



## Code of Conduct and Restorative Practices

## **Purpose**

The Delaware Met believes in the importance of setting forth high expectations for all community members. The code of conduct is designed to support the mission and vision of The Delaware Met to provide a college preparatory learning environment with a focus on our learning goals aligned with communication, empirical reasoning, social reasoning, quantitative reasoning, personal development, and character development. Please note that this code of conduct is a living document and will be amended and adapted as we learn and grow as a school community.

The following table of contents outlines a detailed description of our Restorative Practices approach. Additionally, the attached appendices include specific information regarding school policies and disciplinary consequences.

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**MISSION STATEMENT:** The **mission** of the **Delaware Met** is to ignite the passions of high school students through the discovery and development of their unique interests; to empower students to develop self-confidence and create their own success through a personalized learning environment and purposeful internships of their choice; and, with the support of advisors and community partners, graduate as confident and capable young adults, prepared to make their mark on the world!

**VISION:** To provide each student with:

- A highly personalized learning experience defined by a Personalized Learning Plan, daily advising, internship mentoring, and rigorous academics based on student interests;
- A guiding partnership among students, parents, advisors, mentors, colleagues, and the community that provides a learning context appropriate to student interests;
- Learning experiences and hands-on projects that guide learning across all content areas and support depth over breadth;
- Opportunities for students to participate in real-world learning through internships and training related to their interests and goals.
- A vibrant, flexible learning environment that provides equal access to all students by customizing instruction to address unique student learning styles, abilities, and interests; and,
- Graduation with a high school diploma, a post-high school plan, and the skills needed for success throughout college and in real-world careers.

## **STUDENT CODE OF CONDUCT OVERVIEW**

**PURPOSE:** The Delaware Met believes in the importance of setting forth high expectations for all community members. The code of conduct is designed to support the mission and vision of The Delaware Met to provide a college preparatory learning environment with a focus on our learning goals aligned with communication, empirical reasoning, social reasoning, quantitative reasoning, personal development, and character development. Please note that this code of conduct is a living document and will be amended and adapted as we learn and grow as a school community.

**SCOPE:** This code of conduct shall apply to any conduct:

- On school property prior to, during and following regular school hours when school is in session or when school activities are in operation
- While students are on the school bus for any reason
- From the time a student leaves home until the student returns home again
- This includes behavior to and from bus stops and routes students take while walking to school
- At all school sponsored events and other activities where school administrators have jurisdiction over students.
- During travel to and from internships, along with behavior at internship sites.
- The Code also applies to out-of-school conduct by a student if the school believes the nature of such conduct indicates the student presents a threat to the health, safety or welfare of other students or staff.

**OUT OF SCHOOL CONDUCT:** The courts have upheld a school district's right to take disciplinary action against students for certain crimes even when those crimes were committed off school grounds during non- school hours or were not committed against any of the school's students or staff. The school is notified by the Attorney General's Office when a School student is arrested for committing a felony, even if it has nothing to do with school or has occurred off school property. The Code of Conduct shall also apply to out-of-school conduct by a student if the school believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out-of-school conduct shall include, but is not limited to:

- Acts of violence which are punishable by law
- Sexual offenses which are punishable by law
- Felonies
- The sale, transfer, or possession of drugs which would constitute an offense punishable by law

A student found to be in violation of the discipline code at this level is to be suspended and the school leader shall bring the matter to the board. In considering appropriate disciplinary action, the board shall consider the age and maturity of the student involved to determine the appropriate disciplinary action. Out-of-school conduct can result in a recommendation for expulsion.

*\*The Code of Conduct 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 designee.*

**GUIDELINES FOR BEHAVIOR:** All students are expected to behave in a manner that will reflect favorably on the school, not only during school hours, but also at any out-of-school activity connected with the school, including but not limited to school functions, internships, field trips, and athletic games. Behavior at any such activities will be part of the student's record and misbehavior will be dealt with accordingly by school officials.

The following guidelines are expected to govern and characterize student behavior:

- **Attendance:** Students are expected to attend school on a regular basis, as required by state law, and to come to school on time. *See Appendix A.*
- **Safety:** Students are expected to behave in ways that are safe for themselves and others. Students, parents, faculty and staff are expected to follow the rules that The Delaware Met has adopted to ensure the safety of all in the school. Likewise, all are persons involved with the school are expected to respect other people's property. Every attempt will be made to allow students to become equal partners in decision-making in regards to school rules and policies.
- **Cooperation:** Students are expected to cooperate fully with Advisors, administrators, and other adults in the school not only when they are in the classroom but also when they are in the cafeteria, hallways, stairways and other common areas. Students are expected to always be polite and helpful when dealing with others.
- **Orderly movement:** Students are expected to move between classes and other activities in common areas, inside or outside of the school, in an orderly and timely manner.

- **Entering the building:** When entering the building, students should remove hats and visors and keep their voices low. An adult-type behavior should prevail. Student should not run, wrestle, push, or shove. The “no hats” policy applies to girls as well as boys. All backpacks and coats must be put in advisories upon entering the building.
- **Electronic Devices:** The Delaware Met acknowledges that electronic communication devices such as cell phones are increasingly common and provide students and their families with a sense of security and safety through immediate and direct communication. Additionally, electronic devices may serve as an invaluable learning tool when used appropriately by students and advisors. Therefore, electronic device use during school hours will be at the discretion of the advisor (teacher), mentor, and school leader. *See Appendix B*
- **Illegal drugs and alcohol:** Illegal drugs and alcohol are strictly forbidden at all times. *See Appendix C.* If a student is taking medication for health reasons, he or she should notify the school nurse and Advisor of the need for medication use.
- **Dress Code:** Students and staff strive for excellence at The Delaware Met and the dress code reflects this. With this in mind, the following guidelines have been adopted by the Board of Directors for students attending The Delaware Met. *See Appendix D.* Please note: The Delaware Met school leader and staff have the sole discretion to enforce the items below based on their judgment of inappropriate attire.
- **Bullying:** The Delaware Met recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. Our school strives to provide safe learning environments for all students and all employees. All incidents of bullying, cyber bullying, and hazing are strictly prohibited. *See Appendix E.*

## RESTORATIVE PRACTICES

In the event that students misbehave and do not abide by the principles outlined in the Guidelines for Behavior (above), The Delaware Met will use the “restorative practices” approach to discipline, pioneered by Ted Wachtel at the International Institute for Restorative Practices (IIRP). Restorative practices are grounded in “restorative justice,” a new way of looking at wrongdoing that focuses on repairing the harm done to people and the relationships rather than on punishing offenders. Restorative practices are based on the belief that human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things *with* them, rather than *to* them or *for* them. The most critical function of restorative practices is restoring and building relationships. Students, Staff, Faculty and Board Members must meet with those they have wronged, explore what happened, and make necessary amends. The restorative practices process can happen in groups as small as three and as large as a whole class.

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## **RESTORATIVE PRACTICES PRINCIPLES**

1. Restorative Practices focuses on harms rather than rules or persons and the consequent needs of victims, offenders and communities.
2. Restorative Practices addresses obligations of the offender resulting from those harms, as well as the community's obligations to both victims and offenders.
3. Restorative Practices uses inclusive, collaborative processes.
4. Restorative Practices involves all individuals (victims, offenders, parents, students, staff, and faculty) who have a legitimate stake in a given situation.
5. Restorative Practices seeks to put right the wrongs that have been done, so that victims feel safe and valued, and offenders feel restored to the school community.<sup>1</sup>

## **RESTORATIVE DISCIPLINE**

1. Acknowledges that relationships are central to the building of the school community.
2. Must establish policies and procedures that harm and misbehavior in a way that strengthens relationships.
3. Focuses on harms done rather than rules broken.
4. Gives voice to the person who has been harmed.
5. Engages in collaborative problem solving.
6. Empowers change and growth for all involved.
7. Enhances responsibility for actions and attitudes for all involved.<sup>2</sup>

## **The goals of these restorative practices are that...**

1. The Delaware Met will be a safe, friendly and enjoyable learning environment.
2. The Delaware Met will foster an environment where everyone feels valued, respected, and included.
3. The Delaware Met will be a school where students are motivated to learn and faculty and staff enjoy meaningful and fulfilling work.

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<sup>1</sup> Amstutz and Mullet (2005). Restorative Discipline for Schools, pp. 25-26

<sup>2</sup> Amstutz and Mullet, pp. 26-29

## THE RESTORATIVE PRACTICE PROCESS

The Restorative Practice Process (RPP) is designed to incorporate the principles, concepts and goals of restorative practices in practicing discipline at the Delaware Met. While the process outlined below is designed to provide a “map” for how Advisors, students and staff should correct misbehavior, address harm done, and provide an opportunity for offenders to be reincorporated into the school community, all are advised to use their discretion in each individual instance as to what is restorative, respectful and appropriate in each individual instance. Thus, the RPP outlined below is a guide for decision-making, not a hard and fast set of rules.

**The Respect Agreement:** At the beginning of the school year, each Advisor will lead his/her class in the development of a “Respect Agreement” for the class. The Respect Agreement’s purpose is to have students and teachers agree as to the guidelines for behavior that will create a safe, cooperative and constructive classroom setting. The Respect Agreement will address the following four areas of behavior: Students respecting themselves and other students; Students respecting Advisors and Adults in the school; Advisors respecting Students; and Students and Teachers respecting school facilities and equipment. Respect Agreements must also include school rules outlined in this code of conduct. Once it is developed, Respect agreements are posted in a place in the classroom that is visible to all in the room.

