECTRONIC DEVICES POLICY

Communication/Electronic devices such as but not limited to mobile/cellular telephones, smartwatches, laser pointers, earbuds/headphones, iPods, MP3 players, portable electronic games and electronic pagers are unnecessary in the school environment. Telephones are accessible, with permission, in each classroom.

- Devices being used or heard by school employees during the school hours of 7:45am – 2:56pm will be confiscated and turned over to the administration.
- Students must surrender communication devices to staff upon request.
- Students who refuse to surrender electronic device when directed to by staff will be suspended from school for insubordination.
- If extenuating circumstances such as a severe medical condition require that a student use a communication device in school, the parents must register the device with the principal. This would include a written note from the student's parent or guardian as well as written documentation from the attending physician.
- The school is not responsible for any electronic device that may be lost or stolen.

# Communication Device Offense	Consequence (Per Year)
1 st	Warning Student May Pick Up Device from Office at the end of the day After 2:56pm
2 nd	Parent Contact Parent/Guardian May Pick Up Device the next school day Between 8 am - 3 pm
3 rd	1 Day In-School Suspension Parent/Guardian May Pick Up Device the next school day Between 8 am - 3 pm
4 th	2 Day In-School Suspension Parent/Guardian May Pick Up Device the next school day Between 8 am - 3 pm
5 th & Subsequent	1 Day OSS for Every Subsequent Offense Parent/Guardian May Pick Up Device the next school day Between 8 am - 3 pm

DANCE/PROM POLICY

A student from Delmar Middle School and Delmar High School may obtain a dance pass for a guest under the following conditions:

- 1) A guest must be enrolled in grades 9-12 (except H.S. Homecoming and Prom).
- 2) No guest may attend Middle School dances.
- 3) A high school student may not attend middle school dances and vice-versa.
- 4) The guest must be **19 years** of age or younger.
- 5) The Delmar student purchasing the pass must accompany the guest to the dance.
- 6) The Delmar student must pay the cost of admission for both students.
- 7) The Delmar student may purchase only one guest pass per dance.
- 8) A student must be in attendance for at least ½ day (11:15am) to participate in any extra-curricular activities unless medically or administratively approved. Participation in a non-school day activity will be governed by the students' attendance on the preceding school day.
- 9) If the student exits the dance, there will be no re-admittance.
- 10) The sponsoring organization will contact the local police department to provide coverage when the dance dismisses. Verification of the police department contact name, date, and time will be documented with the administration.
- 11) All students must be off school property fifteen minutes after the dance dismisses
 - 🐾 Appropriate dancing will be required at all times. Inappropriate dancing includes but is not limited to back to front dancing, sexually suggestive motions, and inappropriate touching.
 - 🐾 Attire should be age and occasion appropriate.
 - 🐾 Administrators will ask students who dress or dance inappropriately to leave the event.

NOTICE: Failure to follow the above policy could result in the loss of future dance privileges and referrals.

DEBTS/STUDENT OBLIGATIONS

Students are expected to resolve all obligations incurred during the course of a school year. These may be for monetary value or borrowed materials. When students fail to take care of these obligations, the school office will be notified and a record made, a copy of which will be presented to the student. This will occur at least at the end of each semester. Depending upon the circumstances, certain student privileges may be withheld until obligations are met.

DISMISSAL

We value classroom instruction time, for this reason we will deliver messages to students only during designated times. Your cooperation in planning ahead and requesting that only emergency messages be delivered will be greatly appreciated. Messages to change a student's end of the day dismissal routine will not be given after 2:30pm. Students are not authorized to remain in the building after 3:00 p.m. unless under the direct supervision of a staff member or coach. Unsupervised students must leave the building by 3:00 p.m. Students will be charged with loitering if in violation of this rule. Students waiting for rides at the end of the day must wait outside the main entryway or outside the lobby entrance. Only students riding buses home are permitted at the bus parking area. Students not riding the buses home are not authorized to be in the bus parking area. If the students are staying after school, they must report directly to their after-school activity.

EARLY DISMISSAL/LATE ARRIVAL PRIVILEGES FOR SENIORS

Seniors with Late Arrival or Early Dismissal in their schedule must arrive on time for class and leave immediately after their scheduled classes. Students may not wander or visit classrooms once their classes are over for the day. All students with Late Arrival must sign-in in the main office when reporting to school. All students with Early Dismissal must sign-out in the main office as they exit after their last class for the day. Late Arrival and Early Dismissal students should only enter and exit from the Main Office and sign-in or sign-out at the appropriate scheduled time.

FOOD AND DRINKS IN SCHOOL




Students should NOT bring food and/or drinks into the school building except for their packed lunch to be eaten in the cafeteria. Students may ONLY bring water to drink into the building. Water re-filling stations and water machines are available throughout the school building to re-fill or purchase water. Water bottles must be re-sealable to prevent spillage. Students with class projects involving food should have approval from administration first and must meet the Delmar Wellness policy requirements.

HALL PASSES

The Middle School and High School will be using Agendas, which include hallway passport pages. Any time a student is in the halls during a regular class period that student must have their own agenda book/hall pass with an appropriate signature. The agenda book/hall pass must state the student's name and destination, the date, and the time that the student left class. Students who are in the halls without their own agenda book/hall pass may be escorted directly back to class and, if warranted, may be referred for disciplinary action for class cutting.

All rooms should have a sign-in and sign-out log near the door for students to fill out. During instructional time no student is permitted to leave one classroom and go to another without written approval of both teachers.

With safety as a major concern, the administration will periodically conduct a sweep in order to maintain student accountability. Students in the hallways or restrooms who do not have their own agenda book, properly signed, will be subject to disciplinary action.

-  Students must surrender the agenda book/hall pass to any district employee.
-  Students must use their own agendas. Borrowing another student's agenda makes this pass invalid. Teachers or staff must sign the agenda.
-  In addition to agendas, students must sign the logbook when visiting Guidance, Nurse, Wellness Center, and Library or Computer Labs.

FIELD TRIP POLICY

Student Eligibility:

1. Students who have excessive, unexcused absences should not be allowed to take field trips.
2. If a student has been a discipline problem on a previous trip, he/she should not be allowed to attend the next field trip. If a student is a discipline problem on a field trip, he/she will be dealt with by an administrator upon his/her return to school. A discipline referral should be written up on return that details inappropriate behaviors.
3. Students with discipline problems will be allowed to go on the field trip only with teacher approval. Discipline problems are defined as problems that have necessitated referrals to the office.
4. For students who have shown poor judgment in behavior, the team may request a parent or guardian to attend the field trip with the student.
5. **No Refunds** will be issued for (including but not limited to) sickness, behavior issues or office referrals (from date of the letter to field trip date) due to the fact that buses and tickets are pre-paid/purchased in advance. If a parent signs up to chaperone and the student can no longer attend, both payments are non-refundable.

LEAVING SCHOOL PROPERTY

No student will be excused to leave school property without the expressed consent of the parents or guardians. The only exception will be a school-verified medical emergency. **With safety as a major concern, students may not leave the school building during the school day unless supervised by staff.**

Parent/Guardian consent must be given in person or in writing. All written excusals must include a phone number where a parent/guardian may be reached for confirmation. Only in emergency situations will a student be released by a telephone request. **All such permission will be authorized by the principal, the assistant principal, or, in their absence, one of the district administrators.**

In the event a parent or guardian cannot be contacted during a medical emergency, efforts will be made to contact the person(s) indicated on a student's emergency medical card.

For students' protection, no student will be permitted to leave during school hours with anyone except legally authorized parent(s), guardian(s), member(s) of the immediate family, or person designated by parent/guardian, except as provided above.

Parents or a designee will be required to come into the school office and sign the student out. At this time, the student will be called out of class and proceed with parent/guardian or designee to their scheduled appointment. Exceptions will be made for those students who have a driver's license and can provide their own transportation. These students must have prior parental approval and sign themselves out (and back in if returning) using the log provided in the school office. Failure to follow these procedures will be viewed as truancy.

LOCKERS

Lockers are the property of the Delmar School District. For the 2022-2023 school year, hall lockers will not be assigned to students in the middle school. High School students will be assigned lockers upon request. **Students must be aware that administration reserves the right to inspect lockers.**

Students should make sure gym lockers are locked at all times. Do not leave valuables in gym lockers, as the school is not responsible for theft.

LOITERING

All students are expected to be off school property by 3:00 p.m. on school days unless they are participating in a supervised activity, practice, attending a scheduled event, or otherwise present for a specific purpose, such as remaining with a teacher for extra help or after-school detention. Upon completion of these activities, students are then expected to leave the property as soon as possible. Students are not allowed to be spectators at a practice in which they are not directly involved.

MOTOR VEHICLES/PARKING

The Delmar School District presumes a student possesses, and is therefore responsible for, all items in the student's motor vehicle or other conveyance. This presumption applies to any vehicle you drive to school without regard to who owns the vehicle. Before you bring a vehicle to school, or a school activity, carefully inspect the vehicle. If you fail to lock your vehicle, or permit others access to your vehicle, you remain responsible for items found in your vehicle. Students should follow the rules for driving/parking cars on school grounds as follows:

1. Register all vehicles with the office.
2. Park in designated spots only in the front flagpole parking lot or south student parking lot.
3. Obey the posted speed limit and no parking zones.
4. Operate the vehicle in a safe manner.
5. Upon arrival to school, student shall go directly into the building.
6. Once on school grounds, students are not to drive off the property without administrative approval.
7. Administrative approval is required for students to be in the parking lot area when school is in session. This is an unauthorized area for students during the school day.
8. No smoking on school grounds.
9. Students shall be on time for school.
10. Students must properly park in the designated student parking spaces.
11. Senior and Junior students who are legally permitted to drive **without** supervision may purchase registration to legally park/drive on school grounds. Senior will have FIRST option to purchase permit. If spaces are still available after the September 17th – Juniors will be allowed to purchase permits. ONLY 85 spots available – pay attention to attached map – Only park in student parking spaces.
12. Parking permits issued by the school office shall be displayed on all vehicles. Permits will be limited to the number of available student parking spots on campus.
13. Students must bring legal driver's license to purchase permit. A copy of license will be made at time permit is purchased.

Students who disobey these rules may have their school driving/parking privileges suspended or revoked. Students who have unregistered vehicles, suspended or revoked driving privileges, or who park in unauthorized or other assigned spaces will be given disciplinary action in accordance with the Student Code of Conduct.

SCHOOL TELEPHONE USAGE

Students requiring the use of a telephone may ask their teacher to use the classroom telephone at an appropriate time. The teacher will determine if a phone call is warranted. No student will be permitted to leave class to use the office telephone. The office telephone is for school business and emergency use only.

SELLING OF GOODS AND POSTING SIGNS

An administrator must approve all items sold at school. Signs and sales that affect the school or a school organization must be scheduled and given a calendar date. All sales or signs that are attributed to profit-making organizations not connected in any manner with the school are prohibited. All signs must be approved by a school administrator before being posted and **must be removed the day after the event**. Only appropriate materials should be used to hang signs. Students found violating this policy will have these items confiscated, in addition to any other disciplinary measures imposed.

SKATEBOARDS/ROLLERBLADES/WHEELED SHOES

Students are not permitted to bring or use skateboards/rollerblades in or directly around the school. (Students that ride a skateboard, etc. to school need to leave in the main office for the school day.)

SMOKING/TOBACCO PRODUCTS

The State of Delaware prohibits smoking (including electronic cigarettes and vape pipes) and use of all tobacco products, by all persons within all buildings, facilities and school grounds of the District.

This Policy is applicable, in full, when required to meet federal and state Guidelines during COVID restrictions.

STUDENT FACE MASK DRESS CODE POLICY DUE TO HEALTH REQUIREMENTS

During optional face mask wearing, the solid color requirements remain in effect. White, orange, navy blue, grey or black may be worn. Consequences for students violating the solid color guidelines are delineated below, under Dress Code Referral.

Face Mask:

1. Face Mask must be a cloth mask covering the nose and mouth.
2. Face Mask must be worn at all times except when eating breakfast or lunch.
3. If a student wears a face mask, it must comply with the solid color guidelines. White, orange, navy blue, grey or black may be worn.

Clarifying Statement:

A cloth face covering is a material that covers the nose and mouth. It can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. Research has shown that certain more densely-woven fabrics may be more effective. A cloth face covering may be factory-made or sewn by hand, or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels. Or a basic (not medical) disposable one.

Any student violating the face mask guidelines will be sent to the office and the parents will be contacted to arrange for appropriate face mask to be brought to school. Students will receive a face mask violation.

# Dress Code Referrals	Consequence
1 st	Warning
2 nd	Warning
3 rd and all subsequent offenses	Referral to Administrator - Administrative Warning / Parent Contact

STUDENT SOCIAL DISTANCING POLICY DUE TO HEALTH REQUIREMENTS

Students must adhere to the Social Distancing Protocol in classrooms and hallways.

Any student violating the Social Distancing Protocols will be sent to the office. Students will receive a Social Distancing violation.

# Social Distancing Referrals	Consequence
1 st	Warning
2 nd	Warning
3 rd and all subsequent offenses	Referral to Administrator - Administrative Warning / Parent Contact

Reviewed: 2-15-22

Approved: 3-15-22

STUDENT UNIFORM DRESS CODE POLICY

This policy is designed to identify what may be worn in school during the regular school day. All students should take pride in their appearance with dress and grooming that contribute to the health and safety of the individual without disrupting the orderly educational process. The student dress code is in effect during the instructional day and during academic and professional activities outside the school day when students are representing the school. This uniformed dress code is not subject to interpretation. It is intended to eliminate questions on what can and cannot be worn. Students will wear a uniform style of dress based upon the following standards:

Tops:

Long sleeve/short sleeve oxford, polo shirt, or turtleneck in solid white, navy blue, royal blue, orange, or gray

1. All shirts must have a collar. No skin should be visible between the waistband of the pants and the bottom of the shirt.
2. Only the top button can be unbuttoned. Shirts that cannot be buttoned to the top of the shirt are not acceptable.
3. Crewneck, Cardigan, and V-Neck sweaters, sweatshirts, vests or pullovers in solid white, navy blue, orange or gray may be worn with the appropriate collared shirt underneath.
4. An approved long sleeve or short sleeve t-shirt or turtleneck in solid white, navy blue, orange or gray may be worn underneath a collared shirt. No writing is allowed on the shirt.
5. Hooded attire is not permitted at any time.
6. Team and club attire must be administratively approved to be worn as part of the school uniform with the appropriate collared shirt underneath.
7. Delmar School District provided competition jersey attire is acceptable on team event days as long as the appropriate collared shirt is worn under the jersey. Team uniform bottoms may not be worn.
8. All tops should be of appropriate size so as not to cause undo stretching or gapping of the material. Tops should not be tight to the skin or overly baggy.
9. Anything designated as an undergarment should not be seen (e.g. camisoles, undershirts).

Bottoms:

Khaki style pants, capris, shorts, skirts, skorts, or jumpers in navy blue or tan.

1. Students may wear khaki style pants, shorts, skorts, skirts and jumpers in navy blue or tan.
2. The bottom of shorts, skorts, jumpers and skirts must ~~touch the top of the knee~~ not be more than 3 inches above the knee.
3. Jumpers must have the appropriate collared shirt underneath.
4. Bottoms must be worn no lower than the natural waist.
5. Bottoms may be cargo style however there may not be chains, writing or any other adornments on the pants. Corduroy is not acceptable.
6. All bottoms should be of appropriate size so as not to cause undo stretching or gapping of the material. Bottoms should not be tight to the skin or overly baggy.

Legwear:

1. Any color socks may be worn.
2. Solid color white, tan, natural, navy blue, orange or grey tights or pantyhose may be worn.

Footwear:

1. Shoes must be worn at all times. Footwear must be appropriate for the student's designated activity.
2. Slippers are not permitted.

Clarifying Statements:

1. Ties are acceptable but not mandatory. Team coaches and club advisors can designate certain days for participants to wear a tie.
2. Cut-offs, frayed seams, and holes are not permitted on any clothing. Belt loops should not be cut off.
3. Pants should not be made of sweatshirt/fleece material
4. Hats, head coverings, visors, scarves, bandanas, combs/picks and sunglasses may not be worn in the building. Headbands should be no wider than 2 inches. Hair should be neat, well groomed and out of the eyes.
5. No accessories, costumes, or unusual attire that is inappropriate or disruptive to the normal operation of the school may be worn.
6. The only Delmar logos that will be permitted will be those logos that are Delmar School District approved. Writing is not allowed on any clothing.
7. Students must remove and store coats, gloves, scarves, and hats in their locker upon entering the building.
8. When "Jean Day" occurs the students will be allowed to wear blue or black jeans. No holes, writing, or adornments may be on the jeans.
9. No advertising alcohol, tobacco, sex, drugs, or other inappropriate topics is permissible on student clothing.

Procurement:

1. Procurement may come from multiple vendors who meet the basic requirements as stated above.

Student “CASUAL DAY” Dress Code

The opportunity to participate in a school wide casual day will be determined by administration. Students will be notified when such an event will occur. During this event students may elect to wear items other than the typical school uniform. The policy below outlines what may or may not be worn on “Casual Days”:

1. Shorts, dresses, skorts, and skirts ~~touch the top of the knee~~ not be more than 3 inches above the knee. Leggings, biker shorts, tight shorts/pants, swimwear, cutoffs, pajama or pajama-looking clothing is not permitted.
2. All pants must be worn at the waist (no sagging). **No holes or writing on the pants.**
3. All shirts must have sleeves that cover the shoulders. The bottom of the shirt must extend past the top of the pants waistband. Shirts designed as underclothing may not be worn. Shirts that are **not** acceptable include but are not limited to camisole tops, spaghetti straps, crop tops, backless tops, and any top that does not extend long enough to cover the trunk area. Tank-like tops must have a strap width of at least 3 inches.
4. Hoodies are allowed on Casual days.
5. Undergarments should not be visible either through or outside the garment.
6. Clothing with low-cut necklines may not be worn. Necklines cannot be lower than the straight line from the top of the underarm across to the opposite underarm.
7. No costume or unusual attire that is disruptive to the normal operation of the school may be worn.
8. Head coverings may not be worn in the building. Headbands should be no wider than 2 inches. Hair should be neat, well groomed and out of the eyes. Combs/picks may not be worn. Sunglasses, bandanas, sweatbands, and hats are prohibited.
9. Shoes must be worn at all times. Footwear must be appropriate for the student’s designated activity. Slippers of any kind are not appropriate.
10. No advertising alcohol, tobacco, sex, drugs, or other inappropriate topics is permissible on student clothing.
11. Clothing should NOT be disruptive to the educational process.
12. During a blue jean day the above guidelines pertaining to pants must be followed. A uniform top must be worn.

Any student violating the uniform guidelines, student casual or jean day dress code guidelines will be sent to the office and the parents will be contacted to arrange for appropriate clothing to be brought to school. Students will receive a dress code violation. If clothing is disruptive to the educational environment and no parent can be contacted, the student will be placed in ISS for the remainder of the day.

# Dress Code Referrals	Consequence
1 st	Warning
2 nd	Warning
3 rd	Referral to Administrator Administrative Warning / Parent Contact
4 th	Referral to Administrator 30 Minute Office Assigned Detention Admin Contact Parent/Guardian
5 th	Referral to Administrator 30 Minute Office Assigned Detention Admin Contact Parent/Guardian
6 th	Referral to Administrator 30 Minute Office Assigned Detention Admin Contact Parent/Guardian
7 th & Subsequent	Referral to Administrator will be for Insubordination for the 7 th & all subsequent offenses of the Dress Code Policy

Revised 7/1/18, Approved 8/21/2018, Revised 7/23/19, Approved 9/17/19, Revised 6/16/2020, Approved 7/21/20, up for review 7/12/22

VISITORS TO SCHOOL/CONFERENCES

Parents are welcome to visit the school. If a parent wishes to talk with or visit the classroom of a specific staff member, he/she should call for an appointment since we cannot call teachers from their classes, and our administrative and counseling staff are often unable to see an unexpected visitor because of previously made commitments. For the protection of our students, all visitors must register and obtain a visitor’s pass at the school office immediately upon entering the building. All visitors must show photo id. Visitor logs are placed in both the district and school offices. Visitors are expected to sign out and leave promptly when their business is complete. Student-age visitors are not permitted on school grounds while school is in session unless prior permission is granted by a school administrator. Failure to follow this policy may result in arrest for trespassing.

CHAPTER II

SAFEGUARDS AND CONSEQUENCES

DUE PROCESS RIGHTS FOR STUDENTS

- A. All students must be informed of the violation(s) and the range of disciplinary actions and:
 - 1. Such violations should be included in the Student Code of Conduct.
 - 2. These rules and the due process procedure must be explained over the public address system, designated classrooms, or at a school assembly at the beginning of the school year.
 - 3. Teachers must discuss this Code with their classes to insure that the rules are understood.
- B. Each student involved in a situation must be given a rudimentary "Due Process Hearing."
 - 1. The student must be given a clear statement of his/her violation.
 - 2. The student must be given an opportunity to clear himself/herself.
 - 3. The student **may**:
 - a. give names of witnesses; b. tell his/her side of the story; c. produce evidence on his/her behalf; d. question the evidence presented against him/her.