**In Class Issues:** As issues of misconduct arise in the class, Advisors will seek to handle the misconduct by reminding students of their need to follow school guidelines by offering students constructive reminders. If students admit their infraction and immediately seek to correct their behavior, student and Advisor will celebrate the resolution of a problem behavior, and the incident will be considered resolved. If the incident involves a single student, the Advisor will seek to handle the issue in a one-to-one session with the student. If the infraction involves a group of students or the entire class, the teacher will handle the issue in class using an appropriate method, such as a class circle.

**Respect Agreement Issues:** If the Advisor’s attempt to use a constructive reminder does not resolve the issue, Advisors and students will refer to the class Respect Agreement for guidance. Advisors will remind students of their prior agreement, the reasons behind the Respect Agreement, and how the behavior in question violates that agreement. Students are then invited to discuss the issue until a mutually agreed upon resolution is reached.

While the decision to handle student misconduct issues in class shall ultimately be up to the Advisor, common in class issues might include things such as:

- Disruptive or inappropriate behavior in class
- Failure to complete responsibilities
- Disrespect of Advisors and/or other students
- Sleeping or chewing gum in class (according to advisor discretion)
- Excessive playfulness in class
- Overt signs of sexual affection.
- Academic honesty
- Gambling
- Minor dress code violations (e.g. wearing a hat, etc).
- Bathroom misconduct or failure to follow procedure
- Raising one’s voice in a verbal conflict

**Conferencing and Circles:** If an incident occurs between students of different classes, or attempts to resolve an issue in class has proven unsuccessful, students will be given one of three options:

1. The student may elect to have the Advisor decide an appropriate resolution to the incident;
2. Students may request that the School Leader serve as a mediator to work with students or to come to a resolution; or
3. Students may choose to work at resolving the issue without a mediator.

If the incident involves a student and an Advisor, and an appropriate resolution has not been reached, the Advisor can then refer the student to the School Leader for a restorative conference. If the incident involves a number of students, the School Leader may choose to hold a restorative circle with students and adults involved in the incident. Who to include in the conference or circle will be up to the discretion of the School Leader. While the decision to refer to the School Leader will be up to the Advisors, common conferencing and circle issues might include the following:

- Repeated Failure to follow dress code
- In class possession of electronic devices (cell phones, iPods, computers, etc) not being used in the learning process
- Lying to Advisors or other staff
- Bullying behavior toward Advisors or other students
- Throwing objects at anyone at anytime
- Loitering in the hallways, not having a hall pass or leaving class without permission.
- Littering anywhere on school grounds – inside or outside.
- Eating in class without adult permission or supervision.
- Unexcused absences, lateness or cutting class
- Disrespectful or abusive language or gestures
- Repeated offenses of in-class issues mentioned above
- Repeated academic issues not resolvable in class

In the conference or circles, the four restorative questions will be discussed:

- What happened?
- What were you thinking at the time?
- Who has been affected by what you have done? In what way?
- What do you think you need to do to make things right?<sup>3</sup>

When the incident in question inflicted harm on another person, four additional questions will be asked on behalf of the person(s) harmed

1. What did you think when you realized what had happened?
2. What impact has this incident had on you and others?
3. What been the hardest thing for you?
4. What do you think needs to happen to make things right?

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<sup>3</sup> These restorative questions are provided by the International Institute for Restorative Practices, [www.iirp.org](http://www.iirp.org)

In the course of discussion, a resolution will be reached, with appropriate consequences for the person committing the offense or inflicting the harm decided by the advisor, school counselors, school leader, and other persons involved. A notice will be placed in the student's file of the infraction and restorative action that was agreed upon. Restorative actions that might be suggested could include the following:

- Verbal or written apology to person harmed or community as whole
- Community service
- Action plan for correction of student behavior
- Notice being sent home to student's parents

In the event that it is determined that the restorative action chosen includes some kind of community service component, the following guidelines will be followed.

- The community service will be conducted in conjunction with a restorative conference involving all persons affected by the student misconduct. Affected persons may include staff, faculty, school leader, other students, community members, law enforcement officials, and the offender's family members. The participants in the conference will be determined by the RPC in consultation with the offender and primary victims of the misconduct.
- The restorative conference shall be facilitated by the School Leader.
- The nature of the community service performed shall be related to the nature of the offense (e.g. vandalism would include repairing and/or paying for damage done) and shall be determined in the context of the restorative conference.
- The School Leader and/or other designated personnel shall oversee the fulfillment of the community service performed and shall document the nature of the service, and the beginning and completion dates. Both the RPC and the offender will sign the document, and it shall be placed in the student's file.
- The student will then be released from any further obligations to community service, and a message shall be sent by the School Leader to the victim(s) and other affected parties indicating that the offender had fulfilled the obligations of his/her community service.

**Taking a Break from the Community:** In those instances where the person(s) committing the misconduct or inflicting the harm does not agree to be restored, he or she will be asked to take a temporary break from the community, and not come to school for a period of one to three days. Prior to being asked to take a break, the student will be asked to think about the reasons for his temporary suspension from the community, and to write a 1-3 page paper addressing the four restorative questions (above). When the break time is over, the School Leader will meet with the student and his/her parent(s) to review what the student has written, and to discuss appropriate measures for restoring the offending student to the community. Depending on the nature of the misconduct or harm done, the student may be asked to take additional actions in order to be fully restored. Once those actions are completed, the student will be formally welcomed back into his/her classroom as a full participant. During the time away from school, the student is also responsible to complete any assignments that would be due during his/her time away.

If a student continues to be uncooperative, or engages in repeat behaviors of a similar nature to the first misconduct, he/she may be asked to take a second break from the community for 4 to 10 days. In addition to writing the paper addressing the four restorative questions, the student will need to

write a formal letter of apology to the School Leader explaining the nature of the wrongs done, and the concrete steps that will be taken to address the unacceptable behaviors in question. Prior to returning to the classroom, the RPC will meet with the student and his/her parent(s)/guardian(s) to discuss the items discussed in the letter and the steps necessary for restoring the student to full inclusion in the community. During the time away from school, the student is also responsible to complete any assignments that would be due during his/her time away.

While the decision to require a student to take a break from the community will be up to the discretion of the School Leader and/or designated personnel, some common behaviors requiring students to take a temporary break from the community might include the following:

- Coming to school under the influence (but not in possession of) of alcohol or illegal substances
- Bullying behavior
- Academic dishonesty
- Abuse of computer privileges
- Destruction or defacing of school property
- Sexual harassment
- Voluntary sexual acts while in school
- Theft of school or personal property
- Truancy or leaving school property without permission
- Smoking on school grounds or school-sponsored events
- Possession and/or use or transfer of matches, lighters, or any incendiary devices
- Tampering with fire alarm/extinguishers
- Arson
- Terroristic threats
- Encouraging fighting
- Counterfeiting, forging another's signature on school-related documents, or presenting another student's work as one's own
- Failure to abide by previously decided resolutions

If the student's misconduct continues, and he/she does not appear in the School Leader's and/or designated personnel's judgment to be acting in good faith to change his offending behavior, the School Leader may recommend to The Delaware Met Board to permanently exclude (i.e. expelled) the student from The Delaware Met community. The decision to permanently exclude a student will be decided by a majority vote of the Board. *See Appendix F.*

## **GRIEVANCE PROCEDURES**

A grievance is another name for a complaint. A student grievance exists when it is alleged that the student has been treated unfairly or has not been afforded due process.

***The following persons or groups of persons may use the grievance procedures:***

1. Students or groups of students
2. Parent(s)/guardian(s) of a student
3. Groups of parents/guardians of students

When the grievance procedure is used, these steps shall be followed:

1. The grievant shall request, in writing, a conference with the person(s) who allegedly treated the student unfairly within three (3) school days of the alleged incident.
2. A conference shall be held within four (4) school days after the request.
3. If the conference does not resolve the complaint, the grievant may file a written appeal with the school leader within three (3) days of the conference.
4. The school leader shall resolve the appeal by investigating the situation, reviewing the appeal/records, and/or scheduling a conference to hear the grievance within five (5) school days following the receipt of the notice of appeal and shall issue a decision in writing no later than five (5) days following the investigation/conference. If the discipline will result in a consequence that is less than an out-of-school suspension, the school leader's decision is final.
5. If the decision at the school leader's level is not acceptable and the consequence will result in out-of-school suspension or expulsion, the school leader's decision may be appealed to the Board. A grievant wishing to appeal the school leader's written decision must file a written appeal with the Board no later than five (5) school days from the date of the school leader's written decision.
6. The Board shall resolve the appeal by investigating the situation, reviewing the written appeal/records, and/or will schedule a conference to hear the grievance within five (5) school days following the receipt of the notice of appeal and shall issue a decision in writing within five (5) school days following the investigation/conference.
7. The decision of the Board shall be the final decision of the school. A copy of the decision shall be sent to the parties involved within ten (10) school days following the Board hearing.

## **CODE OF CONDUCT REVIEW**

The school leader or designee shall create a panel for the purpose of reviewing and revising as necessary the Delaware Met Code of Conduct. The team should be a broad representation of those impacted by the code. This includes, but is not limited to teachers, students, administrators, specialists, and parents. The team should meet initially in February of each school year and schedule subsequent meetings as needed. Changes will require board approval and should be brought to the board no later than the April board meeting. Approved changes will need to be incorporated into the code in time to be printed for the following school year.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

The school leader has the responsibility and authority for maintaining an orderly educational process. The school guarantees students' rights as allowed by state and federal laws.

### **Bus Privileges**

The Student Code of Conduct will apply to all violations to and from school, at the bus stop, and while boarding, riding, or exiting buses. Violation of these rules may result in the suspension of bus-riding privileges. Students must follow bus safety regulations as follows:

1. Students must obey the driver promptly and be courteous to him/her and to other students. The driver is in full charge of the bus and students and has the authority of a classroom teacher.

2. Students must be at the bus stop at least ten (10) minutes before the scheduled time; the bus has to run on schedule and cannot wait for those who are late.
3. Students should never stand in, or play on, the roadway while waiting for the bus.
4. Before boarding the bus, students must keep a safe distance from it while it is in motion.
5. Students must not get on or off the bus while it is in motion.
6. Students must enter the bus without crowding or disturbing others and occupy their seat immediately.
7. Students must keep out of the driver's seat.
8. In crossing the street at any time, students should look both to the right and to the left, and then walk across.
9. Students are permitted to talk quietly on the bus and classroom conduct is to be observed while on the bus.
10. Students must not call out to passers-by. They should not open the bus window without permission from the driver or extend head or arms out of the window.
11. Students should not leave the bus without the driver's consent, except on arrival at their regular bus stop or at school.
12. Students should help to keep the bus clean, sanitary and orderly. They must not damage or abuse the equipment.
13. Students must sit facing the front of the bus.
14. Students are not permitted to smoke while on the bus.
15. Students must not use profanity while on the bus.
16. Students must not throw articles of any kind out of or around the bus.
17. Students are not to eat or drink while on the bus.
18. Students are not permitted to harass, intimidate or fight on the bus.
19. Other forms of misconduct that will not be tolerated are acts such as, but not limited to, indecent exposure, obscene gestures, or spitting.
20. Students must remain in their seat and keep the aisle clear.
21. Students must stay seated until the bus comes to a complete stop.
22. Students are not permitted to tamper with emergency doors, controls, or windows.
23. In approaching the bus or a bus stop along the highway, students should walk on the left side of the road facing traffic. Students should be sure that the road is clear of all traffic or that all traffic has stopped before crossing. Upon leaving the bus, students should immediately walk around the front of the bus and stop before crossing. Students should make sure that the road is either clear of all traffic or that all traffic has come to a complete stop before crossing.
24. Large items such as band instruments, shop projects, sports equipment, skateboards and other school projects shall not be permitted on the bus if they interfere with the driver or other passengers. The aisle, exits, and driver's vision shall not be blocked.
25. Due to food allergies, only lunches or snacks will be allowed on the bus. All food items must be kept in lunch box, bag, closed container or backpack.
26. All students must ride the bus they are assigned to. If there is an emergency that requires a student to ride another bus, a note signed by the parent and school leader will be given to the bus driver before they will be allowed to board the bus.
27. Parents/guardians are not allowed to enter the bus. Any concerns must be addressed with the building administrator and/or the bus contractor.
28. Students must get on and off the bus at their designated bus stop.

## **Computer Usage**

Students must adhere to the school's Educational Technology Acceptable Use Agreement, which incorporates the State policy, before they may make use of school technology, including Internet access. *See Appendix K.*

## **Counseling**

### Philosophical Basis

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

### Responsibilities

Students have the responsibility:

1. To identify and/or report personal or school related problems, concerns or issues to appropriate staff, counselors/advisors
2. To use counseling services for their educational and personal development, where appropriate
3. To schedule appointments in advance unless the problems or concerns are of an emergency nature (Parents/guardians and students have the responsibility of providing information that may be useful in making intelligent educational decisions.)
4. To use counselors'/advisors' services for personal or school related problems, concerns or issues

### Rights

Students have the right:

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

## **Curriculum**

### Philosophical Basis

Highly qualified professionals collaborate to produce curricula that are consistent with established standards and best practices in a given subject area. Textbooks and online resources are selected based on the extent to which they support an established curriculum.

### Rights

Students have the right:

1. To have access to clear and precise course descriptions
2. To participate in courses and programs appropriate to their individual needs at all grade levels

## **Evaluation and Grading Policy**

### Philosophical Basis

A grade is a measure of student achievement relative to curricular goals and objectives. Grades serve to inform students, parents, teachers and administrators of the degree in which mastery has been attained and to help teachers adjust instruction to meet the individual needs of all students. It

shall be the responsibility of the Board to establish a process to develop, monitor and revise as needed, a fair, comprehensive procedure for teachers to follow when grading students.

## Responsibilities

Students have the responsibility:

1. To ask for an explanation of a grading system which they do not understand
2. To attain standards of academic performance according to their ability
3. To share all notices of unsatisfactory progress with their parents/guardians and to make every effort to improve their performance
4. To conduct themselves in a manner which fosters a good learning environment
5. To present assignments when due

## Rights

Students have the right:

1. To receive a written copy of a school's standardized record keeping system at the beginning of each course
2. To receive an academic grade that is based on the school's standardized record keeping system and reflects the student's academic achievement
3. To request and receive written notification of unsatisfactory progress at any time during the marking period
4. To have grades used positively and not as a disciplinary tool
5. To be given appropriate notice of assignment due dates

## **Expression**

### Philosophical Basis

Students have the right to express themselves through direct and symbolic means as long as such expression does not mock, demean, or ridicule other persons and groups; interfere with school activities or disrupt the educational process; or contain obscene, vulgar, inflammatory statements or is in any way detrimental to the welfare of other students.

## Responsibilities

Students have the responsibility:

1. To act in a quiet, dignified manner during patriotic activities. Students also have the right to be excused from any patriotic act that is against their religious beliefs or deeply held personal convictions.
2. To inform the school in writing of activities/policies which are in conflict with their religious beliefs and request alternative accommodations.

## Rights

Students have the right:

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

## **Property**

### Philosophical Basis

Students have the right to privacy in their person and property. When school authorities have reasonable suspicion to believe that a student possesses an illegal item or an item determined to threaten safety and security, the school administration may search a student and his/her property. A student's cell phone is subject to a search if there is reasonable suspicion to believe it is being used in connection with a violation of the Student Code of Conduct. Student lockers, desks, cubbies, etc. are the property of the school and may be searched at any time. The school shall not be responsible for lost or stolen personal property that is brought to school. Returning to school after leaving without permission may be considered reasonable suspicion to conduct a search.

### Responsibilities

Students have the responsibility:

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

### Rights

Students have the right to privacy in their personal possessions unless the school leader or designee has reasonable suspicion to believe that prohibited substances/objects are possessed or being concealed by the student

## **Safety**

### Philosophical Basis

All students who attend the school have the right to attend school in a safe environment.

### Responsibilities

Students have the responsibility:

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

### Rights

Students have the right to learn in an environment free from the threat or act of psychological or physical violence

## **Student Records**

### Philosophical Basis

Student records are records that directly relate to a student, and are maintained by the school and its employees. Student records do not include records kept in the sole possession of an employee, used only as personal memory aide, and not shared with any other person except a substitute. Care must be exercised by the school staff to make sure that student records are treated confidentially and that the information contained therein is accurate and appropriate.

### Responsibilities

Students have the responsibility:

1. To give school personnel ample notice that they want to inspect and review their records (Eligible students and parents/guardians have the responsibility to meet their financial obligations for school fees or fines. Transcripts and records may not be released until all student financial obligations are met.)
2. To release information to those individuals or agencies who are working in a positive manner for the benefit of the student (The permission to release information, where required, must be in writing.)

## Rights

Students have the right:

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

## **Use of Surveillance Equipment for Safety and Security**

To help assure the safety and security of the students and staff of the school, cameras and audio devices may be used to monitor public areas or accesses to restricted areas in schools or on school property. Recordings from devices installed for safety and security may be used as the basis of disciplinary actions, or, if appropriate, criminal prosecutions against persons committing violations on school property. This section does not preclude the installation of recording or monitoring devices as part of a criminal or administrative investigation in compliance with pertinent authorities, laws, and procedures for the conduct of such investigations. Notice of presence of surveillance equipment will be posted to the extent required by law. The use of video cameras is subject to pre-approval by the Board.

## **Disclosure of Certain Student Information**

The school may disclose certain information, known as directory information, in its discretion without consent. Parents/guardians may refuse to permit the release of any or all directory information. If a parent/guardian does not want directory information released, he or she must send written notice annually to the school leader. Such notice must be received within 30 days of student receipt of this Student Code of Conduct. The following student information is directory information: name, address, telephone number, date and place of birth, grade level, dates of attendance, the most recent previous school attended by the student, and photographs of students in school or at school activities provided the photographs do not reveal information concerning academic placement.

## **FERPA Rights**

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

## **Inspection and Review**

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

### **Amendment of Records**

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

### **Disclosure without Consent**

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

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

### **Complaint**

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

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

### **Rights under The Protection of Pupil Rights Amendment (PPRA)**

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

### **Protected Information Surveys**

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

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

## Notice and Opportunity to Opt Out

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

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

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

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

## Complaint

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

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

## Reporting School Crime

DELAWARE CODE TITLE 14 DEL. C §4112

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

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

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

- Evidence that suggests the commission of the crimes of assault and extortion against pupil, or an assault, offensive touching, terroristic threatening or extortion against a school employee.
- Evidence that suggests the commission of a felony, for example: reckless endangering; assault offenses; homicide; arson; criminal mischief; bombs; robbery; rape; extortion; fraud; forgery; weapons, etc.
- Evidence that suggests violations of the laws concerning controlled substances and alcohol.
- Evidence that suggests incest, sexual abuse or the neglect or other abuse of children.
- Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons, (e.g. knives, firearms, ammunition, explosives or blasting caps).
- Evidence that suggests morals offense, (e.g. pornography, exhibitionism, peeping, etc.)
- Evidence that suggests organized gambling.
- Evidence of offenses involving school property, e.g. false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving and safety hazards.
- Reports of suspicious persons or unauthorized persons on or near school grounds or property, or rumors, information or observations of gang rivalries or activities.
- Theft of school equipment or personal property of school personnel.