PARENT NOTIFICATION

Parents are to be informed of incidents as soon as possible, by phone, letter, or other written notification, as required by the Code.

STUDENT DISCIPLINE – STUDENT INITIATED APPEAL PROCESS

It is the purpose of these appellate procedures to provide students access to the appropriate school officials in regard to disciplinary matters where expulsion is not the recommended punishment. In those cases the expulsion procedure applies.

Students or parents may only initiate the appellate process for one of the following reasons:

- 1. Incorrect charge 2. Incorrect action 3. Lack of due process

Penalties shall not be implemented until the student ceases or exhausts his/her appeal, except in case of violent behavior, and except in cases under appeal to the State Board of Education.

Step 1 Student shall have option to meet/discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal/private process should be followed in order to resolve differences/problems in friendly and cooperative manner.

- 1. Student may notify parents.
- 2. Student may present information or interpretations on his/her own behalf.
- 3. Staff member shall notify student of his/her decision within one (1) school day.

Step 2 Students or parents shall have the right to informally appeal staff disciplinary action to the school principal/assistant principal within two (2) school days after the charge. The objective is to resolve the matter informally.

- 1. Students may notify parents.
- 2. Student shall inform the principal/assistant principal of the facts.
- 3. Student may present information or interpretations on his/her own behalf.
- 4. Principal or Principal's designee shall procure information from staff members.
- 5. Principal or Principal's designee shall notify student of his/her decision within two (2) school days.

Step 3 If the matter is not resolved satisfactorily in the above manner, a written appeal to principal will be made within four (4) school days of the principal's decision. Any complaint made to administration by any student concerning a staff member shall be immediately brought to the staff member's attention. The principal shall conduct a parent/student conference within ten (10) school days of appeal and shall give a written decision within four (4) school days of conference. The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless the student appeals the decision to the Superintendent or designee in writing within four (4) school days.

- 1. The principal or Principal's designee shall state the nature of the offense and the appeal as noted in the written student appeal.
- 2. The student may present any information or interpretations on his/her own behalf.
- 3. The student may present witnesses sufficient to present his/her case.
- 4. The student may cross-examine witnesses.
- 5. The principal or Principal's designee may obtain information independently.

Step 4 The unresolved problem will be discussed in a conference with the parents/student and the Superintendent, or in his/her absence, his/her designee. This conference will take place within four (4) school days of the receipt of the appeal. The superintendent shall give written decision within four (4) school days of the conference. The decision of the Superintendent shall be final.

1. The Superintendent or Superintendent's designee shall state the nature of the offense and the appeal as noted in the written student appeal.
2. The student may present information or interpretations in his/her behalf.
3. The student may present witnesses sufficient to present his/her case.
4. The student may cross-examine witnesses.
5. The Superintendent or Superintendent's designee may obtain information independently.

Failure of a student at any level of this procedure to appeal the decision to the next level within the specified time limits shall be deemed to be acceptance of the decision at that level. If an appeal is initiated within the last 60 days of the school year: (1) the appeal shall go directly to the Principal for final determination if the policy does not require a Board hearing for that offense; (2) the appeal shall go directly to the Board for final determination if the policy requires a Board hearing for that offense.

PROCEDURES FOR HEARING APPEALS TO THE BOARD OF EDUCATION

The procedures set forth herein are to guide the hearing of formal appeals made to the Delmar Board of Education.

These Procedures shall only apply to appeals to the School Board in situations when (i) policy provides an appeal to the School Board or (ii) an appeal to the School Board is required by law, or (ii) the complaint concerns the interpretation of the rules and regulations of the School Board.

I. Initiation of Appeal Procedure

- A. Any party who feels aggrieved by a decision of a district employee may appeal that decision by serving a written Notice of Appeal, setting forth the grounds for appeal, in reasonable detail, upon the Executive Secretary of the Delmar Board of Education.
- B. Said Notice of Appeal shall be served by registered or certified mail within thirty (30) days after written notice to the appellant of the decision from which he/she has the right to appeal.
- C. The Secretary of the Board of Education shall docket any appeal received and schedule it for consideration no earlier than twenty (20) calendar days after receipt of the Notice of Appeal. The appeal may be heard in less than twenty (20) days if both parties agree.
- D. The Secretary of the Board of Education or the hearing officer shall notify the parties to ☐ the appeal of the consideration date and that written statements of position and/or legal briefs or legal memoranda may be filed no later than ten (10) days prior to that date. Failure to file written statements by the time specified may result in postponement of consideration of the appeal until statements are received or consideration of the appeal without the written statements.
 1. The statement of position must clearly state the issues to be raised.
 2. The statement of position may also be accompanied by affidavits supporting the facts alleged therein.
 3. Briefs or legal memoranda shall be submitted with the statement of position if the grievance concerns a legal issue or interpretation.

II. Order of Procedure - Preliminary Matters

- A. The President of the Delmar Board of Education or his/her designated representative shall act as hearing officer and will announce that the hearing is being conducted under the provisions of the Procedures For Hearing Appeals.

The hearing officer will advise the appellant that he/she has the choice of having the appeal heard in a private or public hearing.

The hearing officer will declare the hearing to begin and will inquire as to whether there are any preliminary matters to be considered or any questions regarding the procedure to be followed.

III. Hearing Procedure

- A. The hearing officer shall conduct the hearing and make rulings of the admissibility of evidence.
- B. All parties to the appeal may be represented by counsel at their expense.
- C. The hearing officer shall note in the minutes of the hearing the names of the parties appearing and their counsel, if they are represented.
- D. The hearing officer may continue, adjourn, or postpone a hearing for good cause on motion of a party or upon its own motion.
- E. Any party may request the presence of a stenographic reporter on notice to the Secretary of the Board of Education at least ten (10) days prior to the consideration date. Such party shall be liable for the costs of said reporter.

- F. In the absence of a request for a stenographic reporter, the hearing officer shall cause an electronic transcript of the hearing to be made by tape recorder or other suitable device. Said electronic transcript shall be destroyed if no written request is made to preserve it within three (3) months of said hearing.
- G. Any documents introduced into evidence shall be marked by the Secretary of the Board of Education, the Recorder, or the Hearing Officer and shall be marked as "Appellant Exhibit" and all exhibits introduced by the Appellee shall be marked as "Appellee Exhibit," with the exhibits for each side bearing consecutive numerical designations. The Secretary, his/her Designee, or the Hearing Officer shall prepare a record listing the names of all persons present, their attorneys, the witnesses testifying for each side, and shall list all exhibits introduced during the course of the hearing.
- H. The order of presentation, where oral argument and/or witnesses are requested, shall be as follows:
 - 1. Appellant shall first present argument and/or witness testimony in his/her behalf.
 - 2. The appellee may then present its case or offer a rebuttal argument and or witness testimony in support of the decision.
 - 3. The appellant may then have an opportunity for rebuttal.
- I. All evidence is admissible which is relevant, material, reliable and probative, but which is not unduly repetitious or cumulative.
- J. Objections to the admission of evidence shall be brief and shall state the ground for such objections. Objections with regard to the form or question will not be considered. Objections shall be ruled upon by the Hearing Officer or the Board's attorney.
- K. Strict judicial rules of evidence shall not be applicable to this hearing, and in each instance the test of admissibility shall be whether the offered evidence is reasonably relevant to a material factual issue and whether it has substantial probative value with respect to such material issues. The Hearing Officer may limit or disallow cumulative or repetitious evidence and may curtail redundant questioning and may prohibit argumentative questioning or the badgering of a witness.
- L. All testimony shall be given under oath. With the following form of oath to be used: "Do you swear or affirm that the testimony you are about to give is true and correct to the best of your knowledge and belief?"

IV. Post Hearing Procedure

- A. In any situation where a hearing officer was utilized, the Board member shall review the transcript or recorded proceedings, the evidence, and the hearing officer's recommended dispensation.
- B. Each decision and order of the Board shall be delivered in writing, with copies to all parties. Each decision and order shall set forth findings of fact made by the Board and the conclusions based thereon, and shall state the specific disposition of the issue raised at the hearing. The Board shall submit its written decision within fifteen (15) days following the hearing.
- C. Copies of the Board decision shall be mailed to the appellant and his/her attorney by certified mail, return receipt requested.

TITLE 14 - DELAWARE CODE SECTION 1058

Controversies Concerning Rules and Regulations of the School Board

The school board of each reorganized school district shall decide on all controversies involving the rules and regulations of the school board. Any party to such controversy may appeal to the State Board of Education by setting forth such grievance in a petition which shall be served within 30 days after receiving notice of the decision upon the Secretary of Education. The State Board, shall by rules and regulations provide for adequate procedures for the hearing of any such petitions and shall decide the controversy. The State Board shall overturn the decision of a local board only if it decides, after considering the advice of the Secretary, that the local board's decision was contrary to a specific state or federal law or regulation, was not supported by substantial evidence, or was arbitrary or capricious. The decision of the State Board shall be final.

The appeal is to be addressed as follows:

State Secretary of Education
401 Federal St., #2
Dover, DE 19901

Revised: 6-16-2020, Approved: 7-21-2020

SUSPENSION AND EXPULSION

The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in this district and one that cannot be imposed without due process. The Board may, after a proper hearing, suspend a child for such times as it deems necessary or may permanently expel him/her.

Students expelled or suspended from school are also excluded from school-related activities and are not permitted on school property while school-related activities are in progress.

SUSPENSION FROM SCHOOL

- 1. The primary purposes of suspension are to maintain the integrity of the education process, to give students time to reflect on their school behavior, and to defuse potentially explosive situations.

2. Student suspension should be assigned no more than two (2) days from the date of referral. Referrals should be filed within two (2) days of the offense unless extenuating circumstances such as, but not limited to, completing an investigation or making parent/guardian contact prevents the prompt filing of the report.
3. The parent/guardian/emergency contact will be notified whenever a student is suspended, and a specific protocol followed by the administrator. Zeros may be assigned for all missed work while the student is out of school suspended. The student will be restricted from attending or participating in any extracurricular activity. Students assigned in-school suspension are required to complete their work.
4. A student assigned to an excessive total of in-school suspensions (more than 3) may be assigned out-of-school suspension (OSS) instead of the ISS consequences prescribed in these guidelines.
5. Any out of school suspension greater than five (5) days in duration will require the approval of the Superintendent or his/her designee.

Prior to a suspendable offense, the student will be given oral or written notice of the charges and duration of the suspension. Due process will be provided, giving the student and an opportunity to tell his/her side of the story. In all events, parents will be notified by telephone to request that the suspended student be picked up from school. Students whose parents/guardians/emergency contacts cannot be reached by telephone will be retained at school until the end of the school day. If the immediate removal of the student from school is necessary to protect the safety of individuals, property, or the integrity of the educational process, the necessary notice and hearing will follow as soon as possible. Any student suspended out-of-school must have a student/parent conference with an administrator before being reinstated.

In the case of students with disabilities (as defined in the Individuals with Disabilities Education Act) all of the above procedures do apply with additional considerations as follows.

A suspension from school for more than ten (10) days, either consecutively or cumulatively, is considered a change of placement if the conduct is related to the student's disability. The I.E.P. Team will determine the relationship between the conduct and the student's disability.

A student assigned to an excessive total of in-school suspensions (more than 3) may be assigned out-of-school suspension (OSS) instead of the ISS consequences prescribed in these guidelines.

ASSIGNMENT TO EDUCATIONAL ALTERNATIVES

A student may be assigned to Educational Alternatives because of serious or repeated violations of the Code. Assignment to Educational Alternatives is the removal of a student from the regular school program, with placement in special alternatives designed to meet the student's particular needs. Assignment to an alternative school program requires Superintendent and/or Board approval.

Prior to placement in Educational Alternatives, the student and the student's parents shall confer with the administration and/or administration and teachers about the student's need to be in the special program.

This conference shall include a discussion of the following:

1. The circumstances which led to the placement recommendation;
2. How the special program is designed to remedy the student's needs;
3. The conditions which must be met in order for the student to return to the regular school programs;
4. If parental approval is required for the placement, the written approval of the parents shall be sought at the close of the conference; and
5. If parental approval of the placement is not required, the student and the student's parents shall be advised that the placement may be the subject matter of a grievance.

EXPULSION

Only the Board of Education may expel a student from school for violation of District Policy. In general, the act of expulsion shall be taken in accordance with due process rights and on the documented evidence presented by the administration. A student will be expelled for the remainder of the school year, and credit will not be given for courses in which a student is currently enrolled.

Re-entering: Students will begin the school year with a clean discipline record with the exception of students who have been previously expelled from school and those operating under a behavior contract that might extend into the new school year. An expelled student may re-enter school upon the completion of their term of expulsion. Parents and student are required to meet with a school administrator to review and sign a behavior contract before attending classes.

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

STEP I

- A. The student shall be suspended for up to ten (10) days.
- B. The principal shall investigate all aspects of the discipline problem, including a conference with the student and his/her parents or guardians, if possible, at which time the student will be informed of the charges and afforded an opportunity to "tell his/her side of the story." This conference shall be held prior to the student's suspension.
- C. The principal shall normally complete the investigation within three (3) school days of the incident under investigation.

- D. If after the investigation the principal concludes that the student committed the offense and that the nature of the offense warrants a recommendation for the expulsion, the principal shall make such a recommendation in writing to the Superintendent.
- E. The Superintendent will review the recommendations and if the Superintendent or designee concurs with a recommendation for expulsion, the student's suspension may be extended pending a formal hearing before the Board of Education.

STEP II

- A. If the Superintendent, or designee, concurs with the recommendation from the principal, the Superintendent, or his/her designee, shall within seven (7) school days from the first date of suspension for the incident giving rise to the expulsion recommendation, notify the student and the student's parents or guardians of intent to expel and of the date, time and location for a formal hearing on the recommendation for expulsion. The notice of intent to expel shall be sent by certified mail or hand delivered and shall state the reasons for the expulsion and the time and place of the hearing. In addition, the notice shall be accompanied by a copy of the rules of procedure for the conduct of disciplinary hearings.
- B. The formal hearing shall be held not less than three (3) or more than ten (10) school days after the notice of intent to expel is given. The time period may be modified by agreement of both parties.
- C. The formal hearing shall be conducted by a Hearing Officer, who is hired by the district to conduct the hearing according to the Board's regulations.
- D. 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 shall be excluded. The witnesses shall be sworn by the hearing officer.
- E. The student shall have the following rights in a hearing:
 - 1. To be represented by counsel, at the student's expense;
 - 2. To question any witnesses who testify and receive a copy of any statements and/or affidavits of such witnesses;
 - 3. To request that any witnesses appear in person and answer questions or be cross-examined. Student witnesses will not be excused from school or allowed to testify without subpoena or parent(s)/guardian(s) permission;
 - 4. To testify and produce witnesses on his/her behalf;
 - 5. To obtain, upon written request, a copy of the transcript or tape of the hearing.

STEP III

- A. Within ten (10) calendar days following the hearing, the Board shall decide whether to expel the student following a review of the evidence produced at the hearing. The Board's decision shall state conclusions of fact and the penalty to be imposed upon the student.
- B. The duration of an expulsion is within the discretion of the Board based upon the circumstances of each case. An expulsion shall not exceed 180 days of school.

STEP IV

- A. The parents/guardians of a student who is expelled shall be informed that they may apply for the student's readmission at the end of the period of expulsion and must provide verification that all conditions for readmission have been met.
- B. The student and family will be given exit advice on the educational options and rehabilitative counseling that may be available during the expulsion period.
- C. Upon readmission to school, the student will be placed on probation. The student will be assigned to a counselor who will monitor his/her behavior, academic performance, and provide assistance for a period of at least one semester.
- D. A student is prohibited from being on property during the expulsion period except when accompanied by a parent or guardian for a scheduled appointment with school officials.

STUDENTS WITH DISABILITIES

- A. In the case of a disabled student, as defined in federal and state regulations, being considered for expulsion, an Individual Educational Placement (IEP) or 504 Team meeting will be convened.
- B. The IEP/504 Team will determine whether (1) the alleged conduct is directly related to the student's disability, or (2) the student was inappropriately placed at the time of the offense. A disabled student's conduct relates to the disability if the disability significantly impaired the student's ability to control his/her behavior.
- C. If the IEP/504 Team determines that the offense is directly related to the student's disability, the student's program and/or placement may be changed.
- D. If the IEP/504 Team determines that the offense is not directly related to the student's disability or the result of placement, the principal will follow the Student Code of Conduct.
- E. In instances where the disabled student presents a danger to himself or others, or is so disruptive to the educational environment as to interfere with the rights of other students to benefit from an education, emergency placements may be invoked by the District, including homebound instruction.

CORPORAL PUNISHMENT

The use of corporal punishment is not permitted in the District. This does not prohibit an official or professional employee of the District from:

1. Using reasonable and necessary physical contact to quell a disturbance or prevent an act that threatens physical injury to any other person.
2. Using reasonable and necessary physical contact to obtain possession of a weapon, other dangerous object, controlled substance, or drug paraphernalia within a pupil's control.
3. Using reasonable and necessary physical contact for the purpose of self-defense or the defense of others.
4. Using reasonable and necessary physical contact for the purpose of protecting public school property.
5. Using reasonable and necessary physical contact for the purpose of removing a disruptive pupil from school premises or motor vehicle or from school-sponsored activities.
6. Using reasonable and necessary physical contact to prevent a pupil from inflicting harm on himself or herself.
7. Using reasonable and necessary physical contact to protect the safety of others.
8. Using incidental, minor, or reasonable physical contact to maintain order and control.

In determining whether or not an employee of the District was acting within the above exceptions, deference shall be given to reasonable, good faith judgment made by an official or employee of the school Board.

DISCIPLINARY REFERRALS

Disciplinary referrals should occur only when students have clearly and willfully violated the District's Code of Conduct. Staff members are expected to use good classroom management practices and behavioral interventions to help all students comply with the school rules and regulations. They are responsible for engaging students in appropriate learning activities and attempting to redirect off-task student behaviors before they become a violation of the Code of Conduct. Students are responsible for learning the Code of Conduct and following the rules and regulations of the school. They are responsible for following teacher directions and helping to maintain a classroom atmosphere that is conducive to learning.

COMMUNITY NOTIFICATION - SEX OFFENDER GUIDELINES

As a result of the passage of H.B. 458 the Delaware General Assembly has determined community notification is the primary responsibility of law enforcement. The posting of this information is required by law and is available on the Delaware State Police Sex Offender Registry website (www.state.de.us/dsp/sexoff). Adults or juveniles who are convicted or adjudicated of specific sex offenses are required by law to be registered. State and local police agencies send to public schools written notification of registered sex offenders who attend the schools or reside in the community. However, to help keep children safe the following are required of schools:

1. All schools and district office in the District shall have information on sex offenders easily accessible through a binder kept in the main office available to view upon request by adults and juveniles with adult supervision. No notification shall be removed from the binder unless the school is notified of an address change informing them that the offender has moved from the community.
2. All District schools shall allow community members to have access to the State's community notification web-site in the school building.
3. It is the school's responsibility to ensure that all staff is aware of registered sex offenders in the community.

UNSAFE SCHOOL STUDENT TRANSFER OPTION PROGRAM

NOTE: DISTRICT SCHOOLS HAVE BEEN DECLARED SAFE SCHOOLS.

The District complies with the Federal *No Child Left Behind* legislation by providing transfer options to those students enrolled in a District school that has been identified as "persistently dangerous" pursuant to the provisions of DDOE Regulation 608, Unsafe School Choice Option for Students in Persistently Dangerous Schools and for Students Who Have Been Victims of a Violent Felony. Students who have been victims of a violent felony under these provisions may also elect the transfer option program.

Option A: Schools Identified As Persistently Dangerous

- Within ten (10) school days of receiving a persistently dangerous designation from the Department of Education, the District will notify parents of eligible Unsafe School Transfer Option Program students by mail. A Transfer Option Application will be attached to the notification letter. Parents of students moving to a persistently dangerous school at the end of their grade level cluster will also be notified by mail. All parents registering students at a designated school will receive a notice and Transfer Option Application at the time of registration.
- The District will accept Unsafe School Student Transfer Option Applications for fifteen (15) school days following date of the notification mailing. Applications for in-coming kindergarten students will be accepted through first day of new school year.
- Parents will have the option to transfer to another District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- Transfers of students will occur within thirty (30) school days of Department of Education notification to the District. Transferring

students will be assigned to bus stops currently serving their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.

- A corrective action plan will be developed and filed with the Department of Education within twenty (20) school days from the date that the District learns that a school has been identified as persistently dangerous.