### **Reporting Bullying Title 14 Del. C. § 202(f)**

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:

1. If a child complains of bullying while it is happening, the staff member will respond quickly and intervene.
2. 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.
3. 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
4. Anyone may report bullying.
5. 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.

## APPENDIX A- Attendance Policy

Attendance is compulsory for those between the ages of 5 and 16. The district shall comply with all attendance laws and regulations of the state. Students must attend school each day it is in session. The following conditions only will result in an excused absence:

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

Absences for any other reason shall be considered unexcused. Students who are absent for three days or more without a legal excuse shall be considered truant. A referral shall be made to the advisor and/or school secretary who shall take appropriate action.

No student under the age of 18 may withdraw from school unless his/her parent/guardian signs a formal withdraw form. The visiting teacher/social worker shall use whatever resources are available to assist and encourage the student to complete his/her education.

The School Leader or designee shall develop specific procedures for tracking attendance and for referral and intervention in cases of violation of school attendance law.

**PREARRANGED ABSENCE:** A prearranged absence is a student's absence from school for one or more days to visit a college or university or for other educational activities approved by the school leader. The absence should be prearranged by writing the school leader, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least two (2) weeks prior to the date on which the absence is to occur. Upon the development of a plan by student and teacher for making up the assignments to be missed, the principal may then define the absence as excused. Prearranged absences will not be approved during the Smarter-Balanced Assessment, PSAT, AP exams, midterm exams, and final exams.

Students who must leave the building due to an emergency or some other reason which did not permit a prearranged absence must receive approval from the principal or his/her designee and the parent/guardian must give the student permission to leave school and/or pick the student up. *NOTE: that students will only be released to those who are listed on their student profile.* The student is then responsible for completing the sign-out procedure before leaving the building and must present the required parental note of explanation upon his/her return to school.

**LONG TERM LEAVE:** For high school students on a block schedule (9th – 12th) who relocate out of state for any time longer than a 5 school day vacation, the parent/guardian must provide documentation that the student has relocated out of state and the student must be withdrawn. The parent/guardian must re-enroll the student in the District once the family returns to the area. The school cannot ensure that the student will be able to be placed back in the original classroom.

**DEPLOYMENT RELATED ABSENCES:** The Delaware MET will grant up to five days excused absences for military-connected students whose immediate family member is experiencing a deployment. The conditions under which the school may approve excused absences are: (1) the absence is preapproved; (2) the student is in good standing; (3) the student has a prior record of good attendance; (4) missed work is completed and turned in within the allotted time period; and (5) the absence is not during standardized testing dates.

## **APPENDIX B- Electronic Device Policy**

The Delaware Met acknowledges that electronic communication devices such as cell phones are increasingly common and provide students and their families with a sense of security and safety through immediate and direct communication. Additionally, electronic devices may serve as an invaluable learning tool when used appropriately by students and advisors. Therefore, electronic device use during school hours will be at the discretion of the advisor (teacher), mentor, and school leader.

For example, if an advisor informs students that they are able to use their electronic devices for an instructional activity, students will be permitted to do so. Likewise, if an advisor instructs a student to put an electronic device away, students are expected to comply. Failure to do so will result in a referral to the School Leader who will hold onto the electronic device until the end of the school day. The advisor will notify parents/guardians of the failure to cooperate when violations of this policy have become a pattern.

In order to maintain a safe and responsible environment, students may not use electronic devices for communication purposes, unless instructed to do so by a staff member. Likewise, distractive devices such as ear buds are not permitted without a staff member's approval. This policy will be enforced in all areas of the campus. Therefore, electronic devices and headphones are not permitted in the hallways and common areas, except during a student's lunch period.

The Delaware Met believes in the importance of teaching students to appropriately and effectively use their electronic devices. During the first month of school, students will participate in a workshop called "Appropriate Use of Electronic Devices."

## **APPENDIX C- Drug and Alcohol Policy**

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

- A. The possession, use and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia are wrong and harmful to students and are prohibited within the school environment.
- B. Student lockers (if applicable) are the property of the school and may be subjected to search at any time with or without reasonable suspicion.
- C. 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 school leader or designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and, in the case of substances covered by Title 16 Delaware Code Ch. 47, turned over to police as potential evidence. A request for analysis shall be made where appropriate.

### **II. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS POLICY:**

- A. "Alcohol" shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, spirits, wine and beer.
- B. "Drug" shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which has been given to or prescribed for a person other than the student in whose possession it is found.
- C. "Drug paraphernalia" shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the Delaware Code, including for example, roach clips, miniature cocaine spoons and containers for packaging drugs.
- D. "Prescription drugs" shall mean any substance obtained directly from, or pursuant to, a valid prescription or order of a practitioner, as defined in Title 16 Delaware Code Section 4701(24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.
- E. "Drug-like substance" shall mean any non-controlled and/or nonprescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, caffeine pills and diet pills. The definition of drug like substance does not include tobacco or tobacco products that are governed by Title 14 Delaware Admin. Code Section 877 Tobacco Policy.
- F. "Non-prescription medication" shall mean any over-the-counter medication; some of these medications may be a "drug-like substance."
- G. "Look-alike substance" shall mean any non-controlled substance that is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See Title 16 Delaware Code Sec. 4752A.
- H. "Possess," "possessing," or "possession" shall mean that a student has on the student's person, in the student's belongings, or under the student's reasonable control by placement of and

knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or drug paraphernalia.

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

### **III. THE FOLLOWING REGULATIONS SHALL APPLY TO THIS POLICY:**

- A. At the beginning of each school year, and whenever a student enrolls or re-enrolls during the school year, each student and his or her parent, guardian, or relative caregiver shall receive an updated Student Code of Conduct.
- B. The State policies shall apply to all students, except with respect to students with disabilities, the applicable State and Federal law will be followed.
- C. Staff members will report incidents to the school leader/designee who will verify the identity of the student and the probable cause that a policy violation has been committed. The school leader/designee, where required, will report the incident to the police and will file a report to be sent to the Department of Education. Parents will be notified as quickly as possible via the telephone. If telephone contact cannot be made, a letter will be sent home. Records will be maintained in a separate discipline file and confidentiality will be followed. Names and details of any particular incident will be revealed only to those staff persons who are required to know the specific information.
- D. Any physical evidence of a policy violation will be submitted to the school leader/designee. The school leader/designee will document the date, time, and description of the evidence and the name(s) of the student(s) involved. Evidence will be locked in a secure area determined by the school leader/designee and submitted to the police upon their arrival.
- E. The school leader/designee may conduct general searches of the property of a student at any time with reasonable suspicion. A search of the student may be conducted when reasonable suspicion exists to believe that the student may have in his or her possession any item prohibited by this policy. For the student search, a witness will be present; parents will be notified; and a written record will be prepared and filed.
- F. All prescription and over-the-counter non-prescription drugs shall be presented to the school nurse upon entering the school building. The nurse will be responsible for dispensing those drugs to the students until they leave at the end of the school day. Any of these drugs not submitted to the school nurse will be considered in violation of this policy.
- G. The discipline policy shall also apply to out-of-school conduct by a student if the school believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out-of-school conduct shall include, but is not limited to, the sale, transfer, or possession of drugs that would constitute an offense punishable by law.

- H. Students expelled from school for alcohol and drug infractions must petition the Board for readmission. Evidence must be provided of having received appropriate related services pertinent to the expulsion offense.
- I. Students are permitted to use and possess an asthmatic quick relief inhaler (“inhaler”) and/or auto-injectable epinephrine under the following conditions:
1. The inhaler and/or auto injectable epinephrine must have the individual prescription label affixed
  2. The student must use the inhaler and/or auto-injectable epinephrine pursuant to prescription or written directions from a state licensed health care practitioner.
  3. A copy of the prescription and/or written directions must be provided to the school.
  4. The parent(s)/guardian(s) of the student must provide the school with written authorization for the student to possess and use the inhaler or auto-injectable epinephrine
  5. The parent(s)/guardian(s) must also submit a form releasing the school and its employees from any and all liability resulting or arising from the student’s discretionary use and possession of the inhaler and/or auto-injectable epinephrine
  6. The school nurse may impose reasonable limitations or restrictions upon the student’s use and possession of the inhaler and/or auto-injectable epinephrine based upon the student’s age, level of maturity, behavior, or other relevant considerations.
  7. Parents or legal guardians shall not be required to provide or sign a form of release where the student’s use and possession of an asthmatic quick inhaler or auto-injectable epinephrine is determined by the students IEP or Section 504 Team to be necessary for the student’s educational placement. Except as provided for in a student’s Section 504 Plan or IEP, the school nurse may not unilaterally impose limitations or restrictions on a student’s use and possession of an asthmatic quick release inhaler or auto-injectable epinephrine if a Section 504 Team or IEP Team has determined the use of the medication is necessary for the student’s educational placement. (For students who use prescribed asthmatic quick relief inhalers and/or auto-injectable epinephrine, see 14 DE Admin. Code 817, Administrations of Medications and Treatments.)

The school leader/designee is responsible for enforcing the discipline policy in a manner that is consistent, fair, and firm. The administration reserves the right to treat each case on an individual basis, taking into consideration the overall school record of the student, self-referral, and other mitigating circumstances.