Option B: Victim of a Violent Felony at a School

- Within five (5) school days from the date of the acknowledgement of a violent felony charge that occurred in or on the grounds of a District school, the District will notify the victim's parents by certified mail of the Unsafe School Student Transfer Option. A Transfer Option Application will be attached to the notification letter.
- Parents have ten (10) school days from the date of the certified mailing to exercise their option to transfer to a safe District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- The student will be transferred within thirty (30) school days of the District's notification of violent felony charges being filed. Transferring students will be assigned to bus stops currently servicing their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.

The District Student Transfer Option Program components are subject to amendments as may be required by law.

GUN FREE SCHOOLS ACT

The Board of Education recognizes that students and staff must be provided with a safe and secure environment for learning, free from fear, harassment or injury caused by the possession of firearm in school. In compliance with the Federal Gun-Free Schools Act, the District adopts the following policy:

Possession of a firearm, as defined by Delaware Code, on school property, in a school bus, at any school-sponsored co-curricular activity, shall be expelled for not less than one year. The superintendent shall modify the expulsion requirement to the extent a modification is required by Federal or State law in respect to students who have been determined to have disabilities. The procedures and definitions by which this policy will be implemented are contained in the Student Code of Conduct and Delaware Code.

WEAPONS IN A SAFE SCHOOL ZONE

Possession of a weapon in a safe school zone may result in suspension of student(s) for a period no less than 30 days. The superintendent may modify suspension terms on a case-by-case basis.

CHAPTER III

VIOLATIONS OF THE STUDENT CODE OF CONDUCT

The **Student Code of Conduct** is an official policy of the District Board of Education. The Board of Education expects that this Code will be subject to ongoing review and revision in response to:

- A. Administrative, staff, student, and parent suggestions;
- B. Legal interpretation; and
- C. Annual review

COMBINATION OF OFFENSES

In instances where more than one violation of the Code occurs prior to disciplinary action given, the student may be dealt with at the highest level and may be given the most severe action allowed for any of the offenses committed.

In separate incidents of violations of the Code, offenses cannot be combined prior to disciplinary action in order to determine the appropriate level and action for the latest offense. Offenses are to be considered separate, except as may be provided elsewhere in this policy. If several separate instances of the same offense occur prior to disciplinary action, all of the offenses should be processed at the appropriate level of action specific for each violation.

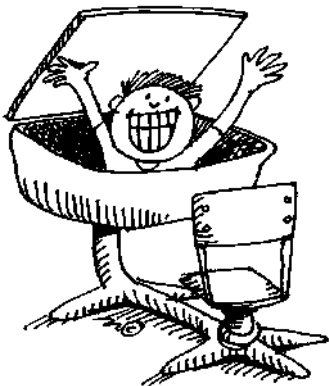
REMOVAL OF STUDENTS FROM CLASS OR OTHER SCHOOL ACTIVITY

Faculty and administration have authority over student conduct at all times during school and school related activities outside the school day, including riding buses. Students will be removed from class or school activity based upon the judgment of teachers and administrators. Criteria for removal of students include the safety of student and others, any form of violence, persistent disruption that interferes with learning, prevention of such situations and compelling need to speak to a student privately. In using their judgment to remove a student, staff will use the Student Code of Conduct as the guide for their decisions. This means that the staff member is required to send a discipline referral to the office by the end of the day the student was sent out of the room. This will give the person dealing with the student the necessary information to process the referral. Also, the teacher is required to make parent contact. When a punishment or penalty is given to a student, it will be at the discretion of school authorities and based upon the Code of Conduct.

If a student needs to be removed, the teacher will contact the office and follow procedures established in that school to summon assistance to remove a student. If immediate violence is a consideration, the staff member will take whatever steps are reasonably necessary to prevent the situation from escalating and separate anyone they deem necessary. If the student refuses to leave the area and to go the area designated by the adult staff member, the police will be summoned to remove the student, with reasonable force, if necessary, at the discretion of the police. Charges will be filed at the discretion of the administration, involved faculty and police.

Removal may be permanent or temporary. The teacher and principal will determine terms of removal by applying Code of Conduct, other rules or policies and the needs of the student and the other students involved. If needed, a formal hearing may be held before the superintendent/designee to determine status of the student relative to enrollment and/or participation in class or activity. School board policies for hearings and state law apply to these circumstances.

1999 TEACHER CLASSROOM CONTROL ACT/HOUSE BILL NO. 262



Students can now be removed from the classroom or any other school activity for disruptive behavior for any period of time that the school administration determines is appropriate. “Disruptive behavior” includes conduct that is so unruly, disruptive, or abusive that it **seriously interferes** with a school teacher’s or school administrator’s ability to communicate with the students in a classroom, with a student’s ability to learn, or with the operation of a school or a school-sponsored activity. First-time flagrant infractions will result in removal from class even without prior parental contact. In addition, “disruptive behavior” may include any behavior or speech which produces distractions, friction, or disturbances (even violations such as talking, harassing, disrespect, and inappropriate language) that continues to occur after a teacher has warned the student and parent/guardian that such behavior in the future may result in the student being removed from their classroom or school activity. Any student removed from the classroom may receive zeroes in all classes missed.

DELMAR SCHOOL DISTRICT VIOLATION CONSEQUENCES

- D=DETENTION
- LP=LOSS OF PRIVILEGES
- PC=PARENT CONFERENCE
- ISS=IN SCHOOL SUSPENSION
- OSS=OUT OF SCHOOL SUSPENSION
- AP=ALTERNATIVE PLACEMENT
- RE=RECOMMENDED EXPULSION
- /=AND/OR
- RA=RANGE OF ALTERNATIVES

The disciplinary consequences listed in the matrix will normally be used for each offense. However, other alternatives, including a range of alternatives, may be used in place of or in addition to the specific consequence listed in the matrix, should circumstances warrant or the disability of the student require it. For example, if an ISS or OSS is received for reasons other than drugs, weapons or violence, for every day a parent spends the entire day with their student in classes, we will eliminate one day of ISS or OSS for that student. Flagrant infractions will result in a more severe punishment. In addition, a counseling component may be added to any consequence when considered by the building principal to be appropriate.



Disciplinary Consequence Matrix

This matrix serves as a guideline to disciplinary consequences. The administration reserves the right to determine appropriate consequences for violations of the school code of conduct.

Offense Code	INFRACTION	Minimum	Maximum
SCHOOL REPORTABLE OFFENSES			
S0011	Use of Profanity	PC/Warning	ISS (2)
S0021	Unex. Absence/Tuancy – a zero will be given for all missed work	ISS	ISS (2)
S0022	Unex. Absence: Failure to Sign In	PC/Warning	ISS (2)
S0023	Unex. Absence: Failure to Sign Out	PC/Warning	ISS (2)
S0031	Tardiness: Late to School	Warning	ISS (3)
S0032	Tardiness: Late to Class	Warning	OSS
S0041	Skipping Class – a zero will be given for all missed work	ISS	ISS (2)
S0051	Leaving School Grounds without permission	ISS	ISS (2)
S0052	Leaving assigned area without permission	Warning	ISS
S0071	Loitering	Warning	OSS
S0081	Defiance of School Authority	PC and ISS	OSS
S0082	Insubordination	PC and ISS	OSS
S0091	Disruption of the Education Process	PC/D/ISS	OSS
S0101	Inappropriate Behavior	PC/D/ISS/OSS	RE or AP
S0102	Inappropriate Behavior: Safety Violation	PC/D/ISS/OSS	RE or AP
S0103	Inappropriate Behavior: Violation of Behavioral Contract	PC/D/ISS/OSS	RE or AP
S0104	Inappropriate Behavior: Disrespect towards a Staff Member	PC/D/ISS/OSS	RE or AP
S0105	Inappropriate Behavior: Disrespect towards a Student	PC/D/ISS/OSS	RE or AP
S0106	Inappropriate Behavior: Plan to Violate Code of Conduct	PC/D/ISS/OSS	RE or AP
S0107	Inappropriate Behavior: Careless & Reckless Behavior	PC/D/ISS/OSS	RE or AP
S0108	Inappropriate Behavior: Consensual Sexual Misconduct	ISS/OSS	RE or AP
S0111	Stealing	PC/ISS (2)	OSS (2)
S0121	Unsafe Driving: School Violation Code	Warning	ISS
S0122	Unsafe Driving: Parking Violation	Warning	ISS
S0131	Unsafe Item	ISS/OSS	RE or AP
S0132	Unsafe Item: Fireworks/Firecracker	ISS/OSS	RE or AP
S0141	Academic Cheating – a zero will be given for the assignment	ISS	OSS
S0151	Fire Alarm Incident	OSS (2)	RE or AP
S0152	Reckless Burning	OSS (4)	RE or AP
S0161	Report: Attorney General (Off Campus Offenses Only)	RE or AP	
S0162	Report: CDAP	RE or AP	
S0181	Acceptable Use Policy/Misuse of Technology	PC/ISS	OSS/LP
S0191	Discipline Letter Not Returned	Warning	ISS
S0201	Failure To Perform Properly in In-School Suspension	OSS	OSS (2-4)
S0211	Failure To Provide Identity When Requested	PC and ISS	OSS
S0221	Failure To Report After-School Detention	ISS	OSS
S0231	Failure To Report For Disciplinary Action	ISS	OSS
S0241	Gambling - School Violation	PC/Warning	OSS
S0251	Improper Use Of Free/Reduced Lunch Card	PC/Warning	OSS
S0261	Saturday Detention Letter Not Returned	N/A	N/A
S0271	Trespassing - School Violation	PC/D/ISS	ISS/OSS
S0272	Breaking and Entering	ISS/OSS	RE or AP
S0281	Unprepared for Phys Ed.	PC/D/Warning	ISS/OSS
S0282	Unprepared for Class	PC/D/Warning	ISS/OSS

S0291	Dress Code Violation – refer to policy	PC/Warning	ISS
S0301	Abusive/Inappropriate language	PC/ISS	ISS (2)
S0302	Instigation	PC/ISS	OSS
S0311	Unauthorized use of Electronic Devices – refer to policy	Warning	OSS
S0312	Unauthorized use of Cell Phone – refer to policy	Warning	OSS
S0313	Unauthorized use of Pager – refer to policy	Warning	OSS
S0314	Unauthorized use of Laser pointers – refer to policy	Warning	OSS
S0321	Falsification – Verbal	PC/D/ISS	OSS
S0322	Falsification – Written	PC/D/ISS	OSS
S0332	Code of Conduct violation: Off school property	PC/D/ISS	ISS/OSS
S0333	Code of Conduct violation: Repeated (5+)	OSS	RE or AP

DELAWARE DEPARTMENT OF EDUCATION REPORTABLE OFFENSES

D0101	Pornography Possess. & Prod.	ISS/OSS	RE or AP
D0301	Crim. Mischief (Vandalism)	ISS/OSS	RE or AP
D0401	Tampering w/ Public Record	ISS/OSS	RE or AP
D0501	Alcohol Possess. & Use	ISS/OSS	RE or AP
D0502	Drug Use/Influence	ISS/OSS	RE or AP
D0601	Felony Theft (\$1,000+)	ISS/OSS	RE or AP
D0701	Bullying*	ISS/OSS	RE or AP
D0801	Offensive Touching Student Victim	OSS	RE or AP
D0802	Offensive Touching Employee Victim	OSS	RE or AP
D0901	Terroristic Threatening Student Victim	OSS	RE or AP
D0902	Terroristic Threatening Employee Victim	OSS	RE or AP
D1001	Sexual Harassment	ISS/OSS	RE or AP
D1101	Fighting	ISS/OSS	RE or AP
D1201	Inhalants	ISS/OSS	RE or AP
D1301	Drug Paraphernalia	ISS/OSS	RE or AP
D1401	Tobacco Possession and/or Use	ISS/OSS	RE or AP
D1601	Medications: Inappropriate Possession and/or Use	ISS/OSS	RE or AP
D1701	Under 12: Assault III Student Victim	OSS	RE or AP
D1702	Under 12: Assault III Employee Victim	OSS	RE or AP
D1801	Under 12: Unlawful Sexual Contact III Student Victim	RE or AP	RE or AP
D1802	Under 12: Unlawful Sexual Contact III Employee Victim	RE or AP	RE or AP
D2011	Teen Dating Violence	OSS	RE or AP

*Substantiated incidents of off-campus cyberbullying in which the school administers disciplinary action should be reported using offense code D0701

DELAWARE STATE LAW REPORTABLE OFFENSES

C0101	VF: 513 Conspiracy 1st Degree	RE or AP	RE or AP
C0102	VF: 602 Aggravated Menacing	RE or AP	RE or AP
C0103	VF: 604 Reckless Endanger. 1 st	RE or AP	RE or AP
C0104	VF: 605 Abuse Preg.Female 2 nd	RE or AP	RE or AP
C0105	VF: 606 Abuse Preg.Female 1 st	RE or AP	RE or AP
C0106	VF: 612 Assault 2 nd	RE or AP	RE or AP
C0107	VF: 613 Assault 1 st	RE or AP	RE or AP
C0108	VF: 614 Assault Sport.Off. Vic.	RE or AP	RE or AP
C0109	VF: 615 Assault By Abuse	RE or AP	RE or AP
C0110	VF: 629 Vehicular Assault 1 st	RE or AP	RE or AP
C0111	VF: 630 Vehicular Homicide 2 nd	RE or AP	RE or AP
C0112	VF: 630A Vehicular Homicide 1 st	RE or AP	RE or AP
C0113	VF:63l Criminal. Neg. Homicide	RE or AP	RE or AP
C0114	VF: 632 Manslaughter	RE or AP	RE or AP
C0115	VF: 633 Murder Abu./Negl. 2 nd	RE or AP	RE or AP

C0116	VF: 634 Murder Abu./Negl.1 st	RE or AP	RE or AP
C0117	VF: 635 Murder 2 nd	RE or AP	RE or AP
C0118	VF: 636 Murder 1 st	RE or AP	RE or AP
C0119	VF: 645 Promoting Suicide	RE or AP	RE or AP
C0120	VF: 768 Unlaw. Sex. Cont. 2 nd	RE or AP	RE or AP
C0121	VF: 769 Unlaw. Sex. Cont.1 st	RE or AP	RE or AP
C0122	VF: 770 Rape 4 th	RE or AP	RE or AP
C0123	VF: 771 Rape 3 rd	RE or AP	RE or AP
C0124	VF: 772 Rape 2 nd	RE or AP	RE or AP
C0125	VF: 773 Rape 1 st	RE or AP	RE or AP
C0126	VF: 774 Sexual Extortion	RE or AP	RE or AP
C0127	VF: 775 Bestiality	RE or AP	RE or AP
C0128	VF: 776 Continuous Sexual Abuse Of Child	RE or AP	RE or AP
C0129	VF: 777 Dangerous Crime Against Child	RE or AP	RE or AP
C0130	VF: 782 Unlawful Imprisonment 1 st	RE or AP	RE or AP
C0131	VF: 783 Kidnapping 2 nd	RE or AP	RE or AP
C0132	VF: 783A Kidnapping 1 st	RE or AP	RE or AP
C0133	VF: 802 Arson 2 nd	RE or AP	RE or AP
C0134	VF: 803 Arson 1 st	RE or AP	RE or AP
C0135	VF: 825 Burglary 2 nd	RE or AP	RE or AP
C0136	VF: 826 Burglary 1 st	RE or AP	RE or AP
C0137	VF: 831 Robbery 2 nd	RE or AP	RE or AP
C0138	VF: 832 Robbery 1 st	RE or AP	RE or AP
C0139	VF: 835 Carjacking 2 nd	RE or AP	RE or AP
C0140	VF: 836 Carjacking 1 st	RE or AP	RE or AP
C0141	VF: 846 Extortion	RE or AP	RE or AP
C0142	VF: 1108 Sexual Exploit. Of Child	RE or AP	RE or AP
C0143	VF: 1109 Unlaw. Dealing with Child. Porn.	RE or AP	RE or AP
C0144	VF: 1112A Sexual Solicit. Of Child	RE or AP	RE or AP
C0145	VF: 1136 Abuse/Mist/Neglect of Patient	RE or AP	RE or AP
C0146	VF: 1250 Assault 1st: Law Enforce. Animal Vic.	RE or AP	RE or AP
C0147	VF: 1253 Escape After Conviction	RE or AP	RE or AP
C0148	VF: 1254 Assault In Detent. Fac.	RE or AP	RE or AP
C0149	VF: 1256 Promoting Prison Contraband (Deadly Weapon)	RE or AP	RE or AP
C0150	VF: 1302 Riot	RE or AP	RE or AP
C0151	VF: 1304 Hate Crimes	RE or AP	RE or AP
C0152	VF: 1312A Stalking	RE or AP	RE or AP
C0153	VF: 1339 Adulteration causing Death/Injury	RE or AP	RE or AP
C0154	VF: 1353 Promo.Prostitution 1 st	RE or AP	RE or AP
C0155	VF: 1503 Racketeering	RE or AP	RE or AP
C0156	VF: 3533 Agg. Act.Of Intimidation	RE or AP	RE or AP
C0157	VF: 3913 Abuse/Neglect/Exploitation/Mistreat. Of Infirm Adult	RE or AP	RE or AP
C0158	VF: 617 Criminal Youth Gang	RE or AP	RE or AP
C0159	VF: 778 Sex Abuse by Person in Authority 1 st	RE or AP	RE or AP
C0160	VF: 778A Sex Abuse by Person in Authority 2 nd	RE or AP	RE or AP
C0161	VF:607 Strangulation	RE or AP	RE or AP
C0162	VF: 1112B Promoting Sexual Solicitation of a Child	RE or AP	RE or AP
C0163	VF: 1257A Resisting Arrest with Force or Violence	RE or AP	RE or AP
C0201	0611 Assault III	RE or AP	RE or AP
C0301	0767 Unlawful Sexual Contact III	RE or AP	RE or AP
C0601	WO: 1442 Concealed Deadly Weapon – Handgun	RE or AP	RE or AP
C0602	WO: 1442 Concealed Deadly Weapon - Rifle, Shotgun	RE or AP	RE or AP
C0603	WO: 1444 Possession of Destruct. Weapon	RE or AP	RE or AP
C0604	WO: 1445 Unlaw. Deal. With Dangerous Weapon	RE or AP	RE or AP
C0605	WO: 1447 Poss. Of Dangerous Weapon During Comm. Felony	RE or AP	RE or AP

C0606	WO: 1447A Poss. Of Firearm.Dur.Comm.Felony	RE or AP	RE or AP
C0607	WO: 1455F Firearms Trans. On Behalf Of Another	RE or AP	RE or AP
C0608	WO: 1457 Knife(Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0609	WO: 1442 Knife	RE or AP	RE or AP
C0610	WO: 1457 Razor Blade/Boxcutter (Poss.Safeschool&Rec.Zone)	RE or AP	RE or AP
C0611	WO: 1442 Razor Blade/Box Cutter	RE or AP	RE or AP
C0612	WO: 1457 Brass Knuckles,Bat,Club (Poss.Safeschool&Rec.Zone)	RE or AP	RE or AP
C0613	WO: 1442 Brass Knuck/Bat/Club	RE or AP	RE or AP
C0614	WO: 1457 Pellet Gun(Poss.Safeschool&Rec.Zone)	RE or AP	RE or AP
C0615	WO: 1457 Starter Gun(Poss.Safeschool&Rec.Zone)	RE or AP	RE or AP
C0616	WO: 1457 B.B. Gun(Poss.Safeschool&Rec.Zone)	RE or AP	RE or AP
C0617	WO: 1449 Wear Body Arm. During Comm. Felony	RE or AP	RE or AP
C0618	WO: 1457 Handgun (Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0619	WO: 1457 Rifle, Shotgun (Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0620	WO: 1457 Destructive Weapon (Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0621	WO: 1443 Dangerous Instrument	RE or AP	RE or AP
C0622	WO: 1338 Explosives/Incendiary Device	RE or AP	RE or AP
C0623	WO: 1453 Unlawfully Dealing W/Martial Arts Throwing Star	RE or AP	RE or AP
C0624	WO: 1457 Unlaw. Deal. W/Martial Arts Throw. Star	RE or AP	RE or AP
	(Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0625	WO: 1448 Poss. & Purchase of Deadly Weapons	RE or AP	RE or AP
C0626	WO: 1457 Poss. & Purchase Of Deadly Weapons	RE or AP	RE or AP
	(Poss. Safe School & Rec. Zone)	RE or AP	RE or AP
C0701	T16: Prescription Drug Illegal Possession	RE or AP	RE or AP
C0702	T16: Cocaine/Powder Substance Possession	RE or AP	RE or AP
C0703	T16: Marijuana Possession	RE or AP	RE or AP
C0704	T16: Look-Alike (Drugs) Possession	RE or AP	RE or AP
C0713	T16: 4774 Delivery of Drug Paraphernalia to Minor	RE or AP	RE or AP
C0714	T16: 4752 Drug Dealing - Aggravated Possess. B	RE or AP	RE or AP
C0715	T16: 4753 Drug Dealing - Aggravated Possess. C	RE or AP	RE or AP
C0716	T16: 4754 Drug Dealing - Aggravated Possess. D	RE or AP	RE or AP
C0717	T16: 4755 Aggravated Possession E	RE or AP	RE or AP
C0718	T16: 4756 Aggravated Possession F	RE or AP	RE or AP
C0719	T16: 4761 Illegal Delivery of Preciption Drugs	RE or AP	RE or AP
	Updated 7/31/16		

VIOLATION CODES, BURDEN OF PROOF AND RELATIONSHIP TO STATE LAW

“S” codes identify school reportable offenses. “D” codes identify Department of Education reportable offenses and “C” codes identify Delaware State Criminal Law reportable offenses. All of these offenses identify specific violations or infractions in this Code of Conduct.