#### **IV. THE FOLLOWING DISCIPLINE POLICY SHALL APPLY FOR INFRACTIONS DRUG AND ALCOHOL POLICES:**

Possession, Use, or Impairment of Alcohol, a Drug, a Drug-like Substance, a Look-alike Substance and/or Paraphernalia:

##### **FIRST OFFENSE**

- School and Bus
  - Out-of-school suspension pending a hearing. The board will determine whether or not to have a formal expulsion hearing
  - Police Notification
  - Written Parent Notification

##### **SECOND AND SUBSEQUENT OFFENSES**

- School and Bus
  - Recommendation for expulsion from school for up to one calendar year. Students may have their expulsion reduced to a minimum of 60 days depending on various factors including previous disciplinary record, academic performance, positive attitude, or special circumstances.
  - Suspension from school during pendency of expulsion hearing.
  - Notification of appropriate law enforcement agency.
  - IF STUDENT IS EXPELLED
    - Cessation of attendance at curricular activities, co-curricular activities, extra-curricular activities and school functions during the time of the expulsion.
    - Exclusion from school property during time of the expulsion.
    - Recommendation of counseling for readmission.
    - Referral to Student Services for support services.
    - Assigning of a building guidance counselor for transitioning back to school and ongoing monitoring.
    - Enrollment into an alternative program, if appropriate.

#### **V. THE PROGRAM FOR INTERVENTION AND ASSISTANCE SHALL INCLUDE:**

1. Staff persons are to refer students to their guidance counselors to receive initial counseling and to obtain information on counseling/ treatment services available to the student or the student's rights, if any, to those services and on the confidentiality which the student can expect.
2. At the beginning of each school year, and in the event of a new employee, the school leader/designee will distribute the referral procedures and resources. The school leader/designee will request staff assistance in encouraging students to seek support.
3. Students with drug or alcohol problems will be referred to their guidance counselor for needs assessment, counseling, and referral to outside agency, if appropriate.
4. No payment is required from students for counseling provided by the guidance counselor or programs sponsored by the building. Any cost for counseling, treatment, or testing provided by outside agencies will be borne by the student.

## APPENDIX D- Dress Code Policy

**Student Dress Code Policy:** Students and staff strive for excellence at The Delaware Met and the dress code reflects this. With this in mind, the following guidelines have been adopted by the Board of Directors for students attending The Delaware Met.

*Please note: The Delaware Met school leader and staff have the sole discretion to enforce the items below based on their judgment of inappropriate attire.*

1. Appropriate and safe foot wear should be worn at all times. Specifically, house slippers, flip-flops, and excessively high heels are not permitted. Sneakers are required for physical education class.
2. Hats and head coverings are not to be worn in the building during school hours (Religious head coverings are permitted).
3. Any garments, as determined by the staff and School Leader, in conjunction with this Board-approved policy, to be inappropriately tight, short, or revealing (including, but not limited to mesh tops, midriff tops, tank tops, tube tops, short shorts, mini-skirts, short dresses, etc.) are prohibited during school hours and at school events.
4. Any garments, as determined by the staff and School Leader, in conjunction with this Board-approved policy, to have excessive holes, rips, studs, or other accessories are prohibited during school hours and at school events.
5. Any attire, as determined by the staff and School Leader to be disruptive to the educational process is prohibited. Attire that is unsafe, unhealthy, offensive to generally accepted standards, or obscene is not to be worn. Decals, slogans, or pictures that contain references to inappropriate substances (i.e. drugs, alcohol, smoking, etc.) or immoral behavior are not allowed.
6. Undergarments should never be exposed. Likewise, plunging neckline, bare midriffs, excessively high shorts and/or skirts, and any other exposure will not be accepted.
7. During internship hours, students are expected to dress for the environment of which they are a part. This will vary for each student, but dress code will be discussed with the mentor, advisor, student, and parent prior to the beginning of an internship. This dress code agreement will be added to the Personalized Learning Plan.
8. All attire – whether for school, internships, or other school-related activities – is expected to be neatly worn, clean, and worn appropriately.
9. **Items not specifically covered in the above-listed guidelines will be at the discretion and good, reasonable judgment of the staff and School Leader as supported by this Board-approved dress code policy.**

**Staff Dress Code Policy:** School leaders, advisors/teachers and staff at The Delaware Met serve as important role models for students in many important ways, including manner of dress. It is important that students are taught to understand how dress/attire plays an

important role in adult life, especially since different environments require different manners of dress.

An advisor's role, along with other adult role models in the school, involves helping students to distinguish between appropriate and inappropriate attire – and through guided practice – make suitable clothing selections that fit the occasion.

Therefore, advisors are expected to model this for their students on a regular basis, and incorporate instruction related to appropriate dress into each student's Individual Learning Plan.

## **APPENDIX E- Bullying Prevention, Cyberbullying, & Anti-Hazing Policy**

The Delaware Met recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The school strives to provide safe learning environments for all students and safe working environments for all staff members.

### **I. PROHIBITION OF BULLYING WHICH INCLUDES CYBERBULLYING**

To further these goals, and as required by 14 Del. C. § 4112D, the school 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 a the school. 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 school further prohibits reprisal, retaliation or false accusation against a target, witness or person with reliable information about an act of bullying. As used herein, the term “school functions” includes field trips or any officially sponsored school event.

“School property” as used herein means any building, structure, playground, field, or any motor vehicle owned, operated, leased, rented or subcontracted by the school.

### **II. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS POLICY:**

- A. “Bully” or “Bullying” as used in herein shall mean 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:
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.

An act is intentional if it is the person’s conscious objective to engage in conduct of that nature.

- B. 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.

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.

1. Whether speech constitutes cyberbullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
2. 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 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 perpetuated 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:

**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.

**Verbal bullying:** Name calling, insulting, making offensive comments, using offensive language, mimicking, imitating, teasing, laughing at someone's mistakes, using unwelcome nicknames, threatening

**Relational Bullying:** Isolation of an individual from his or her peer group, spreading rumors

**Cyberbullying:** Bullying by using information and communication technologies. Cyber-bullying may include but is not limited to:

- **Denigration:** spreading information or pictures to embarrass, **Flaming:** heated unequal argument online that includes making rude, insulting or vulgar remarks
- **Exclusion:** isolating an individual from his or her peer group, **Impersonation:** Using someone else's screen name and pretending to be them
- **Outing or Trickery:** forwarding information or pictures meant to be private.
- **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 school policies or building, classroom or program rules.

### III Anti-Hazing

- A. Hazing, as defined below, is strictly prohibited. Any person who causes or participates in hazing commits a class B misdemeanor. Furthermore, if any component of the hazing incident is classified as a reportable offense and it occurs on school property or during a school function, it will be reported according to Delaware's mandatory school crime reporting law.
- B. "Hazing" means any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which wilfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by the school. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the admission or initiation into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.
- C. The anti-hazing policy applies to acts conducted on or off campus whenever such acts are deemed to constitute hazing.
- D. Individuals who are determined to be in violation of this policy are subject to any or all of the following penalties: the imposition of fines, the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines and the imposition of probation, suspension or dismissal.
- E. Organizations sanctioned or administered by the school who are determined to be in violation of the anti-hazing policy and authorize hazing in blatant disregard of such rules, penalties may also include rescision of permission for that organization to operate on campus property or to otherwise operate under the sanction or recognition of the institution.
- F. All penalties imposed under the authority of this section shall be in addition to any penalty imposed in accordance with the criminal laws of this State or for violation of any other institutional rule to which the violator may be subject.

### IV. SCHOOL-WIDE BULLY PREVENTION PROGRAM

The school shall develop or adopt a school-wide bully prevention program that is research-based. The goals of the school-wide program will be to reduce any existing bullying problems among students, to prevent development of new bullying problems, and to achieve better peer relations and staff-student connections at school. The school leader or designee of each school will establish a Coordinating Committee, as described in Section IV of this Policy, responsible for coordinating the school's bully prevention program. In addition, each school's supervisory system in non-classroom areas will be reviewed as set forth in Section IV of this Policy.

## V. COORDINATING COMMITTEE

The school leader or designee of each school shall establish a site-based Coordinating Committee (hereinafter, “the 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 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, 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 leader.

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), a and b, of Title 14 of the Delaware Code, that committee shall vote whether or not to accept the aforementioned responsibilities.

Each Committee established pursuant to this Policy shall:

1. Hold regular meetings.
2. Select a coordinator of the School-Wide Bully Prevention Program.
3. Consider, decide upon, and coordinate any staff training sessions (beyond the 1 hour gang and bully prevention training required in 14 Del. C. 4123A), as needed.
4. Create and maintain a training log (either paper or electronic) to keep a record of the school staff who have been trained, and what training they have received.
5. Review the school’s supervisory system for non-classroom areas and make recommendations for modifications, if necessary, to the school leader or designee.
6. Plan a school kick-off event.
7. Establish subcommittees, as needed.
8. Decide upon and implement methods of notification to students, parents and the community concerning the School-Wide Bully Prevention Program.

The items above are not an exclusive list, but rather examples activities to be completed by the Committee.

## VI. REPORTING BULLYING INCIDENTS

It is the responsibility of each member of the school community: students, staff members, 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 staff member who has reliable information that would lead a reasonable person to suspect a person is a target of bullying shall immediately report it to the administration. The staff member must follow up any initial verbal report of a suspected bullying incident with a written report within 24 hours. The written report shall be reasonably specific as to actions giving rise to the suspicion of bullying and shall include:
  1. Persons involved, designating bully, target, and bystanders roles.
  2. Time and place of the conduct and alleged number of incidents.
  3. Potential student or staff witnesses.

4. Any actions taken.

- B. Any student, parent, or other member of the school community who suspects that a bullying incident(s) has occurred, or is, occurring, should immediately report the same to a school staff member or administrator.

#### **VII. INVESTIGATIVE PROCEDURES**

- A. The school is required to have a procedure for the administration to promptly investigate all complaints/reports of bullying in a timely manner and determine whether bullying has occurred. The procedure must 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 the school from identifying other reasons or criteria why a person is a target of bullying. The school leader may designate a person or persons to be responsible for responding to bullying complaints. Each confirmed incident of bullying must be recorded in the School Register of Bullying Incidents.
- B. All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the school leader or designee within five (5) working days pursuant to Department of Education regulations.
- C. 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.

#### **VIII. CONSEQUENCES FOR BULLYING**

The disciplinary consequences for students involved in bullying incidents are set forth in the Student Code of Conduct and are expressly incorporated by reference into this Policy.

#### **IX. STAFF MEMBER TRAINING**

The school 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 to all staff members. 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).

#### **X. DISCIPLINARY ACTION BASED ON ANONYMOUS REPORTS**

Formal disciplinary action solely based solely on anonymous reports is not permitted.

#### **XI. NOTIFICATION OF PARENTS**

The school leader or designee shall notify the parent, guardian or relative caregiver pursuant to 14 Del. C. 202(f), or legal guardian, of any target of bullying or person who bullies.

## **XII. IMPLEMENTATION BULLYING PREVENTION PROGRAM**

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

## **XIII. ACCOUNTABILITY**

The school leader of each school shall notify the 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. The school leader shall verify for the Board the method and date that this policy has been distributed, to all students, parents, faculty, and staff.

## **XIV. 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 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.

## **XV. OTHER DEFENSES**

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

## **XVI. 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.

## **XVII. 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.

## **XVIII. 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.

## **XIX. PROCEDURE FOR COMMUNICATING WITH MEDICAL AND MENTAL HEALTH PROFESSIONALS**

School staff will follow the same procedures for communicating with medical and mental health professionals involved in treating students for bullying issues as are utilized for all other communications with medical and mental health professionals concerning students. Release of information forms must be signed by the parent, guardian or relative caregivers 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 principal or designee 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.
- c. Summary of this evaluation shall be shared at a meeting with student, parent/guardian and school leader or designee 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.

## **XX. LIMITATION/EXCLUSION**

Nothing in this policy is intended to prohibit the 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 school policies or building, classroom or program rules.

**XXI. SCHOOL OMBUDSPERSON: ATTORNEY GENERAL'S OFFICE'S BULLYING HOTLINE 1-800-220-5414**

The telephone number of the Department of Justice School Ombudsman shall be provided in writing to parents, students, faculty, and staff; and shall be on the website of the school. The contact information shall also be prominently displayed in each school.

**XXII. INFORMING STUDENTS OF ELECTRONIC MEDIUMS**

Upon implementation of this policy, and again at the beginning of each academic year, the school shall inform students in writing of 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. From implementation of this policy through the end of 2013-14 school year, postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at minimum, be included in The Delaware Met's list of 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.

**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.

## APPENDIX F- Procedures for the Expulsion of Students

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

- The school leader/designee shall conduct a preliminary investigation to determine if there is reasonable cause to pursue disciplinary action.
- If the investigation verifies that disciplinary action may be warranted, initial due process procedures shall be followed.

After the student has been afforded initial due process procedures, if the principal/designee decides that disciplinary action will be taken in the form of a recommendation for expulsion the following procedures shall be followed:

- Student will be given written notice of charges and the parent/guardian shall be notified as soon as practical thereafter.
- The student will be given a short-term suspension. The parent/guardian shall be provided a copy of the suspension form that includes a written notice of the code of conduct violation(s).
- The school leader/designee shall hold a building level meeting/conference with the parent/guardian and the student. The principal/designee shall explain to the parent/guardian and the student the purpose of the meeting is to inform them: 1) of the recommendation for expulsion; 2) that the student will be suspended and the length of the suspension pending the outcome of the expulsion hearing and; 3) of the procedures that will take place as follow-up to the recommendation for expulsion.
- The meeting/conference shall be held by phone or in person.
- The school leader/designee should have at least one other person present to take notes during the meeting/conference (assistant principal, school counselor or student advisor).
- All documentation related to the recommendation for expulsion shall be submitted to the Board/Designee, Charter Head/Designee within two (2) days of the building level meeting/conference or seven (7) days of the incident, whichever is sooner.
- Days for reporting shall mean business days not to include Saturday, Sunday, or holidays.

### Expulsion Hearing

- Upon receipt of a recommendation from the building-level conference, the Board/Designee will review documentation to affirm that appropriate discipline procedures were followed. The Board/Designee shall, within ten (10) days of the date of the incident, notify the student and the parent/guardian by letter that a district-level expulsion hearing will be held to consider the recommendation.
  - The Board/Designee shall not have been a participant in the disciplinary investigation or building-level conference resulting in the recommendation for expulsion.

- Written notice shall be sent by certified mail to the parent/guardian describing the circumstances which led to the recommendation for expulsion and shall give the date, time, and location of the hearing.
- The hearing shall be held not less than three (3) business days or more than ten (10) business days after receipt of Notice. The Notice will be deemed to be received on the third calendar day following the day of mailing. This time period may be waived by agreement of the parties. A copy of the documentation shall be made available, upon request, to the student/parent/guardian at the school office prior to the mailing.
- If requested, the student and parent/guardian will also be given copies of the following:
  - The reason(s) for the recommendation.
  - The names of the witnesses who may appear.
  - Copies of information that may be submitted as evidence.
- The District/Charter should receive written parent/guardian permission for any witnesses who are minors.
- The hearing may be conducted by a Hearing Officer selected by the Board/Designee representative. The Hearing Officer may be an employee of the School, but must not have been involved in any review of the student incident at the building /district level including the building-level conference.
- The officer shall have full authority to admit or exclude evidence.
  - Evidence presented at the expulsion hearing may include, but is not limited to, witness statements, police/AG reports, and photocopies of evidence.
  - The Hearing Officer is not bound by common law or statutory rules evidence or by technical or formal rules of procedure.
  - The Hearing Officer shall exclude plainly irrelevant evidence.
  - Unduly repetitive proof, rebuttal, and cross-examination may be excluded.
- In conducting the hearing, the School shall submit evidence first followed by the response of the student, if any.
  - Further rebuttal evidence by either party may be presented at the hearing if the Hearing Officer determines such evidence is necessary.
- The Board/Designee/School representative presenting the case on the part of the School should not testify.
- The student shall have the following rights:
  - To be represented by counsel at the student's expense.
  - To cross-examine witnesses.
  - To testify and produce witnesses on his/her behalf.
  - To obtain, at the student's expense, a copy of the transcript of the hearing.
- In lieu of a formal expulsion hearing, a student or his/her representative, may elect to waive the hearing and admit to the violation charges. In these circumstances, the student must provide a written hearing waiver request letter at least 24 hours prior to the date of the hearing or be given the opportunity to waive on the day of the

hearing. This waiver does not absolve the student from required consequences for the violation under State Law and the Code of Student Conduct.

## Board-Level (Board of Education or Board of Directors) for Expulsions

- Within five (5) business days following the conclusion of the School Board-level Expulsion Hearing, a written report (“Report”) shall be prepared by the Hearing Officer for the Board/Designee/School representative.
- The Report shall frame the issues, summarize the evidence, state conclusions of fact, and make a recommendation based on the Student Code of Conduct or related Board policies as to whether the Board/Designee/School representative should recommend to the Board that the student be expelled.
- The Board/Designee/ School representative should accept or modify the recommendation of the Hearing Officer within five (5) business days of receiving the Report.
- The decision of the Board/Designee/ School representative shall be communicated to the student/parent/guardian in writing.
- If the Board/Designee/ School representative recommends expulsion, the Board shall make its decision at the next scheduled public Board Meeting.
  - The review shall be conducted by a majority of the members of the Board and shall be based solely upon the Report from the officer, the record of the District-level expulsion hearing, and the written responses, if any, by the student/parent/guardian. The Board may accept, reject, or modify the recommendation of the Board/Designee/ School representative to expel the student with or without services.
  - Decisions to expel without services shall be reported to the Department of Education within three (3) business days of the Board decision.
- Except as is otherwise provided herein, within ten (10) business days of the conclusion of the review by the Board, the Board, through its designee, shall submit its decision to the student/parent/guardian in writing. The written decision shall include notice of the student’s right to appeal to the State Board of Education.

## Calculation of Time

- In calculating the period of time for the term of the expulsion school days will be used.

## Notification of Expulsion to Division of Motor Vehicle

- The Delaware Division of Motor Vehicle will be notified of the beginning and ending date of expulsion for students who are expelled from the School as a request for suspension of driving privileges in accordance with 14 Del.C §4130(e) (1).
- A copy of the Delaware Division of Motor Vehicle form shall be forwarded to the Department of Education.



## APPENDIX G- Gun Free School Zone Act

In compliance with the Federal "Gun Free Schools Act of 1994," the School adopts the following policy: Possession of a firearm or Dangerous Instruments/Lookalikes on school property, in a school bus, or at any school-sponsored event or activity shall result in expulsion for a period of not less than 180 school days. The Board of Directors shall modify such expulsion requirement to the extent a modification is required by Federal or State law. The procedures to implement this policy will be the student expulsion procedures outlined in the School's Student Code of Conduct. For purposes of this policy, "firearm" as defined in Section 921 of Title 18, United State Code.

### Definition of firearms

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

The term "dangerous Instruments/Lookalikes" means a dangerous instruments or debilitating sprays such as but not limited to slingshots, knives, penknives, razor blades, sharp instruments, mace, pepper gas, or look-alikes, and any weapon which will, is designed to, or may be readily be converted to, expel a projectile by action of air pressure, carbon dioxide pressure, or mechanical means, including but not limited to pellet gas, B-B guns, CO2 guns, and air guns.