When any of the offenses listed in the matrix, and the DOE administrative regulations or the State criminal code, occur within the school setting or occur off campus but endanger the health, safety and welfare of students or staff, the burden of proof required to prove guilt is that of substantial evidence, even though in a criminal prosecution of the same offense in a court of law the burden of proof would be that of guilt beyond a reasonable doubt. In addition, if the student is charged by police authorities with a criminal act based on conduct that occurred within the school environment, the fact that criminal prosecution may be pending does not prevent school authorities from applying the disciplinary consequences set forth in the Code of Conduct without regard to the status of any pending criminal action based on the same or related conduct.

CONSEQUENCE TERMINOLOGY

Detention is a student’s temporary placement (usually 30 minutes or 1 hour) in a supervised after school classroom.

In-School Suspension (ISS) is a student's temporary placement (usually one or two days) in a supervised program of behavioral adjustment. No zeros will be assigned for any missed work that is made up promptly by the student upon their return to the classroom. However, the student will be restricted from participating in extracurricular activities.

Out-of-School Suspension (OSS) is a student's temporary exclusion (usually two to four days) from regular school attendance and activities. Zeros may be assigned for all missed work while the student is suspended. Finally, the student will be restricted from attending or participating in any extra-curricular activities.

Alternative Placement (AP)/S.C.O.P.E. (CDAP = Consortia Discipline Alternative Program) is a student's temporary placement at an alternative facility. The student will receive grades from the alternative school during their placement. Finally, the student will be restricted from attending or participating in any extracurricular activity at Delmar Middle School and Delmar High School.

"Expulsion" is a student's exclusion (not to exceed 180 days) from regular school attendance and all extracurricular activities at Delmar Middle School and Delmar High School. The student will not receive any grades during this time period.

All suspensions are subject to review provisions found in the "Student Concerns and Complaints" section of the **Student Handbook**. After certain suspensions, the student will be readmitted to classes only after a conference has been completed with the student, parent(s) or guardian(s), teacher, and administrator.

After each suspension, the student will be placed on restriction at the discretion of the administrator.

There are four categories of infractions that will result in restriction. Category one will result in a 5 to 10 day restriction. Category two will result in a 10 to 20 day restriction. Category three will result in a 20 to 40 day restriction. Category four will result in a 45 to 180 day restriction. The various disciplinary infractions are placed in one of the four categories.

"Range of Alternatives" includes suspension up to ten (10) days with options including behavior contract, class change, extended suspension, school service, alternative school referral, parent shadowing, student activities/athletic suspension, police referral, recommend expulsion hearing.

DEFINITION OR GLOSSARY OF VIOLATIONS/CONSEQUENCES

Complete list of Uniform Definitions for Student Conduct can be found at: <http://regulations.delaware.gov/AdminCode/title14/600/614.shtml>

Academic Cheating - is any act whereby a student fails to do his/her own work. It includes, but is not limited to, plagiarism.

Arson - means a person recklessly or intentionally damages a building by intentionally starting a fire or causing an explosion.

Administrative Referral – disciplinary student conference with the principal or assistant principal for the purpose of eliciting student improvement and determining consequences for inappropriate actions.

Assault III - means: (1) A person intentionally or recklessly causes physical injury to another person; or (2) With criminal negligence the person causes physical injury to another person by means of a Deadly Weapon or a Dangerous Instrument.

Assignment to Educational Alternatives - the placement of the student in an appropriate alternative situation until the student has satisfied the requirements to return to the regular program.

Attorney General's Report (Juvenile Arrest Warrant and Complaint) - means the 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 Contract - when repeated inappropriate behaviors occur or when a student fails to respond to recommended or required consequences for inappropriate behaviors, the student may be placed in a behavioral contract. A behavioral contract is an agreement between a student, the student's parent(s) or guardians and an administrator. The behavioral contract will specifically state the conditions that, unless met, will result in a recommendation for further disciplinary action.

Breaking and Entering - means unauthorized entry of any locked area of the school environment during or after school; including, but not limited to, rooms, classrooms, auditorium, gym, shops, offices, lockers, cabinets and vehicles.

Bus Violation(s) - individual or group behavior which seriously or repeatedly interferes with effective functioning of the bus driver or the safe operation of the bus.

Bullying - means 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.

Class Cutting (Skipping Class) - absence from a class for more than 10 minutes without authorization or approved reason. Students must have prior written approval from sending and receiving staff for arrangements to miss an assigned class to attend another class during that time.

Committing Any Obscene Act - is to perform any act that is disgusting, repulsive or sexually explicit.

Criminal Drug Offense, Commission of - means the Commission by a student of the unlawful Possession, Distribution, or use of Alcohol, a Drug, a Drug-Like Substance, and/or Drug Paraphernalia.

Criminal Deadly Weapons/Dangerous Instrument Offense, Commission of - means the Commission by a student of an offense prohibited by 11 Del.C. §§1442 through 1458 inclusive.

Criminal Drug Offense, Commission of - means the Commission by a student of the unlawful Possession, Distribution, or use of Alcohol, a Drug, a Drug-Like Substance, and/or Drug Paraphernalia.

Criminal Mischief (Vandalism) - means 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.

Criminal Sexual Offense, Commission of - means the Commission by a student of an offense prohibited by 11 Del.C. §§763 through 780, inclusive, or §§1108 through 112A, inclusive, or §1352(2) or §1353.

Criminal Violent Felony Offense, Commission of - means the Commission by a student of any violent felony as specified in 11 Del.C. §4201(c).

Cyberbullying - means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction, which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.

Dangerous Instrument(s) Possession/Concealment/Sale – means 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(s) Possession/Concealment/Sale – means the possession, concealment or sale of a deadly weapon in the school environment.

Defacing School Property - is to scratch, draw, mark or mar the external appearance of any school property.

Defiance of School Authority - means: (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.

Detention - an established time when a student is detained in a supervised area.

Disobedience - refusal by a student to comply with a directive given by school personnel.

Disorderly Conduct - means conduct in the School Environment which causes public inconvenience, annoyance or alarm or creates a risk thereof by: engaging in fighting or violent tumultuous or threatening behavior or making an unreasonable noise or an offensively coarse utterance or gesture or display or addressing, abusive language to any person present.

Disrespect toward staff member - is a verbal or non-verbal refusal to comply with a reasonable request from school personnel or any action or words that fail to demonstrate the proper courtesy or politeness expected from students when addressing staff members.

Disruption of the Educational Process - individual or group behavior which seriously or repeatedly interferes with effective functioning of the teacher, student or class in the classroom; individual or group behavior outside of the classroom which seriously or repeatedly interferes with effective functioning of the teacher, student, class or school.

Distribution of Drugs and/or Alcohol and/or Drug Paraphernalia - means the sale, transfer, or Distribution in school, on school property, or on school field trip of Drugs or Alcohol.

Extended School - an established time after school when a student is detained in a supervised area.

Extortion - means 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 - not showing up for a detention without prearranged permission.

Failure to Report for Disciplinary Action - not showing up for ISS without prearranged permission or failing to go to office or refusal to give name.

Felony Theft (\$1500 or more) - means: (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 - means any aggressive physical altercation between two or more individuals.

Fire Alarm Incident - intentionally set off a false school fire alarm or call in a false 911 emergency directly or indirectly; recklessly damage or interfere with effective functioning of school's fire alarm system.

Forgery or School Correspondence Destruction - this includes, but is not limited to, making something false for the purpose of deception or fraud, altering something for the purpose of deception or using a false name or identification.

Gambling - means participation in games of chance for money or other things of value.

Gun Free School's Violation - means the prohibited bringing to school, or Possession while in school of a Firearm by a student.

Harassment - means 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.

Horseplay and/or Reckless Play - reckless play including, but not limited to: detonating caps or snaps, hair pulling, pinching, pushing or tripping, running, slamming or kicking doors, sticking, stinging, tacks on chair or floor, throwing objects, etc.

Igniting Firecrackers or Other Incendiary Devices - is to set a fire or burn a firecracker or other incendiary device.

Igniting Matches or Lighters - is to set a fire or burn a match or lighter.

Inappropriate/Abusive Language - any written or spoken language or gestures that includes but is not limited to messages of swearing, name calling, or use of words to intimidate or humiliate.

Inappropriate Behavior - uses or threatens to use, language, gestures or actions which create or might create a disturbance, including gossip and rumors; uses remarks, spoken or written, that defame the dignity or self-esteem of individuals or groups on the basis of their race, color, creed, sex, national origin, marital status, physical or mental disability, political or religious beliefs, family, sexual orientation, social or cultural background, after teacher has intervened and warned student, the student continues refusing to participate in class—not completing classwork and participating in group activities; possessing the property of another without the consent of the owner or transferring the property of another without the consent of the owner; the use of bold, rude or disrespectful insulting remarks or actions; violating classroom rules not specifically covered by the Code; entering school late without notifying the office personnel; releasing potentially dangerous chemicals or gases; possession of or igniting explosive devices, joining in a secret agreement to violate school or classroom rules, planning or discussing actions which are a violation of school or classroom rules.

Inappropriate Sexual Behavior - any request or suggestion of action by one or more persons involving the use or display of those parts of the body generally referred to as "private" (unacceptable in public) in which he/she knows this conduct is likely to cause alarm to another person; explicit sexual actions or display; explicit written or spoken words of a sexual nature (includes photographs, other pornography and sexually related items).

Inhalant Abuse - means chemical vapors that are inhaled for their mind-altering effects.

Instigating a Fight/Encouraging the Disruption of the Educational Environment - is the promoting, urging, or provoking of a fight or inappropriate action. The student does not have to be physically involved to be considered an instigator/encourager.

Insubordination - Willful refusal to follow directions given by school personnel.

Leaving School Grounds Without Permission - leaving the school grounds, after arriving on school grounds, without authorization prior to the end of the student's scheduled day.

Loitering - student is present in any school area without authorization including student on school property after dismissal.

Lying during the Course of an Investigation - is making an untrue statement during an office investigation.

Malicious Damage to School or Staff Property - is to recklessly or intentionally damage school property or to deface/damage property belonging to school personnel.

Medications: Inappropriate Use or Possession - means 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 - means:

The use of school technology equipment in:

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

A situation in which a student deliberately:

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 In any way disrupts or degrades the school or District's technology infrastructure.

Notification - direct contact by telephone, in person or by certified mail, unless otherwise designated.

Obscene - to use lewd, disgusting, offensive or repulsive materials, language or gesture.

Offensive Touching - means 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.

Parent - includes natural parent, adoptive parent or any person, agency or institution that has temporary or permanent custody or guardianship over a student under 18 years of age.

Parent Contact or Conference - means a telephone contact, written communication or meeting with a parent/legal guardian in person unless otherwise designated.

Physical Contact with Intent to Do Harm to Any District Employee - is engaging in any reckless or intentional physical contact with a District employee that causes offense or alarm to the staff member.

Pornography - means the Possession, sharing, or production of any known obscene material in the School Environment.

Possession or Use of Alcoholic Beverages, a Controlled Dangerous Substance or Drug Paraphernalia - is as defined in the Drug, Alcohol and Steroid policy section in this handbook.

Possession of a Dangerous Instrument - means that a student has possession of any instrument or article of substance, which under the circumstances in which it is used is readily capable of causing death or serious injury. This includes, but is not limited to, any ordinary pocket knife with a folding blade of not more than three inches in length.

Possession of Firecrackers or Other Similar Explosive Devices - means that a student has possession of any cylinder device containing a small explosive and a fuse. Larger explosive devices will be considered a weapon.

Possession of Obscene Materials - means that a student has possession of any disgusting, repulsive or sexually explicit items.

Possession and/or Use of Tobacco Product - shall mean, possession, use, sale or distribution of tobacco or tobacco products including electronic cigarettes. "Use" includes, but is not limited to, having a lit cigarette in your hand, exhaling smoke from the mouth, chewing tobacco/tobacco product in mouth.

Possession of Unauthorized Communication/Electronic Device - this includes, but is not limited to, beepers, cell phone, CD players, giga pets, lasers, camera and all electronic equipment, etc. NOTE: Cell phone power must be turned off and out of sight during the school day. Cell phone use during the school day within the school building is prohibited, except when permitted due to a student's medical condition.

Possession of a Weapon - means that a student has possession of any firearm, knife, switch blade, billy club, blackjack, bludgeon, metal knuckles, razor, bicycle chain, ice pick, any look-a-like weapon or any other dangerous object capable of causing death or serious injury.

Participating in a Bomb Scare - is engaging in any activity that would cause alarm that a bomb is present when there is no danger. This includes, but is not limited to, phone calls, when there is no bomb.

Profanity, Use of - student uses written/spoken language, materials or gestures which are offensive, obscene or vulgar.

Provoke - to incite, stimulate or encourage a student or students to fight by verbal or physical activity.

Rape or Attempted Rape - means sexual intercourse and attempted Sexual Intercourse without consent of the victim in both cases.

Reckless Burning - means when a person intentionally or recklessly starts a fire or causes an explosion and recklessly places a building or property in danger of destruction or damage or places another person in danger of physical injury.

Repeated Violations of Student Code of Conduct - means five or more violations of the school's Code of Conduct within a school year, excluding chronic infractions for tardiness or unexcused absences to school/class.

Referral to Social Services Agencies - a recommendation that the student seek help from a public or private social service agency.

Restitution - seeking the payment for or restoration of damaged property from the student(s) responsible. In no event is the District responsible for the restitution.

School Employee - includes all persons 18 years of age or older hired by a school district; subcontractors such as bus drivers or security guards; substitute employees; and persons hired by or subcontracted by other state agencies to work on school property.

School Function - includes any field trip or any officially sponsored public school event in the State.

School Volunteer - a person 18 years of age or older who, without compensation, renders service to a public school. "School Volunteer" includes parents who assist in school activities or chaperone school functions.

Sexual Assault - means any unwanted sexual behavior committed by a perpetrator who is a stranger to the victim or by a perpetrator who is known by the victim or related to the victim by blood, marriage or civil union. Behaviors that fall under this definition include but are not limited to: sexual harassment as defined in §763 of Title 11; sexual contact as defined in §761(f) of Title 11; Sexual Intercourse as defined in §761(g) of Title 11; sexual penetration as defined in §761(i) of Title 11; and child sexual abuse as defined in §901 of Title 10.

Sexual Misconduct - means a consensual sexual act(s) between two individuals within the School Environment.

Smoking or Using Tobacco Products - includes, but is not limited to, having a lit cigarette (including electronic cigarette) in your hand, exhaling smoke from the mouth or chewing tobacco.

Stealing - means taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it. The District is not responsible for student property which is lost, damaged or stolen on school property or a school sponsored activities.

Steroids Possession and/or Use - means the unlawful Use or Possession of steroids.

Tampering with Fire Protection Equipment-is to intentionally "play with" or damage fire protection equipment (alarms, fire extinguishers, etc.)

Tampering with Public Records - means a person knowingly without valid authorization removes, mutilates, destroys, conceals, makes a false entry in or falsely alters any original record or other written material filed with, deposited in or otherwise constituting a record of a public office or public servant.

Tardiness - late to class without authorization or approved reason.

Teen Dating Violence - means assaultive, threatening or controlling behavior, including stalking as defined in 11 Del.C. §1312, that one person uses against another person in order to gain or maintain power or control in a current or past relationship. The behavior can occur in both heterosexual and same sex relationships, and in serious or casual relationships.

Terroristic Threatening - means 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 - means 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.

Trespassing - the student does not have a legitimate reason, or permission from a school administrator, for being on school property or remains unlawfully upon school property.

Truancy - is the act of being absent from class or school without an acceptable written excuse as described in the district attendance policy. This may include, but is not limited to, leaving school without prior administrative approval or not reporting to assigned class.

Unauthorized School Protests - includes, but is not limited to, walkouts, sit-ins and picketing.

Unauthorized use of communication/cellular/electronic devices - means that a student is in violation of the communication /electronic device policy.

Unlawful Sexual Contact III - means when a student has sexual contact with another person or causes the victim to have sexual contact with the student or a third person and the student knows that the contact is either offensive to the victim or occurs without the victim's consent.

Unsafe Driving - student drives any vehicle on school property (or while under jurisdiction of school authority) with disregard for the safety of persons or property (including other forms of transportation). Includes, but is not limited to, driving on the grass, failure to stop or excessive speed.

Unsafe Items - utility knives, ice pick, lighter, matches, pocket knife, scissors and anything as deemed unsafe by the administration.

Use and/or Possession of a Drug and/or Alcohol and/or Drug Paraphernalia - means that in the School Environment, a student unlawfully Possesses, Uses or is under the influence of Alcohol, a Drug, Drug Paraphernalia, or any substance or paraphernalia consistent with the definitions of these substances or paraphernalia.

Verbally Abusing Any District Employee-is any written or spoken language or gesture that **seriously degrades** the dignity or self-esteem of a staff member.

Violation of Behavior Contract - means the failure of a student to comply with the provisions of any behavior contract between the student, his/her legal guardian, and the school.

Weapon/Dangerous Instrument - any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet or BB shot by compressed air or by spring discharge, a knife of any sort; switchblade; knife; billy club; blackjack; bludgeon; metal knuckles; slingshot; razor; bike chain; ice pick; or any other article commonly used or designated to inflict bodily harm or to intimidate others or using in an aggressive and threatening manner articles commonly used for other purposes.

Written Report - includes printed paper filings and electronic filings that can be printed.

Updated 3/1/20

RESTRICTION INFORMATION

Category ONE <i>(5 to 10 school days of restriction)</i>		Category TWO <i>(10 to 20 school days of restriction)</i>
S0011 – Use of Profanity S0021 – Unex. Absence/Tuancy S0022 – Unex. Absence/ Failure to Sign In S0023 – Unex. Absence/ Failure to Sign Out S0031 – Tardiness: Late to School S0032 – Tardiness: Late to Class S0041 – Skipping Class S0051 – Leaving School Grounds S0052 – Leaving Assigned Area S0071 – Loitering S0091 – Disruption to Educational Process S0101 – Inappropriate Behavior S0102 – Inapp. Beh: Safety Viol. S0105 – Inapp. Beh: Disrespect Student S0106 – Inapp. Beh: Plan to Viol. Code of Conduct S0107 – Inapp. Beh: Careless & Reckless Behavior S0121 – Unsafe Driving: School Violation Code S0122 – Unsafe Driving: Parking Violation S0141 – Academic Cheating	S0181 – Acceptable Use Policy/Misuse of Technology S0191 – Discipline Letter Not Returned S0211 – Failure to Provide Identity when Requested S0221 – Failure to Report to After School Detention S0231 – Failure to Report for Disciplinary Action S0241 – Gambling S0251 – Improper Use of Free/Reduce Lunch Card S0261 – Saturday Detention Letter Not Returned S0281 – Unprepared for Phys. Ed. S0282 – Unprepared for Class S0291 – Dress Code Violation S0302 – Instigation S0321 – Falsification - Verbal S0322 – Falsification - Written S0332 – Code of Conduct violation – Off school Property D1401 – Tobacco Possession and/or Use	S0081 – Defiance of Authority S0082 – Insubordination S0101 – Inappropriate Behavior S0102 – Inapp. Beh: Safety Viol. S0104 – Inappropriate Behavior – Disrespect toward Staff Member S0105 – Inapp. Beh: Disrespect Student S0106 – Inapp. Beh: Plan to Viol. Code of Conduct S0107 – Inapp. Beh: Careless & Reckless Behavior S0111 – Stealing S0201 – Failure to Perform Properly in In-School Suspension S0271 – Trespassing – School Violation S0301 – Abusive/Inappropriate Language S0311 – Unauthorized Use of Electronic Device S0312 – Unauthorized Use of Cell Phone S0313 – Unauthorized Use of Pager S0314 – Unauthorized Use of Laser Pointer

Category THREE <i>(20 to 40 school days of restriction)</i>	Category FOUR <i>(40 to 180 school days of restriction)</i>	
S0101 – Inappropriate Behavior S0102 – Inapp. Beh: Safety Viol. S0104 – Inappropriate Behavior – Disrespect toward Staff Member S0105 – Inapp. Beh: Disrespect Student S0106 – Inapp. Beh: Plan to Viol. Code of Conduct S0107 – Inapp. Beh: Careless & Reckless Behavior S0131 – Unsafe Item S0132 – Unsafe Item – Fireworks/Firecracker D0801 – Offensive Touching Student Victim D1101 – Fighting	S0101 – Inappropriate Behavior S0102 – Inapp. Beh: Safety Viol. S0103 – Inappropriate Behavior – Violation of Behavioral Contract S0104 – Inappropriate Behavior – Disrespect toward Staff Member S0105 – Inapp. Beh: Disrespect Student S0106 – Inapp. Beh: Plan to Viol. Code of Conduct S0107 – Inapp. Beh: Careless & Reckless Behavior S0151 – Fire Alarm Incident S0152 – Reckless Burning S0161 – Report: Attorney General S0162 – Report: CDAP D0101 – Pornography Possess. & Prod. D0301 – Crim. Mischief (Vandalism) D0401 – Tampering with Public Records D0501 – Alcohol Possession & Use D0502 – Drug Use/Influence	D0601 – Felony Theft D0701 – Bullying D0802 – Offensive Touching Employee Victim D0901 – Terroristic Threatening Student Victim D0902 – Terroristic Threatening Employee Victim D1001 – Sexual Harrassment D1201 – Inhalants D1301 – Drug Paraphernalia D1601 – Medications: Inappropriate Possession and/or Use D1701 – Under 12: Assault III – Student Victim D1702 – Under 12: Assault III – Employee Victim D1801 – Under 12: Unlawful Sexual Contact III – Student Victim D1802 – Under 12: Unlawful Sexual Contact III – Employee Victim D2011 – Teen Dating Violence All “C” Codes – Delaware State Law Reportable Offenses

Days of restriction will not run concurrently.