The term "destructive device" means-- (A) any explosive, incendiary, or poison gas-- bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, device similar to any of the devices described in the preceding clauses; (B) any type of weapon (other than a shotgun or a shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by an action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (C) any combination of parts either designated or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

This term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is designed for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Secretary of the Treasury finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.

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

Crimes Committed Outside of the School: The Delaware Met, as well as the other schools in Delaware, is notified by the Attorney General's Office whenever a School student is arrested for committing a felony, even if it has nothing to do with school or has occurred off school property. When the School receives these reports, they will be reviewed. The School will take disciplinary action as outlined in the Student Code of Conduct if it is felt that the out-of-school conduct indicates the student presents a threat to the health, safety or welfare of other students. Example: If a student is arrested for selling narcotics in the community, he may be expelled from school. *Students need to realize that out-of-school behavior can result in expulsion from school or placement in an alternative program.*

**APPENDIX H- Discipline Levels and Consequences**

Restorative Practices do not take the place of behavioral consequences. While the staff of The Delaware Met is committed to restorative measures, consequences are a necessary part of behavior management. The following discipline levels provide detail in regards to possible consequences for levels of behavior.

Level	Example Offenses	Discipline - Consequences for Actions					
		First Offense		Second Offense		Third and Subsequent Offenses	
		School	Bus	School	Bus	School	Bus
Level 1	Cheating Disruptive Behavior Failure to Have Supplies Inappropriate Dress Inappropriate Language Loitering Non-Compliance Possession of Non-School Items Unexcused Tardy Violation of Acceptable Use Policy	<ul style="list-style-type: none"> <li>Teacher reprimand/student conference</li> <li>Restorative questioning</li> </ul>	<ul style="list-style-type: none"> <li>Counseled by bus driver</li> <li>Discipline referral submitted to the school leader</li> </ul>	<ul style="list-style-type: none"> <li>Teacher detention and/ or parent notification</li> <li>Restorative questioning/class circle</li> <li>Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>Reassigned seat</li> <li>Discipline referral submitted to the School Leader</li> <li>Written Parent Notification</li> </ul>	<ul style="list-style-type: none"> <li>Teacher detention and parent/ teacher strategy</li> <li>Written Parent Notification</li> <li>Restorative questioning/class circle</li> <li>Public Apology</li> </ul> <p><i>NOTE: Fourth Offense of the same behavior is considered chronic and is a level 2 violation.</i></p>	<ul style="list-style-type: none"> <li>Discipline referral submitted to the school leader</li> <li>Bus suspension and in-school suspension of equal days (1-3)</li> <li>Written Parent Notification</li> </ul> <p><i>NOTE: Fourth Offense of the same behavior is considered chronic and is a level 2 violation.</i></p>
Level	Example Offenses	Discipline - Consequences for Actions					
		First Offense		Second Offense		Third and Subsequent Offenses	
		School	Bus	School	Bus	School	Bus

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Level 2	Referred Level I Offenses Abusive Language Careless Behavior Chronic Disruption Class Cut Defiance Failure to Serve Detention Gambling Inappropriate Public Behavior Minor Vandalism Misuse of Technology Plagiarism School Cut/Truancy Smoking Stealing Threat Violation of Bus Safety Policy Violation of Medication Policy	<ul style="list-style-type: none"> <li>• Reprimand and/or Detention</li> <li>• Parent Notification</li> <li>• Restorative questioning</li> <li>• For misuse of technology: cancellation of user privileges for the period of suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Counseled by the bus driver</li> <li>• Discipline referral submitted to the school leader</li> </ul>	<ul style="list-style-type: none"> <li>• Detention</li> <li>• Parent Notification</li> <li>• Restorative Questioning/ Class Circle</li> <li>• For misuse of technology – cancellation of user privileges for the marking period</li> </ul>	<ul style="list-style-type: none"> <li>• Reassign seat</li> <li>• Discipline referral submitted to the school leader</li> <li>• Parent Notification</li> </ul>	<ul style="list-style-type: none"> <li>• Detention and/or Suspension (1 to 2 days)</li> <li>• Parent Notification</li> <li>• Parent Conference/ Restorative Circle</li> <li>• Behavior Plan</li> <li>• Community Service</li> <li>• For misuse of technology: Referral to Building Discipline Committee to consider cancellation of user privileges for the remainder of the school year</li> </ul>	<ul style="list-style-type: none"> <li>• Bus suspension and Detention and/or Suspension, 1-2 days (suspensions for each are the same number of days)</li> <li>• Parent Notification</li> <li>• Parent Conference Behavior Plan</li> </ul>
<b>Level</b>	<b>Example Offenses</b>	<b>Discipline – Consequences for Actions</b>					
		<b>First Offense</b>		<b>Second Offense</b>		<b>Third and Subsequent Offenses</b>	
		<b>School</b>	<b>Bus</b>	<b>School</b>	<b>Bus</b>	<b>School</b>	<b>Bus</b>

# Code of Conduct and Restorative Practices

2015-  
2016

Level 3	<p>Referred Level I and Level II Offenses</p> <p>Chronic Stealing</p> <p>Fighting</p> <p>Forgery</p> <p>Harassment/ Bullying</p> <p>Leaving School without Permission</p> <p>Misuse/Abuse of Substances</p> <p>Offensive Touching (Student on Student)</p> <p>Terroristic Threatening and/ or Behavior</p>	<ul style="list-style-type: none"> <li>• Detention and/or Suspension (1 to 2 days)</li> <li>• Parent Notification</li> <li>• Parent Conference when necessary</li> <li>• Behavior Plan required</li> <li>• Police Notification when necessary</li> <li>• Restitution/ Restoration if warranted</li> <li>• Referral to other agencies, if warranted</li> <li>• Community Service</li> <li>• Restorative Question/ Restorative Circle</li> <li>• Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>• Bus Suspension and Detention and/or Suspension (1 to 2 days)</li> <li>• Parent Notification</li> <li>• Parent Conference when necessary</li> <li>• Behavior Plan required</li> <li>• Police Notification when necessary</li> <li>• Restitution/ Restoration if warranted</li> <li>• Referral to other agencies, if warranted</li> </ul>	<ul style="list-style-type: none"> <li>• Detention and/or Suspension (2 to 5 days)</li> <li>• Parent Notification</li> <li>• Parent Conference Required Before returning to School</li> <li>• Referral to School Discipline Team Required</li> <li>• Behavior Plan required</li> <li>• Notification of Police when necessary</li> <li>• Restitution/ Restoration if warranted</li> <li>• Referral to other agencies, if warranted</li> <li>• Community Service</li> <li>• Restorative Questioning/ Restorative Circle</li> <li>• Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>• Bus Suspension and Detention and/or suspension (2 to 5 days)</li> <li>• Parent Notification</li> <li>• Parent Conference required before returning to school</li> <li>• Referral to School Discipline Team required</li> <li>• Behavior Plan, if necessary</li> <li>• Notification of Police when necessary</li> <li>• Restitution/ Restoration if warranted</li> <li>• Referral to other agencies, if warranted</li> </ul>	N/A	N/A
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# Code of Conduct and Restorative Practices 2015-2016

Level	Example Offenses	Discipline – Consequences for Actions					
		First Offense		Second Offense		Third and Subsequent Offenses	
		School	Bus	School	Bus	School	Bus
Level 4	Assault on Student Extortion Major Vandalism Offensive Touching of a Staff Member Sexual Harassment	<ul style="list-style-type: none"> <li>• Out of School Suspension (2 to 5 days)</li> <li>• Parent Notification</li> <li>• Parent Conference required before returning to school</li> <li>• Police Notification: Charges may be filed</li> <li>• Referral to School Discipline Team</li> <li>• Behavior Plan required</li> <li>• Board Notification</li> <li>• DOE Student Conduct Report will be filed as required by law</li> <li>• Other appropriate administrative action</li> </ul>	<ul style="list-style-type: none"> <li>• Out of School Suspension (2 to 5 days)</li> <li>• Parent Notification</li> <li>• Parent Conference required before returning to school</li> <li>• Police Notification: Charges may be filed</li> <li>• Referral to School Discipline Team</li> <li>• Behavior Plan required</li> <li>• Board Notification</li> <li>• DOE Student Conduct Report will be filed as required by law</li> <li>• Other appropriate administrative action</li> </ul>	<ul style="list-style-type: none"> <li>• Out of School Suspension (5 days: May be extended by Board)</li> <li>• Parent Notification</li> <li>• Notification of Police: Charges may be filed</li> <li>• Referral to School Discipline Team</li> <li>• Behavior Plan required</li> <li>• DOE Student Conduct Report will be filed as required by law</li> <li>• Parent Conference with board or designee</li> <li>• Possible referral/ placement with outside agency</li> </ul>	<ul style="list-style-type: none"> <li>• Out of School Suspension (5 days: May be extended by Board)</li> <li>• Parent Notification</li> <li>• Notification of Police: Charges may be filed</li> <li>• Referral to School Discipline Team</li> <li>• Behavior Contract required</li> <li>• DOE Student Conduct Report will be filed as required by law</li> <li>• Parent Conference with Board or designee</li> <li>• Possible referral/ placement with outside agency</li> </ul>	N/A	N/A

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		<ul style="list-style-type: none"> <li>• Restitution if applicable</li> <li>• Major Vandalism to School Computer – Referral to Building Discipline Committee to consider cancellation of user privileges for the remainder of the school year</li> <li>• Community Service</li> <li>• Restorative Questioning/ Restorative Circle</li> <li>• Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>• Restitution if applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Other appropriate administrative action</li> <li>• Restitution if applicable</li> <li>• Major Vandalism to School Computer – Cancellation of user privileges</li> <li>• Community Service</li> <li>• Restorative Questioning/ Restorative Circle</li> <li>• Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>• Other appropriate administrative action</li> <li>• Restitution if applicable</li> </ul>		
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# Code of Conduct and Restorative Practices 2015-2016