Students, who accumulate six or more days of suspension during a given school year, will be expected to sign a behavior contract indicating that he/she understands that readmission to school is on a probationary basis and that the need for future disciplinary action will result in an alternative placement or a required student hearing in front of the Delmar Board of Education. Parent(s)/guardian(s) will be notified by certified mail, return receipt requested, that a student hearing has been scheduled. This notification will contain the date, time, place, and purpose of the hearing. A copy of the "Rules for Procedures for Conducting Student Hearings" will also be included. The student, for whom a hearing has been scheduled, and his/her parent(s)/guardian(s) is required to attend the hearing.

Students awaiting a student hearing will be administratively excused from school and will be provided with their regular coursework pending the results of the hearing. If awaiting student hearing for more than 10 days, the district will provide the student with a homebound instructor.

An incoming student who is or has been enrolled in an alternative school placement may be required to attend an alternative placement before being admitted to Delmar Middle School and Delmar High School.

A student who applies for admission to the Delmar School District who has been expelled, has an expulsion hearing pending, or has withdrawn from another school to avoid expulsion, will be scheduled for a Delmar Board of Education student hearing prior to being registered.

Restricted students may be arrested for trespassing and referred to the office for disciplinary action if they are observed on school property or at an activity during that restriction.

Students will be held responsible for disciplinary infractions under investigation at the end of a school year. Administrative action will be taken at the beginning of the following year, if warranted.

DOE REGULATION 601. SCHOOL-POLICE RELATIONSHIPS

- A. To ensure that both students and parents are aware of the relationship between the school and the police agencies, you are advised that school officials shall promptly report to the appropriate police agency all matters which come to their attention, whether occurring on or away from the school premises, which involve pupils attending the particular school. The District has developed a Memorandum of Agreement (MOA) substantially similar to the MOA developed, approved and from time to time revised by the Delaware Department of Education with the Delmar Police Department and the Delaware State Police to provide services to the District as requested. Each school district employee shall be advised, as defined in Del. Code Section 4112, of his/her duty to report school crimes and the penalty for failure to so report. The Superintendent of his/her designee shall report to the Department of Education all school crimes pursuant to 14 Del. Code Section 4112 and any subsequent amendment thereto. Such reports shall be made on forms as designed by DOE and filed with DOE within the time prescribed by the statute. In addition to those crimes required to be reported pursuant to statute, the Superintendent shall report to the DOE incidents of misconduct 4.1 through 4.7. Such reports shall be made on forms as designated by the DOE and filed with the DOE no later than five (5) working days following the incident: 4.1) Pornography, Possession and Production; 4.2) Bomb Threats; 4.3) Criminal Mischief (Vandalism); 4.4) Tampering With Public Records; 4.5) Alcohol. Possession of Use; 4.6) Felony Theft (\$1,000 or more); 4.7) Bullying.

For purposes of the reporting required pursuant to 4.7 of this regulation, **“Bullying” is defined as when one person, or a group of persons, targets another person with repeated direct or indirect negative actions over a period of time which are harmful to the victim either emotionally or physically. A negative action occurs when a person knowingly inflicts or attempt to inflict, physical or emotional injury or discomfort upon another person.** The following offenses should be reported to the appropriate police agency for investigation: 1) All felonies; 2) Serious assaults when any weapon is used; 3) Report of explosives, knives, firearms, ammunition, fireworks or blasting caps being brought into school; 4) Narcotic offenses or allegations; drinking; 5) Indecent assaults on pupils or staff; 6) Rape or assault with intent to rape; 7) Morals offenses (pornography, exhibitionism, peeping, etc.); 8) Organized gambling (numbers and pools); 9) Neglect or abuse of children; 10) Persons or conditions which are factors in contributing to the delinquency of minors; 11) Adults loitering on or near school property; 12) Unknown persons parked near schools at the time pupils are going to and from school; 13) Observations of reckless driving and traffic hazards endangering lives of school children; 14) Telephone threats to the school; 15) Arson, attempted arson or suspicion of arson; 16) Rumors or intimidation; 19) Larceny involving the personal property of school personnel; 20) Larceny of school equipment; 21) Burglary and attempted burglary of school buildings; 22) Malicious mischief and school vandalism; 23) Trespassing on school property.

- B. Police matters shall not include conduct which has been traditionally treated as a matter of discipline to be handled administratively by the schools. All school misconduct of a serious nature should be promptly reported to the parent/legal guardian of the involved student. Correlated with Delaware Department of Education Regulation 601 School/Police Relations, 2005

SEARCH AND SEIZURE

Only school administrators or their designees will do search and seizures if a student refuses to comply with a request to give evidence to a teacher.

- 🐾 A "search" entails conduct by a public school official which involves peeking, poking or prying into a private area of closed opaque container, such as a purse, knapsack, briefcase or clothing.
- 🐾 A search is constitutionally permissible at its inception where the school official has reasonable grounds, based on the totality of the known circumstances, for suspecting that the search will reveal evidence that the student has violated either the law or the rules of the school.
- 🐾 A search will be reasonable in its scope and intensity where it is reasonable related to the objective of the search and is not excessively intrusive in light of the age and sex of the student and the nature of the infraction.
- 🐾 A female school official will conduct female bodily searches and a male school official will conduct male bodily searches.
- 🐾 Student lockers are the property of the school and may be subjected to search at any time with or without reasonable suspicion.

DRUG, ALCOHOL AND STEROID POLICY

The District believes that drugs, alcohol and steroids have no place in the school environment and are prohibited. This policy reflects the desire and intent of the District to adopt a strict enforcement policy, tempered by the desire to encourage students with substance abuse problems to come forward and seek help with treatment and counseling. State and District policies shall apply to all students except that with respect to disabled students, the Federal Law will govern and a determination of whether the violation of the alcohol policy was due to the student's disabling condition will be made prior to any discipline or change of placement in connection with the policy.

The objectives of this policy are fourfold:

1. To promote student awareness/education concerning the dangers of substance abuse in the schools;
2. To make known the availability of drug and alcohol counseling, rehabilitation and student assistance programs;
3. To provide a fair and equitable framework for administering consequences to students who violate the policy;
4. To provide prior notice to all students of the District's position that the use of drugs, alcohol or steroids in the school environment is destructive of the educational process and will not be tolerated.

The policy on possession, use or distribution of drugs and alcohol shall apply to all District schools.

The Board recognizes the misuse of drugs and alcohol as a serious problem with legal, physical and social implications for the school community. The Board accordingly, prohibits the possession, use and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia because they are wrong and harmful to students.

The Board considers offenses related to drugs, alcohol and steroids as very serious both for the individual involved and for the welfare of other students in the District. Therefore, the following rules and regulations have been developed:

1. Any 5-12 student who buys, sell, uses, consumes, is impaired by or is in possession of drugs, a drug-like substance, alcohol, a look-alike substance and/or drug paraphernalia while on school property or at school-related activities will be referred to the Board by the administration for an expulsion hearing. The investigation leading to the recommendation for expulsion will be conducted at the school level by the discipline team led by the principal or designee. The school recommendation will be reviewed at the district level by the District Discipline Committee, chaired by the appropriate district director. In cases involving special education student, the Board may, at its discretion, waive a hearing and accept the IEP Team recommendation of the particular school.
2. The act of expulsion shall be taken in accordance with due process rights and on the documented evidence presented by the administration. The student will be expelled for a term not to exceed 180 days of attendance and credit will not be given for courses in which the student is currently enrolled. An expelled student can reenter school at the end of the term of expulsion and upon Board approval, and may be placed under a behavior contract agreed upon by the principal, Superintendent or designee, and the student and parent(s).
3. Students in grades nine through twelve who are expelled from school for offenses related to substance abuse may earn up to three (3) credits through correspondence programs accepted by the District. Three (3) credits from correspondence programs are the maximum accepted by the State that can be applied toward a diploma.
4. All violations of this policy are to be immediately reported to the school principal who will verbally notify the student's parent(s) of the investigation. In all cases, the Delmar Delaware Police will also be contacted. At all times the student's due process rights and confidentiality rights are to be respected but after an informal hearing with the student, the principal has the authority to suspend the student for up to ten (10) school days to allow for investigative procedures to be conducted. At the conclusion of the school investigation, the student's parent(s) will be notified in writing of the school findings and recommendation(s). The school recommendation on the occurrence should be made in writing to the appropriate director who will then convene a meeting of the District Discipline Committee. If the violation will result in a recommendation for expulsion, the appropriate director will so notify the student's parent(s) in writing and identify the time and place of the student's hearing before the school Board. This hearing before the school Board should be held within ten (10) school days from the beginning of the student's suspension. If an exception is made to the time line, the school will provide homebound instruction to the student until such time as the Board can convene to hear the student's case.
5. All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's possession shall be turned over to the principal or designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and turned over to the police as potential evidence. A request for analysis shall be made where appropriate.
6. Students of majority age, i.e., age 18 or older, are responsible for their own actions. All such students will be treated as adults for purpose of reporting violations of this policy and of the law to the police. Such students shall also be on notice that their parent(s) and/or guardian(s) will be notified (if their addresses and/or telephone numbers are known to the school) of the student's actions in accordance with this policy.
7. Any student who is found consuming beyond the prescribed or recommended dosage, being under the influence of, selling or distributing any substance which alters or is intended to alter performance such as steroids, stimulants, amphetamines, diuretics and related compounds, any of which are found on the NCAA list of banned drugs and posted in the school offices, she/he may be suspended from school for a minimum of five (5) days and suspended also from all participation in extracurricular activities, including sports and marching bands. Any student who violated the above policy more than one (1) time during his/her period of eligibility to participate in extracurricular activities shall be suspended from participation in all extracurricular activities, including sports and marching band, for one (1) calendar year from the date of the second incident. This policy applies to all students while on school property or at a school-sponsored activity. All suspensions covered under this policy may be appealed to a Board hearing. All appeals must be made in writing within ten (10) days of initial suspension. In addition, the student is also subject to discipline and punishment under Delaware Code and the District's Discipline Policy.
8. All prescription or non-prescription drugs are to be handled through the office of the school nurse. Authorized drugs are those prescribed to a student by a licensed physician or that which can be purchased over the counter and for which the student has written permission from his/her parent or guardian. Both are to be brought in the original labeled container to the school environment in the dosage or amounts prescribed, or for which written permission has been obtained. In all cases, they are to be delivered to the school nurse and administered as per the physician's/parent's/guardian's written order. Violations of the policy could result in disciplinary action. All medications not reported to the nurse will be considered unauthorized.

The District realizes that a policy that supports the recommendation of expulsion on the first offense for all drug and alcohol violations may have some undesired consequences because when a student is out of school for any reason, both the school and student are not fulfilling their primary purpose. However, an overriding consideration in proposing expulsion is the desire and need to provide as safe and positive an environment as possible for all students in the school, which sometimes necessitates the removal of students who commit certain serious offenses.

Any student who feels that she/he has a problem with drugs or alcohol may request help from school personnel who will offer assistance, assessment and/or identify appropriate outside resources without penalty unless a violation of this policy has occurred. No record of the request will be made by the administration. In cases involving student assistance, cost for such treatment are the responsibility of the parent, but the school administration

will be an active partner at the parent's request in securing help of a limited cost nature.

The District is committed to developing preventative strategies for dealing with this issue through counseling efforts, instructional programs and many other related activities. As one part of this program each year, this policy will be reviewed by the school administration with the total student body at the beginning of school. The District has also designated the school nurse and/or psychologist in district elementary schools and guidance counselors and/or nurse in the secondary schools as the professionals to which staff can refer students to receive initial counseling and to obtain information or counseling/treatment services available to the student in need. Issues involving student rights to services and confidentiality should be directed to the school principal. Each school contact person will keep a directory of available community and school resources for counseling and substance abuse treatment. It will be the responsibility of the contact person to work with staff to make them aware of available resources and to help them to encourage students to seek support and assistance.

NON-CONTROLLED SUBSTANCES

The act of possessing or transferring a drug-like or look-alike substance (includes all substances which fall under the definition set forth in the Uniform Controlled Substance Act; 16 Del. C. 4701 et seq.) shall constitute intent to use, possess, or distribute if any of the following conditions present:

1. The express representation that the substance is a controlled substance; or
2. The express representation that the substance is of such nature or appearance that the recipient of said delivery will be able to distribute said substance as a controlled substance; or
3. Circumstances which would lead a reasonable person to believe that the substance was a controlled substance.

It is prima facie evidence of such circumstances if any two (2) of the following factors are established:

- A. The non-controlled substance is packaged in a manner normally used for the illegal delivery of controlled substances;
- B. The delivery or attempted delivery included an exchange of or demand for money or other valuable property as consideration for delivery of the substance, and the amount of such consideration was substantially in excess of the reasonable value of the non-controlled substance.
- C. The physical appearance of the finished product containing the substance is substantially identical to a specific controlled substance.

Once intent to use, possess, or transfer a non-controlled substance as a controlled substance is established, refer to the disciplinary consequence matrix for appropriate penalties.

AGGRESSIVE GROUPS AND GANG POLICY

The District recognizes that the harm done by the presence and activities of gangs and aggressive groups in public schools exceeds the immediate consequences of such activities such as violence and destruction of property. Gang and aggressive group activities also create an atmosphere of intimidation in the entire school community. Both the immediate consequences of this activity and the secondary effects are disruptive and obstructive of the process of education and school activities.

It is therefore the policy of the District that gangs and aggressive groups are prohibited in the District schools, according to the following:

I. Definitions for Purposes of this Policy

An "aggressive group" is any group of two (2) or more students who act collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district.

An "organized aggressive group" acts collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district and have (1) one or more of the following characteristics: An action against a single member of the group is responded to by multiple members of the group, the group identifies itself with a name, similar clothing or colors, established symbols and handshakes, similar hairstyles, or other identifying characteristics.

A "gang" is any group of two (2) or more students whose purposes include the commission of illegal acts; "gang related activity" includes, but is not limited, to the prohibited conduct set forth below.

II. Prohibitions

No student on school property or at any school activity on or off campus shall:

1. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign or other items that evidences or reflects membership in or affiliation with any gang or aggressive group.
2. Engage in any act, either verbal or nonverbal, including gestures or handshakes, showing membership or affiliation with any gang or aggressive group.

3. Engage in any act to further the interests of any gang or aggressive group, including, but not limited to:
 - a. Soliciting membership in, or affiliation with, any gang;
 - b. Soliciting any person to pay for “protection,” or threatening any person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - c. Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property;
 - d. Engaging in violence, extortion, or any other illegal act or other violation of school policy;
 - e. Soliciting any person to engage in physical violence against any other person.

III. Procedures

1. **WATCH:** The same students are noted to be persistent in aggressive group behavior:
 - a. A list of the students is established and maintained.
 - b. Record all relevant actions, interactions, reports and rumors.
2. **INTERVENTION:** When sufficient documentation has accumulated:
 - a. Interview, set limits and warn individually.
 - b. Send letter to parents.
 - c. Apply appropriate discipline for all group activity: Inflammatory Actions, Bullying and Defiance.
3. **GANGS AND ORGANIZED AGGRESSIVE GROUPS**
 - a. Prohibited from assembly on school grounds.
 - b. Arrests off campus will result in a referral under MO16.
 - c. Expulsion hearing for all acts of violence or intimidation.

IV. Application and Enforcement

1. In determining, as part of the application and enforcement of this policy, whether acts, conduct, or activities are gang related, school officials are encouraged to exercise discretion and judgment based upon current circumstances in their schools, neighborhoods, and areas.
2. This policy is intended to work in conjunction with the Bullying Policy.
3. The removal of graffiti shall be a priority in maintenance of school property. All such graffiti on school property shall be removed or covered within twenty-four (24) hours of its first appearance to school officials or as soon thereafter as possible.
4. School officials are strongly encouraged to work closely with local law enforcement officials in controlling gang-related activities. Local law enforcement can provide school officials with information regarding gang-related activities in the area, including names and characteristics of local gangs.
5. The superintendent, in consultation with the appropriate building principals, should report instances of gang-related criminal acts or acts of serious disruption to school Board and local law-enforcement authorities for further action.

V. Violations of Policy

Students who violate this policy shall be subject to the full range of school disciplinary measures, in addition to applicable criminal and civil penalties.

SCHOOL TECHNOLOGY POLICY

The computers in the Delmar School District are for educational use only. Computer access is a privilege, not a right. Computer access entails responsibility. General school rules for behavior and communication, as defined in the Student Handbook apply when conducting research, browsing, or communicating while on the Internet or accessing email.

- No Gum, Food, or Drinks are allowed in any of the computer labs and/or around district owned technology.
- No Games may be played or loaded on any of the school's computers.
- Nothing may be added to, taken from, or rearranged on the computer's main desktop program.
- Students may NOT bring in their own programs to load on the school's computers.

Abusing the computer and other equipment and causing damage **WILL** result in the student or parent/guardian being financially responsible for the replacement cost.

The following uses of school-provided Internet Access are **NOT** permitted:

- to access, upload, download, or distribute pornographic, obscene, or sexually explicit material;
- to transmit obscene, abusive, or sexually explicit language;
- to violate any local, state, or federal statute;
- to vandalize, damage, or disable the property of another individual or organization;
- to access another individual's materials, information, or files without permission;
- to violate copyright or otherwise use the intellectual property of another individual or organization without permission;
- to upload or download anything, including such items as screen savers, wallpaper, and games and, to unzip files.

ACCEPTABLE USE/INTERNET SAFETY POLICY

1. Purpose

The purpose of this policy is to establish acceptable and unacceptable use of the Covered Electronic Resources provided by Delmar School District (DSD) and the State of Delaware, to Covered Users. Covered Electronic Resources are provided for a limited education purpose for students and to facilitate employees' work productivity. This policy serves to ensure that actual use conforms to this intended purpose. This Policy is intended to supplement other District policies, including the District's policy on Confidentiality, Anti-Harassment, etc. Any questions about this Policy should be directed to the Director of Technology.

2. Scope

a. Covered Technology

This policy applies to "Electronic Resources," which are those resources that are: (a) provided by the District; (b) paid for, in whole or in part, by the District; (c) used to conduct business or other activity for or on behalf of the District; or (d) used in or at a District facility. Covered Electronic Resources include, without limitation, the following:

- "E-mail", which includes to all electronic-mail accounts and services provided to Covered Users by the State of Delaware or DSD;
- "Computer Resources", which includes all computers and related resources whether stationary or portable, including but not limited to all related peripherals, components, disk space, storage devices, servers, and output devices such as telephones, hand-held devices, printers, scanners, and copiers, whether owned or leased by the District;
- "DSD Network", which includes the infrastructure used to transmit, store, and review data over an electronic medium, and includes any and all of the following technologies provided to authorized users: (a) Internet service; (b) intranet system; and (c) any collaboration systems, including but not limited to calendaring, webinars, blogs, text messaging, instant messaging, video conferencing, websites, and podcasting, whether the system is owned or contracted;
- "Electronic Data", which includes any and all information, data, and material, accessed or posted through any Electronic Resource; and
- "Personal Communication Devices", which includes any cellular phone, smartphone, personal digital assistant, or other personal electronic communication device.

b. Covered Users

This policy applies to all "Covered Users", which includes:

- Employees, contractors, consultants, temporary, and other workers at the District, including all personnel affiliated with third parties;
- DSD board members and officers;
- Volunteers and interns performing work for or otherwise acting on behalf of the District; and
- DSD students.

3. General Guidelines for Use

The following guidelines summarize the principles underlying this policy and serve as an effective baseline for evaluating whether a particular use violates those principles.

- Electronic Resources are not intended for public access. The District has the right to place reasonable restrictions on the use of Electronic Resources.
- Users are required to observe all rules and obligations set forth elsewhere by the District (for example, in the Board of Education Policy Manual or Student-Parent Handbook) or by law at all times. This policy is intended to supplement, not replace, those duties.
- Access to and use of Electronic Resources is a privilege, not a right. Parent or guardian permission is required for all students under age 18.
- As set forth in more detail in Section 7, below, the District reserves the right to monitor any and all use of Electronic Resources with or without additional notice to or consent by an affected User.
- Users will be responsible for any and all damage caused by their use of Electronic Resources where such use does not comply with the requirements or purposes of this Policy. Responsibility may take the form of financial compensation, discipline, and/or restrictions on further use, as appropriate under the circumstances.

4. Duties

a. All Users

All Users have a duty to protect the security, integrity, and confidentiality of Electronic Resources, including the obligation to protect and report any unauthorized access or use, abuse, misuse, degradation, theft, or destruction. Users shall comply with this Policy and all other applicable policies, rules, and laws, when using Electronic Resources.

b. District

- District officials are responsible for designating Users authorized to use Electronic Resources.
- The District provides for the education of students regarding the Acceptable Use Policy and appropriate online behavior, including internet safety, interacting with other individuals on social networking websites and in chat rooms, and regarding cyber-bullying awareness and response.
- A District appointed Information Security Officer (ISO) will ensure the protection of student and staff personal data by enforcing CyberSecurity “best practices” outlined by the DTI Security Team, including but not limited to: use of strong passwords; password-protected screen saver; log off/shut down computer at the end of each day; securing mobile devices in a desk or with a security cable; proper disposal (shredding) and security of sensitive papers, data files, or software; prohibiting the visual display of passwords; lock office door at the end of the day; mandatory completion of online MSIAC CyberSecurity Awareness Training.

c. Students

Students have a duty to take reasonable steps to protect their privacy and personal information when using Electronic Resources. Students must not disclose personal contact information, except to educational institutions for educational purposes, without prior advance approval. Students also must promptly disclose to a teacher or other appropriate District employee any violation of this Policy, including any message received that the student believes to be inappropriate or makes the student feel uncomfortable.

d. Personnel

District employees are expected to communicate with students through the District-provided e-mail and are strongly advised against using other forms of personal electronic communication with students, such as Instant Messaging or texting. In the event that there is a legitimate reason for an employee to communicate with students via electronic means other than District e-mail, the employee should obtain written permission to do so from the student’s parent or guardian in advance. District employees are required to take reasonable measures to protect their personal information and reputation when using Electronic Resources or otherwise participating in activity online.

5. Ownership

All Electronic Data, such as documents, data, and information that is stored, transmitted, and processed on the DSD Network or Electronic Resources, are the property of the District. When a User is no longer affiliated with the District as an employee, contractor, or student, all information stored by that User on any Electronic Resource remains the property of the District.

6. Unacceptable Uses

Users are prohibited from using any Electronic Resource to upload, post, mail, display, store, access, or transmit any inappropriate material or for any inappropriate purpose as set forth below. Cyber-bullying and other inappropriate online behavior off of the District network becomes the responsibility of the schools when the speech has caused or threatens to cause a substantial and material threat of disruption on campus or interference with the rights of students to be secure. To the extent practical, steps shall be taken to promote the safety and security of users of the Delmar School District network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. In compliance with the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called ‘hacking,’ and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

a. Access to Inappropriate Material

It shall be a violation of this Policy for any User to use any Electronic Resource to upload, post, mail, display, store, access, or transmit, any Inappropriate Material. Inappropriate Material is defined as any content, communication, or information that conflicts with the fundamental policies and mission of the District. Whether material or content is considered Inappropriate shall be determined without regard to whether such material or content has been blocked by any filtering software used by the District. To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. In compliance with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)], blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Examples of Inappropriate Material include, but are not limited to, material that:

- is hateful, harassing, threatening, libelous, or defamatory;
- is deemed offensive or discriminatory based on race, religion, gender, age, national origin, citizenship, sexual orientation, mental or physical disability, marital status, or other characteristic protected by state, federal, or local law;
- constitutes use for, or in support of, any obscene or pornographic purpose including the transmission, review, retrieval, or access to any profane, obscene, or sexually explicit material;
- constitutes use for the solicitation or distribution of information intended or likely to incite violence or to harass, threaten, or stalk another individual;
- solicits or distributes information with the intent to cause personal harm or bodily injury;
- promotes or participates in a relationship with a student that is not related to academics or school-sponsored extracurricular activities, unless authorized in advanced by the student’s parent or guardian and the appropriate DSD official(s);
- promotes or participates in any way in religious or political activities;

b. Unlawful Purposes

It shall be a violation of this Policy for any User to use any Electronic Resource for any purpose that:

- constitutes or furthers any unlawful activity;
- gives rise to civil liability under any applicable law, including U.S. patent, trademark, or copyright laws, including copyrighted photos, clip art, or other images, including District or DSD logos;
- impersonates any person, living or dead, organization, business, or other entity;
- enables or constitutes gaming, wagering, or gambling of any kind;
- promotes or participates in any way in unauthorized raffles or fundraisers;
- engages in private business, commercial, or other activities for personal financial gain.

c. Security Violations

It shall be a violation of this Policy for any User to use any Electronic Resource in any way that threatens or violates the security of any Covered Technology, where such use:

- contains a virus, Trojan horse, logic bomb, malicious code, or other harmful component;
- constitutes a chain letter, junk mail, spam, or other similar electronic mail;
- constitutes unauthorized access or attempts to circumvent any security measures;
- obtains access to or use of another User’s account, password, files, or data, or attempts to so access or use, without the express authorization of that other User;
- deprives a User of access to authorized access of Electronic Resources;
- engages in unauthorized or unlawful entry into a DSD Network;
- shares e-mail addresses or distribution lists for uses that violate this Policy or any other District Policy;
- transmits sensitive or confidential information without appropriate security safeguards;
- falsifies, tampers with, or makes unauthorized changes or deletions to data located on the DSD Network;
- obtains resources or DSD Network access beyond those authorized;
- distributes unauthorized information regarding another User’s password or security data;
- discloses confidential or proprietary information, including student record information, without authorization;
- involves the relocation of hardware (except for portable devices), installation of peripherals, or modification of settings to equipment without the express prior authorization by the District Technology Department.
- installs, downloads, or uses unauthorized or unlicensed software or third-party system without the express prior authorization by the District Technology Department;
- involves a deliberate attempt to disrupt the DSD Network.

7. Notice of Intent to Monitor

Users have no expectation of privacy in their use of and access to any Electronic Resource. District administrators and authorized personnel monitor the use of Electronic Resources to help ensure that users are secure and in conformity with this Policy. The District reserves the right to examine, use, and disclose any data found on the DSD Network in order to further the health, safety, discipline, or security of any student or other person, or to protect District property. It also may use this information in disciplinary actions and will furnish evidence of suspected criminal activity to law enforcement.

In recognition of the need to establish a safe and appropriate computing environment, the District will use filtering technology to prohibit access, to the degree possible, to objectionable or unsuitable content that might otherwise be accessible via the Internet.

8. Limitation of Liability

The District makes no warranties of any kind, neither express nor implied, for the Internet access it provides. The District will not be responsible for any damages any User suffers, including but not limited to, loss of data. The District will not be responsible for the accuracy, nature, or quality of information stored on the DSD Network, nor for the accuracy, nature, or equality of information gathered through District-provided Internet access. The District will not be responsible for financial obligations arising through the unauthorized use of the network.

9. Policy Violations

The District will cooperate fully with local, state, and federal officials, in any investigation related to any alleged or suspected illegal activity conducted through the DSD Network.

a. Due Process

Any action taken in violation of this Policy will be subject to appropriate discipline, tailored to meet the facts and circumstances of the incident. Violations of this Policy may result in the revocation or suspension of access to the DSD Network, as well as other disciplinary or legal action. Where a violation of this Policy also involves a violation of another District policy or rules, those policies or rules may affect the disciplinary action taken.

b. Student Violations

Violation of this Policy by a student may result in the revocation or suspension of access to the DSD Network, as well as other disciplinary or legal action. For a first violation, the student's parent or guardian must be contacted and a reprimand must be issued. For any subsequent violation, the student's parent or guardian must be contacted, a reprimand must be issued, and the student will be subject to disciplinary probation. Other possible actions may include any combination of the following alternatives as determined by the District: restitution, detention, probation, in-school alternative, suspension, referral to law enforcement, and expulsion. In the case of a subsequent violation, District officials also may elect to refer the student to an alternative program.

The particular consequences shall be determined by the school administrators. The Superintendent or his designee, in conjunction with the Board, shall determine when expulsion or legal action is warranted.

c. Employee Violations

Any employee who learns of or reasonably suspects a violation of this Policy is obligated to promptly report such information to his or her supervisor. Failure to do so is considered a separate violation of this Policy and, as such, may warrant disciplinary action.

Violation of this Policy by a District employee may result in the revocation or suspension of access to the DSD Network, as well as other disciplinary or legal action, including but not limited to: reprimand, restitution, mandatory training or in-service, and termination.

10. Social Media Guidelines

District employees must comply with the Social Media Policy set forth by the Delmar Board of Education and adopted on November 15, 2011. (Revised 2014)

POLICY FOR BULLYING PREVENTION & CYBERBULLYING

The Delmar School District recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The Delmar School District strives to provide safe learning environments for all students and all employees.

I. Prohibition of Bullying and Cyber-bullying

To further these goals and as required by 14 Del. C. 4112D, the Delmar School District hereby *prohibits the bullying of any person on school property or at school functions or by use of data or computer software that is accessed through a computer, computer system, computer network or other electronic technology of the school district from grades five through grade twelve. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated by each school in the same manner as incidents of bullying. The Delmar School District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.*¹

- a. “School function” includes any field trip or any officially sponsored public school event.
- b. “School property” means any building, structure, athletic field, sports stadium or real property that is owned, operated, leased or rented by any public school district or charter school including, but not limited to, any kindergarten, elementary, secondary, or vocational-technical school or charter school, or any motor vehicle owned, operated, leased, rented or subcontracted by any public school or charter school.

II. Definition of Bullying & Cyber-bullying

As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or school employee that a reasonable person, under the circumstances should know will have the effect of:

- a. 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
- b. Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or
- c. Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or
- d. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee.

As used in this policy, cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student’s physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student’s ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.

- a. Whether speech constitutes cyber-bullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
- b. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school or district materials.

Explanation: Bullying is usually defined as involving **repeated** acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be perpetrated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person’s conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions which may become bullying depending on their reasonably foreseeable effect:

- 1. Physical bullying: Pushing, shoving, kicking, destroying of property, tripping, punching, tearing clothes, pushing books from someone’s hands, shooting/throwing objects at someone, gesturing, etc.
- 2. Verbal bullying: Name calling, insulting, making offensive comments, using offensive language, mimicking, imitating, teasing, laughing at someone’s mistakes, using unwelcome nicknames, threatening
- 3. Relational Bullying: Isolation of an individual from his or her peer group, spreading rumors.
- 4. Cyber-bullying: Bullying by using information and communication technologies. Cyber-bullying may include but is not limited to:
 - a. Denigration: spreading information or pictures to embarrass,
 - b. Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks,
 - c. Exclusion: isolating an individual from his or her peer group,
 - d. Impersonation: Using someone else’s screen name and pretending to be them

- e. Outing or Trickery: forwarding information or pictures meant to be private.
- 5. **Sexual Bullying:** Unwanted touch of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is by no means exhaustive. These actions become bullying if they meet the definition with regard to intent and reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other district policies or building, classroom or program rules.

III. School-wide Bully Prevention Program

The Delmar School District is committed to support each school in their adoption of a school-wide bully prevention Program. Each school will strive to meet these goals:

- a. Reduce existing bullying problems among students
- b. Prevent development of new bullying problems
- c. Achieve better peer relations and staff-student connections at school

In order to be a school-wide program, the program must contain:

School level components:

All School staff will strive to:

- a. Set firm limits for unacceptable behavior
- b. Treat others with warmth, positive interest and involvement
- c. Apply nonphysical, non-hostile negative consequences when rules are broken.
- d. Act as authorities and positive role models
- e. Solve bullying problems in a consistent manner across all grade levels and all school locations.

A Coordinating Committee will be created, as described in Section IV.

The school's supervisory system in non-classroom areas will be reviewed as set forth in Section IV of this policy.

The following principles will apply to everyone on school property or at a school function:

- a. I will not bully others
- b. I will try to help anyone that I suspect is being bullied
- c. I will try to include students who are left out
- d. If someone is being bullied, I will tell an adult

School-wide programs may also include a school kick-off event, committee and staff trainings, school-wide questionnaires, staff discussion group meetings, and programs to involve parents, as determined by the Coordinating Committee.

Classroom level components:

- a. Post and enforce principles against bullying
- b. Regular, ongoing class meetings, discussions, or role playing activities
- c. Involve parents in bullying prevention
- d. Find creative ways to incorporate issues involving bullying into the regular curriculum.

Individual Level Components

- a. Supervise students' activities
- b. Ensure that all staff intervene appropriately on the spot when suspected bullying occurs
- c. Discuss bullying behavior with students who bully and (separately) with targets of bullying, and with their parents
- d. Develop Behavioral Intervention Plans for involved students, with a graduated response
- e. Address bystander involvement

Community Level Components

- a. Develop partnerships with community members to support your school's program
- b. Help spread anti-bullying message in the community
- c. Involve community members in the Bully Prevention Coordinating Committee.

Resources and Curricula

A list of recommended supplemental materials and resources is attached hereto as Exhibit A. The Delmar School District encourages staff to find or create appropriate bullying prevention resources that can be used within the overall structure set forth above without compromising the fidelity of the school-wide program. Classroom curricula may be used as one part of the implementation of the school-wide program, but must not be the sole component of the program.

Each school should **avoid** the following:

- a. Relying on quick fixes. A one-time speaker may be one component of the program but by itself does not meet the requirements of a school wide program.
- b. Providing group treatment or self-esteem programs for students who bully is inappropriate as research shows that these methods are counterproductive.
- c. Focusing on anger control management for those who bully. Bullying is not a result of uncontrolled anger toward the target, but rather proactive aggressive behavior. Anger management may be more appropriate for participants in mutual conflicts or for those who are being bullied.
- d. Providing Mediation/Conflict Resolution for bullying. The power imbalance involved in bullying may make the process intimidating for the victim and therefore inappropriate. These methods are useful only where the peers involved in conflict were formerly friends, or in situations of normal peer conflict that is not based on a power imbalance.
- e. Exposing a specific victim's feelings to the bully or class.

IV. Coordinating Committee

Each School shall establish a site-based committee that is responsible for coordinating the school's bully prevention program including the design, approval and monitoring of the program. A majority of the members of the site-based committee shall be members of the school professional staff, of which a majority shall be instructional staff. The committee also shall contain representatives of the administrative staff, support staff, student body (for school enrolling students in grades 7 through 12), parents and staff from the before- or after-school program(s). These representatives shall be chosen by members of each respective group except that representatives of the non-employee groups shall be appointed by the school principal. The committee shall operate on a 1-person, 1-vote principle. In the event a site-based school discipline committee has been established pursuant to § § 1605(7), of Title 14 of the Delaware Code, that committee shall vote whether or not to accept the aforementioned responsibilities.

When setting up the Committee the principal may wish to consider including other persons in addition to those required, such as a school counselor, school psychologist or other school-based mental health professional, a school resource officer, a nurse, a librarian, or a representative from the medical, business or faith-based community who might have a stake in the results of the program.

The Committee shall:

- a. Hold regular meetings
- b. Select a coordinator of the program
- c. Consider, decide upon and coordinate any staff training sessions (beyond the 1 hour gang and bully prevention training required in Del. C. 4123A), as needed.
- d. Create and maintain a training log (either paper or electronic) to keep a record of the school staff which have been trained, and what training they have received. Decide upon the need for and provide short, concise training updates in writing or at staff meetings.
- e. Consider, decide upon and oversee formal or informal evaluation techniques and materials (such as questionnaires), as needed
- f. Consider, decide upon and order materials, as needed
- g. Consider, decide upon and lead staff discussion groups as needed
- h. Consider and decide upon additional guidelines for consistent positive consequences for those who follow the rules and consistent negative consequences for students who break them.
- i. Review and refine the school supervisory system.
- j. Plan a school kick-off event
- k. Establish subcommittees, as needed
- l. Decide upon and implement methods of notification to students, parents and the community concerning the school-wide program.

V. Reporting Requirements

Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying, with the understanding that all such reports will be listened to and taken seriously.

- A. Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the administration.

1. Initial Concerns:

- a. Staff members are encouraged to watch for early signs of bullying and stop them before they worsen.

- b. Even though there has been no report of bullying to a staff member, each staff member is encouraged to be vigilant and look for students who appear to be isolated from other students, about whom inappropriate comments are made by other students, or who show signs of peer victimization.
- c. To confirm their concerns the staff member may choose to take the following steps:
 - i. Intensify observations of student in question
 - ii. Confer with colleagues about that student
 - iii. Consult the school's bullying database.
 - iv. Take an informal survey of students about class climate
 - v. Engage in short personal interviews with some students
 - vi. Conduct a brief sociometric survey
 - vii. Contact the parent to see how student likes school
 - viii. Speak privately with the victim

2. Written Report

- a. If measures confirm the staff member's concerns that a student is being bullied, if a staff member receives a report of a bullying matter, or if a staff member observes a bullying incident, they must inform the administrator or designated person immediately and in writing within 24 hours. The written report shall be reasonably specific as to actions giving rise to the suspicion of bullying and shall include:
 - i. Persons involved, designating bully, target, and bystanders roles
 - ii. Time and place of the conduct and alleged, number of incidents
 - iii. Potential student or staff witnesses
 - iv. Any actions taken
- b. Short, easy to use forms can be obtained from the administration.

VI. Investigative Procedures

Each school is required to have a procedure for the administration to promptly investigate in a timely manner and determine whether bullying has occurred and that such procedure include investigation of such instances, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target's race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, or national origin. This does not preclude schools from identifying other reasons or criteria why a person is a target of bullying.

- A. All complaints must be appropriately investigated and handled consistent with due process requirements.
- B. Each principal may designate a person or persons to be responsible for responding to bullying complaints.
- C. Neither complainant nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. However, efforts should be made to increase the confidence and trust of the person making the complaint. Whenever practical, the investigating person will make efforts to document the bullying from several sources. This prevents the bully, when confronted, from assuming that the victim is the complainant. Student victims may have a parent or trusted adult with them, if requested, during any investigatory activities.
- D. After receiving notice of the suspected bullying, either through a short form, an incident report, or an anonymous or other written complaint, the designated person will review the complaint in conjunction with any other related complaints. Reasonable steps will then be taken by the designated person to verify the information and to determine whether the information would lead a reasonable person to suspect that a person has been a victim of bullying.
- E. Once the administrator or designated person has confirmed that a person has been the victim of bullying, the administrator or designated person will take prompt investigatory steps to determine who committed the acts of bullying and whether others played a role in perpetuating the bullying. The administrator or designated person will avoid forewarning the student suspects, and will interview suspects separately and in rapid succession.
- F. After identifying those who committed the act or acts of bullying, the administrator or designated person will apply disciplinary action, consistent with due process rights, and the range of consequences identified herein. The bully will be informed that graduating consequences will occur if the bullying continues.
- G. The administrator or designated person will keep a written record of the bullying incident, and any disciplinary actions taken. The administrator principal or designated person will keep any written statements of those committing the bullying, victims and witnesses.

Discussions with all parties should be documented as soon as possible after the events. The school will not destroy or discard any material records or evidence while a criminal investigation into or prosecution relating to the incident is ongoing.

- H. A follow-up will be completed two weeks later to determine whether the bullying has continued, and whether additional consequences are needed. An additional follow-up will occur in two months, regardless of whether new incidents have been reported.
- I. Each confirmed incident must be recorded in the School Register of Bullying Incidents.

All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the principal or his designee within five (5) working days pursuant to Department of Education regulations.

The administration should be aware that some acts of bullying may also be crimes which under the School Crime Reporting Law (14 Del. C. 4112) are required to be reported to the police and /or the Department of Education.

VI. Non-Classroom Supervision

To the extent that funding is available, each school must develop a plan for a system of supervision in non-classroom areas. The plan shall provide for the review and exchange of information regarding non-classroom areas.

The Coordinating Committee will review and refine the supervisory system specifically to make bullying less likely to happen using the following techniques:

- a. Determine the “hot spots” for bullying in the building, and why those hot spots exist.
- b. Consider ways of either keeping certain groups apart during transition, or building positive collaborations between older and younger students.
- c. Consider adult density in hot spots, if necessary.
- d. Consider the attitude and behaviors of supervising adults in hot spots, and determine a way to increase their competence in recognizing and intervening in bullying situations.
- e. Determine and disseminate a consistent graduated method by which all staff will recognize and respond to bullying.
- f. Develop and provide a method for communication of staff so that staff who observe bullying can intervene and notify other staff involved in supervising the same students during the day.
- g. Develop a consistent and user-friendly school-wide method of logging bullying incidents or observations about students at risk for bullying or being bullied.
- h. Develop or review the policy for hallway supervision before and after school and during the time when students are moving between classes

VIII. Consequences for Bullying

Consequences for bullying should be immediately and consistently applied and must be delivered in a non-hostile manner. Consequences should be disagreeable or uncomfortable but should not involve revenge or hostile punishment. Consequences should take into account:

- a. Nature and severity of the behavior
- b. Degrees of harm
- c. Student’s age, size and personality (including development and maturity levels of the parties involved)
- d. Surrounding circumstances and context in which the incidents occurred
- e. Prior disciplinary history and incidences of past or continuing patterns of behavior
- f. Relationships between the parties involved (including any imbalance of power between the perpetrator and victim)
- g. Ease of use for staff (within available resources and time constraints)

Removal of positive reinforcers:

- a. Time-out.
- b. Loss of a privilege.

Use of negative or unpleasant stimuli:

- a. Rebuke or verbal reprimand clearly specifying what is not acceptable and consequences if repeated.
- b. Notice to parent (**required by law**)
- c. Serious talk with school staff member
- d. Serious talk with school staff member with parents present
- e. Supervised break times
- f. Behavioral report cards sent home
- g. Creation of a behavior contract
- h. In-school suspension
- i. Detention
- j. A period of inclusion in the Learning Support Unit

- k. Reassignment of seats in class, lunch or on bus
- l. Forbidden to enter certain areas of school
- m. Reassignment of classes
- n. A referral to an external agency
- o. Reassignment to another school, or another mode of transportation.
- p. Expulsion.
- q. Report to Law Enforcement officials

In addition, but never as replacement for disciplinary action, formative activities should be given, which may include:

- a. Reparation to victim in the form of payment for or repair of damage to possessions out of bullies own money
- b. Cooperation with assessment of problems
- c. Education about what bullying is and why it is not acceptable
- d. Documentation on books or films about bullying
- e. Completion of bully related workbooks
- f. Completion of Letter of acknowledgement of actions to victim (only after reviewed by staff and never in cases of sexual bullying)
- g. Completion of psychological assessment or evaluation
- h. Completion of counseling (In house or referral to an outside agency, individual or family)
- i. Cooperation with a behavioral management program developed in consultation with a mental health professional
- j. Submission to a psychological, psychiatric or neuropsychiatric evaluation before bully can return to school
- k. Completion of community service.

The Delmar School District believes that positive consequences should be given when students are obeying the rules about bullying. These consequences may include:

- a. Enthusiastic, concrete, behavior-specific praise
- b. Creative consequences that are truly positive for your students considering their age, sex, and maturity level.

The Delmar School District believes that victims should be given support. If bullying is suspected, staff members will make an effort to:

- a. Find a private opportunity for discussion with victim.
- b. Discuss with victim what support they need
- c. Ensure their safety
- d. Record the event and follow through with actions
- e. Provide the victim with opportunities to gain peer support
- f. Refer the victim to available help in-school
- g. Provide the victim with an opportunity to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face to face, if the victim chooses to do so.
- h. Make referrals to external agencies if necessary
- i. Provide the victim with information for mental health or medical treatment needs

IX. Training

The Delmar School District will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity pursuant to § 617, Title 11 of the Delaware Code and bullying prevention pursuant to § 4112D, Title 14 of the Delaware Code. The training materials shall be prepared by the Department of Justice and the Department of Education in collaboration with law enforcement agencies, the Delaware State Education Association, the Delaware School Boards Association and the Delaware Association of School Administrators. Any in-service training required by this section shall be provided within the contracted school year as provided in 14 Del. C. § 1305(e).

All school employees must either attend the provided training session live or watch the official training materials provided by the district/charter school in lieu of attendance, with written proof in the form of signing in and out of the live session, or signing the film in and out, and providing adequate written answers to questions about the training materials.

X. Reporting Procedures

The procedures for a student and parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) or legal guardian to provide information on bullying activity will be as follows:

If a child complains of bullying while it is happening, the staff member will respond quickly and firmly to intervene, if safety permits, if the situation appears to that staff member to involve bullying or real fighting.

If a child expresses a desire to discuss a personal incidence of bullying with a staff-member, the staff-member will make an effort to provide the child with a practical, safe, private and age appropriate method of doing so.

A letter box will be placed in a place or places selected by the committee, so that students who feel unable to talk to any staff can have a point of contact. Information found in the box must be treated with care and a staff-member or members will be designated to be responsible for this information. Blank “Bullying – request for support forms” will be available to all students, but are not required for a report.

Written complaints shall be reasonably specific as to actions giving rise to the complaint and should include information as to:

- a. Conduct involved
- b. Persons involved, designated bully, target, and bystanders’ roles
- c. Time and place of the conduct alleged, number of incidents
- d. Names of potential student or staff witnesses
- e. Any actions taken in response

Short, easy to use complaint forms can be obtained from the school administration or district school office.

An electronic system will be established whereby a person can email anonymous complaints of bullying that only designated persons will have access to

Anyone may report bullying. A report may be made to any staff member. Reports should be made in writing.

Each principal will designate a person or persons responsible for responding to bullying complaints

Every identified complainant who files a written complaint with a staff member will receive a written explanation of results to the extent that it is legally allowed and be given an opportunity to inform the designated person as to whether or not the outcome was satisfactory. Easy to use follow-up forms will be made available.

Every confirmed bullying incident will be recorded in the School Register of Bullying incidents, which will be a central record for designated staff to read. This will give an indication of patterns which may emerge of both bullies and victims.

XI. Anonymous Reports

Formal disciplinary action solely based on an anonymous report is not permitted. Independent verification of the anonymous report is necessary in order for any disciplinary action to be applied.

XII. Notification of Parents, Guardian or Relative Caregiver

A parent, guardian or relative caregiver pursuant to 14 Del. C § 202(f) or legal guardian of any target of bullying or person who bullies another must be notified.

XIII. Retaliation

Retaliation following a report of bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the school administration after consideration of the nature, severity, and circumstances of the act.

XIV. Procedure to Communicate with Medical and Mental Professionals

The following procedures for communication between school staff members and medical professionals who are involved in treating students for bullying issues must be followed:

Pediatricians/Primary Care Physicians and Mental Health Professionals are important links in the overall wellness of the whole child. The ability to communicate appropriately to identify the optimal health care needs of the child is necessary when issues at school impact the physical and emotional health of the child. This is especially true in bullying due to the social nature of the problem. Release of information forms must be signed by the parent, guardian or relative caregiver pursuant to 14 Del. C, § 202(f) or legal guardian in order for the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both at school and at the physician or mental health professional’s office before communication may take place according to HIPAA and FERPA guidelines.

If a parent refuses to sign a release form at school the school will review this policy with them, explaining the reasons the release would be advantageous to their child.

After confirmation that a child has been involved in a bullying incident, if the administrator or designated person recommends a mental health evaluation be completed, the school may:

- a. Require that return to school will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
- b. Require that student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.

Summary of this evaluation shall be shared at a meeting with student, parent/guardian and school administrator or designated person prior to return to school or the general population.

Emergency evaluations can be obtained through Christiana Care Health Services Emergency Center at Christiana or Wilmington Hospital (302)-733-1000, the Rockford Center (866)-847-4357. Crisis services are also available through Prevention and Behavioral Health Services, State of Delaware 24 hour hot line (302)-633-5128. Non-emergent services can be obtained through Children and Families First (800)-734-2388, Catholic Charities (302)-655-9624, and Delaware Guidance (302)-652-3948 in New Castle County or by contacting a medical insurance company for recommended providers in the area.

XV. Implementation

The school bullying prevention program must be implemented throughout the year, and integrated with the school's discipline policies and 14 Del. C. § 4112.

XVI. Accountability

*Each school shall notify the Delmar School Board in writing of their compliance with this policy and submit a copy of the procedures they have adopted under this policy by **January 1, of each school year**. Each school shall verify for the District/Charter School Board the method and date that the policy has been distributed, to all students, parents, faculty and staff.*

XVII. Awards

In any year when the Delaware Department of Education provides an awards system for exemplary bullying prevention programs, the Delmar School District shall submit a nomination of 1 exemplary school and the reasons why it believes that school should receive an award for its Bully Prevention Program, with supporting documentation.

XVIII. Immunity

A school employee, school volunteer or student is individually immune from a cause of action for damages arising from reporting bullying in good faith and to the appropriate person or persons using the procedures specified in the school district or charter schools' bullying prevention policy, but there shall be no such immunity if the act of reporting constituted gross negligence and/or reckless, willful, or intentional conduct.

XIX. Other Defenses

The physical location or time of access of a technology-related incident is not a valid defense in any disciplinary action by the Delmar School District initiated under this policy provided there is sufficient school nexus.

This section does not apply to any person who uses data or computer software that is accessed through a computer, computer system, computer network or other electronic technology when acting within the scope of his or her lawful employment or investigation of a violation of this policy in accordance with school district or charter school policy.

XX. Relationship to School Crime Reporting Law

An incident may meet the definition of bullying and also the definition of a particular crime under State or federal law. Nothing in this policy shall prevent school officials from fulfilling all of the reporting requirements of § 4112, Title 14 of the Delaware Code, or from reporting probable crimes that occur on school property or at a school function which are not required to be reported under that section. Nothing in this section shall abrogate the reporting requirements for child abuse or sexual abuse set forth in Chapter 9 of Title 16 of the Delaware Code, or any other reporting requirement under State or federal law

XXI. School Ombudsperson Information

The Department of Justice School Ombudsman – Joe Flynn - 1-800-220-5414

The contact information shall also be prominently displayed in each school and placed on the website.

XXII. Informing Students of Electronic Mediums

Social media refers to any electronic outlet of communicating with another person. The following social mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings, shall include: Facebook, Twitter, MySpace, YouTube, Snap Chat, Instagram, Pinterest, Secret, YikYak, or similar type of social media applications. This list is NOT considered exclusive and any social media outlet or electronic communication, such as email, texting, instant messaging, 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 the Delmar School District Bully Prevention 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.

XXIII. Policy Notification

*The policy shall appear in the **student and staff handbook** and if no handbook is available, or it is not practical to reprint new handbooks, a copy of the policy will be distributed annually to all students, parents, faculty and staff.*

XXIV. Rules and Regulations

Implementation of this policy shall comply with all rules and regulations the Delaware Department of Education may promulgate to implement Title 14 Section 4112D of the Delaware Code.

SUICIDE PREVENTION POLICY

Suicide Prevention Training

The Delmar School District (hereinafter referred to as “the District”) recognizes the serious problem of youth suicide and acknowledges that providing this policy for youth suicide recognition and prevention is important. The District also acknowledges that youth suicide is a complex issue which cannot be addressed by the districts and schools alone. This Suicide Prevention Policy (“Policy”) meets the requirements of 14 *Del. C.* §4124.

I. Suicide Prevention Training For Public School Employees

All of the District employees shall participate in at least one combined training each year totaling at least ninety (90) minutes in suicide prevention. The training materials shall be evidence-based and approved by the Department of Education, Department of Health and Social Services, and the Department of Services for Children, Youth and Their Families. More than one training program may be approved and, if so, the District has discretion on the training it requires for its employees. Any in-service training required by this section shall be provided within the contracted school year as provided in 14 *Del. C.* §1305 (e). All District employees shall provide evidence or proof of participation and completion.

II. Suicide Prevention Program

The District shall develop the Program. The components of the District’s Program may vary to address the needs of different grade levels. The Suicide Prevention Coordinating Committee established pursuant to Section III shall be responsible for the implementation of the Program.

III. Suicide Prevention Coordinating Committee

Each school shall establish a committee that is responsible for coordinating the Program within that school.

A. When setting up the Committee, the principal may wish to consider including persons such as a school counselor, school psychologist or other school-based healthcare professional, a school resource officer, a school nurse, or representative from the medical community who might have insight into the prevention or recognition of the warning signs of youth suicide.

B. The Committee shall:

1. Hold regular meetings.
2. Coordinate any required staff training. The Committee may determine additional training is required for its school.
3. Create and maintain a training log (either paper or electronic) to record that all appropriate staff have been trained, as well as the specific training they received.
4. Meet any of the requirements assigned in Section IV below.

IV. Other Requirements

A. Procedure for the Confidential and Anonymous Reporting of Warning Signs of Suicide

Each school’s Committee shall determine the process it will use to provide for confidential and anonymous reporting of a student demonstrating the warning signs of suicide. The procedure may be tailored to meet the school’s specific needs. Until such time a mental health counselor or practitioner determines the student does not present a threat, or the school’s administration determines the report concerning a potentially suicidal student was unfounded, the student is not to be alone in the school, and the student is not to be released from school unless the student is released to a parent or guardian, law enforcement, an outside mental health agency, or the Delaware Division of Services for Children, Youth, and their families. The document outlining the process will be maintained by the principal and Director of Guidance Services. At a minimum, any privacy rules shall be followed, including any applicable Family Educational Rights and Privacy Act (FERPA).

B. Procedure for Communication between School Staff Members and Medical Professionals Who Are Involved in Treating Students for Suicide Issues

Each school’s Committee shall determine the process it will use to provide for communication between school staff members and medical professionals (e.g. nurses, counselors, physicians) who are involved in treating students for suicide issues. The procedure may be tailored to meet the needs of each school. The document outlining the process will be maintained by the principal and Director of Guidance Services. At a minimum, any privacy rules shall be followed, including any applicable Family Educational Rights and Privacy Act (FERPA).

C. Posting of the Suicide Prevention Policy

The District shall post this Policy in all student and staff handbook(s) and on the District’s website. Each school within the District may also post this Policy on its website.

D. Retaliation Restrictions

No employee, school volunteer or student shall be retaliated against for reporting a student thought to be demonstrating the warning signs of suicide.

Appendix A: Common Procedures for School Staff Members and Healthcare Professionals

The following procedures for communication between school staff members and healthcare professionals who are involved in treating students for self-harm, suicide attempt or threatening of either shall be followed:

1. The District process is to immediately report any student thought to be demonstrating the warning signs of suicide to the school nurse, school counselor, or principal/head of school. This may be done verbally initially; however, a written record of the report shall be prepared. A school employee, school volunteer or student is individually immune from a cause of action for damages arising from reporting warning signs of suicide in accordance with these procedures unless that reporting constituted gross negligence and/or reckless, willful or intentional conduct.

2. Healthcare Professionals. The primary contacts at the District are identified in Section I above. For a student who has not reached the age of 18, Release of Information forms shall be signed by the parent, guardian, or relative caregiver in order for the primary care physician or healthcare professional to communicate with school personnel regarding any treatment of a student. Notwithstanding the foregoing,

Discussion

Sexual harassment may include, but is not limited to: demeaning remarks about one's clothing, body, or sexual activity based on gender, unnecessary touching, or patting, or pinching, leering at another person; demanding sexual favors accompanied by threats relating to job performance and evaluation; and/or physical assault. The following are examples of types of actions that may constitute sexual harassment, whether the harasser is an employee of the school district, a student, a volunteer, a parent, a visitor, or other person:

- Written Contact - suggestive or obscene letters, notes, invitations, graffiti, and electronic messages of a sexual nature.
- Visual Contact - sexually suggestive looks or gestures, displaying sexually suggestive or explicit objects, cartoons, photographs, electronic images, posters, magazines, or other materials.
- Verbal Contact - sexually suggestive gestures or obscene comments including, but not limited to, those about a person's body, body parts, or sexual characteristics that are used in a negative or embarrassing way; verbal advances or sexually explicit statements which may take the form of threats, jokes, teasing, phone calls, or pressure for sexual contact or favors.
- Physical Contact - uninvited and intentional touching, blocking or corning of a person's freedom of movement; pinching, patting, invasion of a person's privacy by leaning over him/her or brushing up against the other person's body; or actual sexual contact, assault, or rape.
- Retaliation - any action taken or threatened against another person for complaining about any of the behaviors described above.

Students'/Employees' Responsibility

Steps to follow if an employee or student believes he/she is being sexually harassed:

- **Express Strong Disapproval**
Say "No" or "I don't want you to say that or do that" to your harasser. Say it firmly without smiling and without apology. Gender-based conduct is unwelcome if the recipient did not initiate it and regards it as offensive.
- **Keep Accurate Records**
Save any visible evidence of harassment such as notes, letters, pictures, etc. Keep a log of the date, time, description of the incident, your reaction to the incident, and the names of witnesses, if any.
- **Report the Incident of Harassment**
If you do not take immediate action the harasser will remain free to harass others. You may file a formal or informal complaint with the Superintendent.
- **Cooperate with the Investigator**
Immediately upon receipt of a complaint a confidential investigation will begin to determine all the facts. This will include obtaining objective data from the complainant, witnesses, and the alleged harasser. The law prohibits any retaliation as a result of registering a complaint.

Reporting Procedures

Any employee who believes he/she has been the victim of sexual harassment as outlined herein is asked to report such incident(s) to the School District Superintendent immediately. If the Superintendent is not available the incident(s) should be reported to the Principal. Likewise, if the harasser is the Superintendent, the charge should be reported to the Principal.

A formal complaint is to be made on a *Religious, Racial or Sexual Harassment Complaint Form*. This form can be obtained from the school Principal, or School District Superintendent. The form must be signed by the person making the complaint.

Retaliation

The School District will discipline or take appropriate action against any student or district employee who retaliates against any person who reports alleged sexual harassment or testifies, assists, or participates in an investigation proceeding or hearing relating to such harassment.

Adopted 04/06/81--Revised 06/18/96

STUDENT CONCERNS AND COMPLAINTS

Title IX Policy:

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public schools, like Delmar School District ("the District"), that receive any Federal funds must comply with Title IX.

Under Title IX, schools must operate free from sex discrimination, including sexual harassment.

Any of the following conduct on the basis of sex constitutes sexual harassment:

- A school employee conferring an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking.

The District has a responsibility to respond promptly and equitably. If the District knows or reasonably should know about sex discrimination, sexual harassment, or sexual violence within the District's education program or activity, the District will take immediate action to eliminate the sex discrimination, sexual harassment, or sexual violence, prevent its recurrence, and address its effects.

A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the District of its duty under Title IX to resolve complaints promptly and equitably.

The District does not discriminate on the basis of sex, nor does it tolerate discrimination on the basis of sex in its education programs and activities. The District strives to provide an environment free from sex discrimination, including sexual harassment. The District encourages students, parents, and staff to identify barriers to a discrimination-free environment in all schools. Any person (*e.g.*, the alleged victim or any third party) may make a report to the Title IX Coordinator.

Complaints and/or inquiries concerning allegations of sexual harassment, or discrimination on the basis of sex, shall be directed to the District's Title IX coordinator in person, or by phone, mail, or e-mail, or to the Office of Civil Rights. Any person (*e.g.*, the alleged victim or any third party) may report to the Title IX Coordinator. All complaints will be received and investigated in a prompt and equitable manner.

The District's Title IX Coordinator is:

Chief Operating Officer
Delmar School District
200 North 8th Street
Delmar, Delaware 19940
Phone: 302-846-9544
Email: monet.smith@delmar.k12.de.us

The Office of Civil Rights is located:

Office for Civil Rights, Philadelphia
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Tel: (215) 656-8541
Fax: (215) 656-8605
Email: OCR.Philadelphia@ed.gov

The Title IX Coordinator's responsibilities include overseeing all complaints of sex discrimination and sexual harassment, and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. If a report of sexual harassment is made to a District employee, the employee will inform the Title IX Coordinator.

When the Title IX Coordinator is aware of an allegation of sexual harassment, the Title IX Coordinator will promptly and confidentially reach out to the student alleging sexual harassment to discuss available options, including, but not limited to:

- The availability of supportive measures to restore access to the school's education program or activity with or without the filing of a formal complaint;
- The right to file a complaint to initiate an investigation into the sexual harassment allegations; and
- The process for filing a formal complaint.

The Title IX Coordinator will provide the complainant with information concerning the right to supportive measures even if no formal complaint is filed. The District will consider the alleged victim's wishes with respect to requests for supportive measures.

The respondent may also benefit from supportive measures. Supportive measures are free, individualized services designed to restore or preserve equal access to education, protect safety, or deter sexual harassment, not disciplinary or punitive, and without unreasonably burdening any other person. Examples of supportive measures may include:

- Counseling;
- Extensions of deadlines or other course-related adjustments;
- Modifications of work or class schedules;
- Campus escort services;
- Leave of absence;
- Increased security or monitoring of certain parts of campus; and/or
- Mutual restrictions on contact between individuals.

The District will keep confidential any supportive measures provided to the extent it does not impair the District's ability to provide the supportive measure. The Title IX Coordinator is responsible for coordinating the effective supportive measures.

FORMAL COMPLAINT OF SEXUAL HARASSMENT

A **formal complaint** is an official document alleging sexual harassment. The District will investigate the allegations set forth in a formal complaint. A formal complaint must be submitted by the student, or the student's parent or legal guardian (in some cases), or signed by the Title IX Coordinator. Formal complaints may be filed with the Title IX Coordinator in person, by mail, by telephone, or by email:

Chief Operating Officer
200 North 8th Street
Delmar, Delaware 19940
302-846-9544

Even if the student opts not to file a formal complaint, the Title IX Coordinator may decide to file a formal complaint on his/her own, which starts an investigation.

Emergency Removal: A respondent may be removed from education programs or activities on an emergency basis if the respondent poses an immediate threat to anyone's physical health or safety.

GRIEVANCE PROCESS:

The following are procedures for the grievance process for student and employee complaints of sexual harassment:

- The individuals involved in this grievance process are prohibited from discriminating against a complainant or respondent on the basis of sex.
- Prior to the interview of the respondent, both parties (the complainant and respondent) will receive written notice of the grievance process, notice of the allegations, the presumption of innocence of the respondent, an equal opportunity to select an advisor of the party's choice (who may be, but does not need to be, an attorney), an equal opportunity to submit, inspect, and review evidence throughout the investigation and notice of the opportunity to engage in informal resolution. Note that any written or verbal evidence that involves knowingly making false statements or submitting false information is subject to the application of the Disciplinary Consequence Matrix in the School Code of Conduct.
- The District will provide written notice of the date, time, location, participants, and purpose of all hearings, interviews, or other meetings, with sufficient time for the party to prepare.
- The District will provide equal opportunities for the parties and their advisors to inspect and review the evidence obtained by the school as part of its investigation, if the information is directly related to the allegations raised in the formal complaint.
- The District will give the parties a meaningful opportunity to respond to the evidence after the District has provided it.
- After gathering evidence, the District will provide an investigative report on the allegations of the formal complaint. The parties will have 10 calendar days to respond to the report in writing. If responses are submitted, the District will consider the response before finalizing the investigative report.
- The investigative report will then be finalized and provided to the parties. The investigative report will be circulated to the parties at least another 10 calendar days before any determination of responsibility, or 10 calendar days before a hearing, if a hearing occurs.
- Temporary delays are permitted only for good cause. Good cause can include law enforcement activities, the absence of a party or witness, the absence of a party's advisor of choice, or the need to provide language assistance or accommodations of disabilities.
- The District will protect parties' privacy by requiring a party's written consent before using the party's medical, psychological, or similar treatment records during the grievance process.
- No information protected by a legal privilege, such as the attorney-client privilege or the doctor-patient privilege, can be used during an investigation unless the person holding that privilege has waived it. Neither a party nor the school is allowed to seek or permit questions about, or allow the introduction of evidence that is protected by a recognized privilege.
- The relevant evidence, including inculpatory and exculpatory evidence, will be objectively evaluated.
- Credibility determinations will not be made on the basis of a person's status as a complainant, respondent, or witness.
- The District will apply a presumption that the respondent is not responsible during the grievance process (often called a "presumption of innocence").
- The District bears the burden of proof and must correctly apply the standard of evidence. Any finding of responsibility comes at the conclusion of the grievance process. The District will use the preponderance of the evidence standard (the same standard will be used for formal complaints against students as for formal complaints against employees).
- The District will either hold a live hearing, or allow the parties to submit relevant written questions for the other parties and witnesses to answer prior to making a determination;
- If a live hearing is held, the parties' advisors are permitted to cross-examine other parties and witnesses. No party is permitted to cross-examine other parties and witnesses. If a party does not have an advisor, the District will provide the party with an advisor of the District's choosing, free of charge, solely for the purpose of conducting relevant cross-examination on that party's behalf. The advisor does not need to be a lawyer.
- If a party or witness chooses not to appear at the live hearing, or chooses not to answer cross-examination questions, the decision-maker will exclude that party's or witness's statements and will evaluate any evidence that does not involve those statements. The decision-maker will not make inferences about the determination regarding responsibility based on the fact that a party or witness did not come to the hearing or submit to cross-examination.
- If either party requests it, the entire hearing will be held with the parties located in separate rooms, with technology enabling everyone to see and hear each other.

- In order to better coordinate schedules, the District may choose to hold the entire live hearing virtually, or the District may allow some participants to appear virtually, with technology that allows everyone to see and hear each other.
- The District will comply with all disability laws, so that individuals with disabilities who participate in a school's grievance process are appropriately accommodated.
- The decision-maker will make a determination as to whether a question asked by a party advisor is relevant BEFORE the party or witness has to answer it.
- Questions and evidence about a complainant's prior sexual history are not relevant, with two limited exceptions:
 1. Where such information is offered to prove that someone other than the respondent committed the alleged sexual harassment; or
 2. It relates to sexual behavior between the complainant and respondent offered to prove consent.
- The District will create an audio or audiovisual recording, or transcript, of any live hearing, and make it available to the parties for inspection and review.

DECISION-MAKER AND DETERMINATION OF RESPONSIBILITY:

- The District will ensure the decision-maker is not the same person as the investigator or the Title IX Coordinator and will ensure there are no other conflicts of interest or bias with any of the individuals involved in the grievance process.
- The District will ensure all decision-makers receive training regarding bias and relevancy of evidence.
- Whether or not a hearing was held, the District's decision-maker will objectively evaluate the relevant evidence and reach conclusions about whether the respondent is responsible for the alleged sexual harassment.
- The decision-maker will weigh the relevant evidence and decide whether it meets the District's standard of evidence for sexual harassment.
- The District will send the written determination simultaneously to the parties, along with information regarding how to appeal the determination.
- The decision-maker's written determination will include the following:
 1. The portion of the school/district's policy that was violated;
 2. A description of the procedural steps that were taken by the District;
 3. A findings of fact section;
 4. A section that draws conclusions after applying the facts to the portion of the school/district's policy that applies;
 5. A statement and rationale for the ultimate determination of responsibility;
 6. Any disciplinary sanctions that the District will impose on the respondent, and a statement regarding whether the District will provide remedies to the complainant;
 7. A statement and rationale for any remedies for the complainant, addressing how those remedies will restore and preserve equal access; and
 8. A statement of the District's procedures that the parties have a right to appeal the initial determination regarding responsibility, and the permissible bases for appeal.
- If a respondent is found responsible for sexual harassment, the District will effectively implement remedies for a complainant designed to preserve or restore equal access to the school's education program or activity.
- A complainant's remedies can be disciplinary against the respondent and can range from a disciplinary referral to a recommendation for expulsion depending on the circumstances. Supportive measures such as the following may also be implemented:
 - Counseling;
 - Extensions of deadlines or other course-related adjustments;
 - Modifications of work or class schedules;
 - Campus escort services;
 - Leave of absence;
 - Increased security or monitoring of certain parts of campus; and/or
 - Mutual restrictions on contact between individuals (if there is a determination of sexual harassment, a no-contact restriction may be implemented).
- **Dismissal of Complaints:**
 - **Mandatory Dismissals**
 - The District must dismiss a complaint that:
 - Does not describe conduct that meets the definition of sexual harassment;
 - Alleges sexual harassment that did not occur in the District's education program or activity; and/or
 - Alleges sexual harassment that did not occur in the United States at all.
 - These complaints may be addressed under the code of conduct depending on the circumstances.
 - **Discretionary Dismissals:**
 - The District may dismiss a complaint if:
 - If the complainant notifies the Title IX coordinator in writing that the complainant wishes to withdraw the formal complaint or some of its allegations;
 - If the respondent is not enrolled in, or employed by, the District; or
 - If specific circumstances prevent the school from gathering evidence sufficient to reach a determination about the allegations.
 - In the event of a dismissal of a formal complaint, the District will promptly send written notice of the dismissal and the reasons to both parties. Either party has the option to appeal the decision.

- Individuals involved in the process will be trained in accordance with Title IX regulations, and the materials used to train Title IX personnel are available on the District’s website.

APPEAL OF THE DETERMINATION OF RESPONSIBILITY:

The complainant or respondent may appeal the decision-maker’s determination of responsibility or the dismissal of a formal complaint, to the Superintendent (or designee) within 10 calendar days of receiving the determination of responsibility or the notice of dismissal. The appeal decision-maker will not be the same individual who made the determination of responsibility, the investigator, or the Title IX Coordinator.

The following are permissible grounds for an appeal:

1. A procedural irregularity affected the outcome of the matter;
 2. New evidence has been discovered that was not reasonably available at the time of the determination on responsibility or dismissal; and/or
 3. A conflict of interest on the part of the Title IX Coordinator, an investigator who compiled evidence, or a decision-maker, and the conflict of interest affected the outcome.
- If a party files an appeal, the District will notify the parties in writing, and will implement appeal procedures equally.
 - Both parties will have the opportunity to submit a written statement supporting or challenging the outcome.
 - After considering the parties’ written statements, the Superintendent (or designee) will issue a written decision no later than 15 calendar days from the parties’ written submission and send it to the parties simultaneously.
 - The Superintendent’s (or designee’s) determination regarding whether the respondent is responsible for the sexual harassment allegations becomes final after appeal.

INFORMAL RESOLUTION PROCESS

- In appropriate cases, the District may explore the facilitation of a voluntary, informal resolution of the formal complaint. This is not an option in any case where the respondent is a District employee.
- The District will only attempt informal resolution if each party enters the process completely voluntarily. No party will ever be forced or coerced into engaging in an informal resolution.
- The District will obtain the parties’ voluntary, written consent before using any type of informal resolution process, such as mediation or restorative justice.
- The District will provide a facilitator who is free from conflicts of interest or bias, and who has received special training.
- Even in situations where the parties engage in voluntary informal resolution, the District will provide the complainant and respondent with notice of the allegations, notice of their rights, information about whether an informal process is confidential, and assurance that any party may withdraw from the informal resolution process at any time before an agreement is reached.

RECORD KEEPING

The District will maintain the following records for 7 years:

1. Records of a school’s investigation;
2. Records of any appeal and the materials associated with the appeal;
3. Materials used to train Title IX Coordinators, investigators, decision-makers, and anyone who facilitates an informal resolution; and
4. Records of supportive measures that the District took in response to a report or complaint of sexual harassment.

PROHIBITION OF RETALIATION

The District prohibits retaliation against any individual, including complainants, respondents, and witnesses, for reporting sexual harassment or participating (or refusing to participate) in any Title IX grievance process.

If any individual feels that he or she has been threatened, coerced, or discriminated against in an effort to chill the exercise of Title IX rights, then he or she should make a report of retaliation. All complaints of retaliation should be reported to the Title IX Coordinator or the District's Superintendent, and the District will ensure a prompt and equitable resolution of the complaint.

It is not retaliation for the District to punish an individual for making a bad faith, materially false, statement during a Title IX grievance process. Additionally, engaging in protected speech under the First Amendment does not constitute retaliation.

The District will keep the identities of parties and witnesses confidential unless disclosure of an individual's identity is required under other laws or is necessary in order to conduct the grievance process.

Any individual shall have the right to file a formal complaint with the U.S. Department of Education, Office of Civil Rights at any time.

Office for Civil Rights, Philadelphia
U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107
Tel: (215) 656-8541
Fax: (215) 656-8605
E-mail: OCR.Philadelphia@ed.gov
OCR Electronic Complaint Form:
<http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

Reviewed: 06-04-2020 – Approved: 8-18-2020

STUDENT SERVICES

Nurse

If a student becomes ill or injured in school, he/she should obtain a hall pass and report to the nurse who will decide what should be done. First aid will be rendered promptly to the student if necessary. However, the student will be referred to his own doctor for diagnosis and treatment. Students must not leave the building without authorization because of illness. If it is necessary for a student to go home, the nurse will notify the parents or guardians. The school nurse can administer acetaminophen or ibuprofen with signed parental permission on the annual Emergency Data Form. Over the counter medicines must be presented in original packaging to the nurse with a note signed by the parent or guardian. These medications must be kept in the nurse's office at all times.

Students are asked not to go to the school nurse unless they are ill, injured, or need to take medication.

McKinney-Vento Assistance Act for Homeless Students

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and are afforded the following rights:

- To be enrolled immediately, and attend school even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, and school records
- To continue enrollment in the school that s/he attended before becoming homeless, or in the school for which the student is currently zoned
- To request transportation to school of origin
- To participate in programs with students who are not homeless
- To receive free breakfast and lunch

(Additional information may be obtained by contacting the Delmar Homeless Liaison.)

Wellness Center

The wellness center services are available for students in grades 6 through 12. The staff includes a nurse/practitioner coordinator, physician, counselor/social worker and nutritionist. Services include physical health, education, mental health, nutrition, and laboratory tests.

Guidance Services

The guidance center is available to help students maneuver through middle and high school. Guidance counselors help students select courses for the following year, develop a path that will lead them through school and into the college and/or work force. They also counsel students through social, emotional, and behavioral matters. A Behavioral Consultant will also be available in the guidance office for Middle School students.

Food Services

The Delmar School District supports a program of sound nutrition for all students. The district will participate in the National School Breakfast and Lunch Programs. Nutritious meals will be available, for a reasonable price, to all students. Delmar School District has a closed campus. Students must eat at the school. The school cafeteria serves lunch each school day. A breakfast program is conducted in the cafeteria from 7:30-7:45 a.m. each day. **No food or drinks are to be taken out of the cafeteria.**

EXTRACURRICULAR ACTIVITIES

Interscholastic Athletics: Depending on availability of coaching staff the following interscholastic sports offered at our school include (athletic programs offered grades 6-12):

Football:	Varsity, Junior Varsity, Middle School (7 th & 8 th Grade Only)
Field Hockey:	Varsity, Junior Varsity, Middle School
Soccer:	Varsity, Junior Varsity, Middle School
Basketball:	Varsity, Junior Varsity, Middle School
Wrestling:	Varsity, Junior Varsity, Middle School
Baseball:	Varsity, Junior Varsity, Middle School
Softball:	Varsity, Junior Varsity, Middle School
Cheerleading:	Varsity, Junior Varsity, Middle School
Volleyball	Varsity, Junior Varsity, Middle School
Golf	Varsity
Lacrosse	Varsity, Junior Varsity
Cross Country	Varsity

In order to be eligible for participation in interscholastic athletics, including practices, each athlete must pursue a regular course of study or its equivalent as approved by the Department of Education, and must be passing at least five credits--two of these credits must be in the academic areas of English, Mathematics, Science, or Social Studies. In the case of senior athletes, participates must be passing all courses necessary for graduation.

A student whose work in any regular marking period which does not meet the above standards, shall be ineligible to participate in interscholastic athletics, including practices, for the next marking period. When available, semester or final grades will determine eligibility. When a student makes up a failure during the summer or earns the required credit or credits, he/she shall become eligible.

Delmar athletes will also be governed by specific eligibility policies approved by the Delmar Board of Education. These are contained in the Player/Parent/Coach Agreement, which will be shared with each athlete prior to the beginning of each sport season.

Eighth Grade Participation: Eighth Graders may play at the High School (V/JV) level pending their status per DIAA Rule 1009 2.7.3.3 (details & regulations included in Student & Coaches Handbook)

CLUBS

All students may have the opportunity to participate in a club. Information regarding clubs will be available through announcements. Students' interested in creating a new club must seek the assistance of a teacher advisor.

EMERGENCY EVACUATIONS

Fire and emergency evacuations are held at regular intervals throughout the school year. Remember these basic rules:

- 🐾 Check the instructions in each classroom (they are posted) indicating how to leave the building in case of fire.
- 🐾 Walk. Do not talk. Move quickly and quietly to designated area.
- 🐾 Everyone should maintain a safe distance from the fire lanes.

LOCKDOWN PROCEDURES

- 🐾 Principal, Assistant Principal, or Secretary will issue lock-down procedures by announcing warning over PA system.
- 🐾 PA announcement will be a descriptive alert. If possible, details concerning what the intruder is wearing, his or her location, etc. will be explained.
- 🐾 Direct all students, staff, and visitors into nearest classrooms.
- 🐾 Lock classroom doors - often must be done from the outside.
- 🐾 Do not use telephones to inquire about what is occurring.
- 🐾 Move all persons away from windows and doors.
- 🐾 Allow no one to leave the classroom until all-clear signal has been given by the Principal, Assistant Principal, or Secretary.
- 🐾 Following a lockdown procedure, parents will be notified by a Blackboard message.

Lockdown procedures may be issued in situations involving dangerous intruders or other incidents that may result in harm to persons inside the school

ALICE PROCEDURES

In the case of a dangerous internal intruder, students will be instructed to carry out the ALICE protocol as recommended by the Delaware Department of Homeland Security.





Delmar Middle & Senior High School

Delaware's True "Neighborhood School!"

200 North Eighth Street • Delmar, Delaware 19940

Phone (302) 846-9544 • Fax (302) 846-5056

Dear Parent/Guardian:

Your child was referred to me for disciplinary action. After carefully studying the circumstances, I have held a conference with your child and have issued a warning to him/her.

Code of Conduct Violation: _____

Please see the accompanying referral in regards to the specifics of the incident.

Please phone the school (302-846-9544) to make an appointment to discuss this matter with me if you have concerns.

Sincerely,



Delmar Middle & Senior High School

Delaware's True "Neighborhood School!"
200 North Eighth Street • Delmar, Delaware 19940
Phone (302) 846-9544 • Fax (302) 846-5056

Date: _____

Dear Parent/Guardian:

Your child was referred to me for disciplinary action. Your student, (i) *like all students, was informed of the Code of Conduct*, (ii) *was informed orally or in writing, of the allegation(s) against him/her*, (iii) *was given an explanation of the evidence supporting the allegation(s) and* (iv) *had an opportunity to present his/her side of the story including any evidence.*

After carefully studying the circumstances, I have assigned the student an alternative intervention, known as In-School Suspension for ___ days.

Code of Conduct Violation: _____

The intervention requires the student to report directly to C#109/BIP by 7:50a.m. on the date listed on the referral. 1st period attendance will be noted and submitted to the office by the ISS Supervisor. The student is responsible for making up all work on the day he/she returns to their regular classes.

Students will be supervised during in-school suspension by a School Board appointed supervisor.

The student will be placed on restriction and will not be allowed to attend dances (including prom) or non-graded field trips and will not be allowed to participate in or attend athletic events (both practices and games). The student will be on restriction until the date listed on the referral.

Sincerely,



Delmar Middle & Senior High School

Delaware's True "Neighborhood School!"
200 North Eighth Street • Delmar, Delaware 19940
Phone (302) 846-9544 • Fax (302) 846-5056

Dear Parent/Guardian:

Your child was referred to me for disciplinary action. Your student, (i) *like all students, was informed of the Code of Conduct*, (ii) *was informed orally or in writing, of the allegation(s) against him/her*, (iii) *was given an explanation of the evidence supporting the allegation(s) and* (iv) *had an opportunity to present his/her side of the story including any evidence.*

After carefully studying the circumstances, I have assigned the student an Out of School Suspension.

Code of Conduct Violation: _____

The suspension will begin on the date listed on the referral. **School Board policy requires, as a condition for re-admittance, that a parent conference may be required when a student is suspended.** Students are not allowed on school property and cannot attend or participate in any school events during the suspension.

The student will be placed on restriction and will not be allowed to attend dances (including prom) or non-graded field trips and will not be allowed to participate in or attend athletic events (including both practices and games). The student will be on restriction until the date listed on the referral.

In the event you disagree with or wish to appeal this determination the following is the disciplinary appeal process for suspensions in the Delmar School District.

Step 1 A written appeal to the principal may be made within 4 school days of the principal's decision. The principal shall conduct a parent/student conference within 10 school days and shall give a written decision within 4 school days of the conference. The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless the student appeals the decision to the Superintendent in writing within 4 school days.

Step 2 Any unresolved concern will be discussed in a conference with the parents/student and the Superintendent, or in his/her absence, his/her designee. This conference will take place within 4 school days of the receipt of the appeal. The Superintendent shall render a written decision within 4 school days of the conference. The decision of the Superintendent shall be final.

Failure of a student at any level of this procedure to appeal a decision within the specified time limits shall be deemed to be acceptance of the decision at that level.

Please phone the school (302-846-9544) to make an appointment to discuss this matter with me if you have concerns.

Sincerely,