Level	Example Offenses	Discipline - Consequences for Actions				
		First Offense		Second Offense		Third and Subsequent Offenses
		School and Bus		School and Bus		School
Level 5	Arson Assault on a Staff Member Bomb Threat or any behavior that could or does result in the evacuation or lockdown of a School Building or Bus Possession of any Weapons/ Explosive Devices The Unlawful Possession, Use or Distribution of Illicit Drugs, Alcohol or Counterfeit Substances  <i>Note: Any felony not</i>	<ul style="list-style-type: none"> <li>• Out-of-school suspension pending a hearing. The board will determine whether or not to have a formal expulsion hearing</li> <li>• Police Notification</li> <li>• Written Parent Notification</li> <li>• Community Service</li> <li>• Restorative Questioning/Restorative Circle</li> <li>• Public Apology</li> </ul>	<ul style="list-style-type: none"> <li>• Recommendation for expulsion from school for up to one calendar year. Students may have their expulsion reduced to a minimum of 60 days depending on various factors including previous disciplinary record, academic performance, positive attitude, or special circumstances.</li> <li>• Suspension from school during pendency of expulsion hearing.</li> <li>• Notification of appropriate law enforcement agency.</li> <li>• Community Service</li> <li>• Restorative Questioning/Restorative Circle</li> <li>• Public Apology</li> <li>• IF STUDENT IS EXPELLED                             <ul style="list-style-type: none"> <li>○ Cessation of attendance at curricular activities, co-curricular activities, extra-curricular activities and school functions during the time of the expulsion.</li> <li>○ Exclusion from school property during time of the expulsion.</li> <li>○ Recommendation of counseling for readmission.</li> </ul> </li> </ul>	N/A	N/A	

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	<p><i>specifically mentioned that was committed while at school or during a school function will be considered a Level V Offense</i></p>		<ul style="list-style-type: none"> <li>○ Referral to Student Services for support services.</li> <li>○ Assigning of a building guidance counselor for transitioning back to school and ongoing monitoring.</li> <li>○ Enrollment into an alternative program, if appropriate.</li> </ul>		
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## APPENDIX I- Harassment Policy

Every employee, student, contractor, parent, or other person having contact with our schools should be treated at all times with appropriate courtesy, respect, and consideration by all people employed, students attending, or associated with our school. It is our policy that all persons be treated with civility and fairness, and that all employees/students be provided with the opportunity to teach/learn in an environment conducive to effective teaching and learning, characterized by mutual respect and free from intimidation, discrimination, sexual misconduct and/or abuse, sexual violence, foul or abusive language, ridicule, insult, overt hostility, and harassment as defined by this Policy. Our school strongly disapproves of harassment on any basis prohibited by this Policy or our Equal Opportunity Policy. This Policy also protects our students in all educational programs and activities. This includes academic, educational, extracurricular, athletic, and other programs of the school, whether those programs or activities take place in our school facilities, on a school bus, field trip, at a class or training program sponsored by the school at another location, or elsewhere.

The term “harassment” as used in this Policy means:

- Discriminatory conduct that is prohibited by law, such as sexual harassment and harassment on the basis of a person’s race, color, national or ethnic origin, religion, creed, age, disability or handicapped status, veteran status, or other characteristic prohibited by school’s Equal Employment Opportunity Policy;
- Sexual violence is a form of harassment under this Policy. Sexual violence is defined as physical sexual acts perpetrated against a person’s will, or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. A person may also be unable to give consent due to their intellectual or other disability. Sexual violence can be, but is not limited to, such acts as rape, sexual assault, sexual battery, and sexual coercion. All such acts are forms of sexual harassment under school policy.
- Other serious misconduct that the school prohibits because it interferes with a proper teaching, learning, or work environment even if it is not unlawful.

Of the conduct prohibited by law, sexual harassment needs to be defined because of its serious nature and consequences. Sexual harassment is any unwelcome conduct of a sexual nature. Sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitutes sexual harassment if:

- Submission to or cooperation with the conduct is either explicitly or implicitly made a term or condition of a person’s employment or academic standing;
- Submission to or rejection of such conduct is used as the basis for employment decisions or academic standing affecting the person;
- The conduct would amount to sexual abuse of a minor;
- The conduct or behavior is committed by a person in authority such as a teacher, coach, or administrator;
- The conduct involves a sexual relationship by an employee with a student regardless of the student’s age or consent; or
- Such conduct has the purpose or effect of unreasonably interfering with a person’s work performance, work/teaching environment, or learning environment – such conduct may include sexual jokes, posters, cartoons, and annoyances by undesired physical conduct, inappropriate physical contact, or sexual innuendoes made to a person known to find them offensive.

Such conduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the school's program.

Other conduct or comments constitute harassment prohibited by this Policy if a reasonable person would consider the behavior or comments to:

- Be unwelcome or offensive;
- Create an intimidating or hostile work, teaching or learning environment or
- Ridicule or demean a person or group based on race, color, national or ethnic origin, religion, creed, sex, sexual orientation, age, disability or handicapped status, or other characteristic prohibited by the school's Equal Employment Opportunity Policy.

Examples of behavior that may be considered harassment include:

- Written or verbal abuse or threats;
- Offensive or insulting comments, innuendoes or actions;
- Offensive or demeaning posters, graffiti, pictures, drawings, or cartoons;
- Cultural, racial, or ethnic slurs;
- Vandalism of personal property.

Examples of Sexual Violence:

- Rape;
- Sexual assault;
- Sexual battery;
- Sexual coercion;
- Inappropriate sexual conduct.

Filing/Reporting a Complaint under this Policy:

Harassment can come from many sources, including administrators, superiors, fellow employees, students, vendors, parents or other persons associated with the school. Any employee, student, or individual who believes that he or she has been the victim of harassment from any source in violation of this Policy, or if a staff member witnesses misconduct as described in this Policy should immediately inform one of the following persons: his or her teacher, supervisor, or school leader. If the complaint involves someone in the direct line of supervision or authority, or if the person is uncomfortable for any reason with discussing such matters with the designated people, or if the person is not satisfied after bringing the matter to the attention of these people, the employee should report the matter directly to the Board. The complaint can be verbal or written in reporting a violation of this Policy.

Responsibility to Report:

All school leaders, supervisors and other management or administrative employees are required to report promptly to their immediate superior and to the Board or designee all known or suspected violations of this Policy, including all employees, students, applicants, contractors, or other complaints of unlawful discrimination or harassment. This reporting should be done whether a complaint has been filed or not. All complaints must be reported even if the person making the complaint requests that no one else be told or that it be kept confidential. Any employee who suspects or hears rumors of sexual misconduct toward a student must report it to the building administration. Disciplinary action may be taken against a person who knowingly withholds

information. In the case of a student making a complaint, the school will contact their parent regarding the investigation and confidentiality of the student's name. The school will request authorization to start an investigation for students, but shall also conduct an investigation if this authorization is not obtained. The school will seek full support from the parents of any student making a complaint.

#### Investigation:

All complaints will be investigated promptly and concluded within sixty (60) calendar days. If a complaint is determined to be valid, appropriate corrective action will be taken, including further inquiry as necessary to determine that the harassment has stopped. Discipline of school employees, students, or contractors will be based on the severity of the offense and may include termination of employment or suspension or expulsion from school. The board will also take appropriate action with vendors or others not directly employed by the school who engage in harassment.

Although the school must disclose information about the complaint—sometimes including the identity of the complainant—to conduct a proper investigation, the school will keep complaints, related investigations, and the terms of their resolution as confidential as reasonably possible. Retaliation against complainants, victims, or witnesses is strictly prohibited and is itself grounds for disciplinary action.

Employees, students, and others making complaints under this Policy are cautioned against making false accusations or providing false information in an investigation of possible harassment. Such accusations can have serious effects on the falsely accused. Disciplinary action may be taken against a person who knowingly gives false information in an investigation, who falsely accuses another person of harassment, or who refuses to cooperate in an investigation.

Any staff member/employee convicted of a sex act shall report it to the school leader immediately. Harassment prohibited by this Policy does not include every minor annoyance, perceived lack of friendliness, personality conflict not accompanied by overt incivility, or other ordinary disagreements that occasionally arise in the school or workplace and may cause unhappiness. Still, some conduct that does not constitute harassment within the definition of this Policy may nevertheless interfere with an employee's productivity or enjoyment of work at the school. If you are subjected to such conduct and are unable to resolve the matter with the other person or people involved, or are uncomfortable attempting to do so, please ask your supervisor or school leader for help or advice. While disciplinary action will probably not be appropriate, they can counsel the people involved and otherwise help resolve the problem.

#### Responsibility for Enforcement:

All school administrators, managers, and supervisors are responsible for enforcing this Policy. All employees and students are responsible for respecting the rights of others and for maintaining a workplace and learning environment free of harassment as defined in this Policy.

## **APPENDIX J- Family Education Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the school with certain exceptions obtain your written consent prior to the disclosure of personally identifiable information (PII) from your child's education records. However, the school may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary in accordance with school procedures. The primary purpose of directory information is to allow the school to include this type of information from your child's education records in certain school publications.

Examples include:

- A playbill, showing your student's role in an Arts, play or drama production;
- The annual yearbook or CD;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets or programs such as for wrestling, showing weight and height of team members, basketball programs, football programs, academic competition programs etc.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that publish yearbooks.

If you do not want the school to disclose the type of directory information identified above from your child's education records without your prior written consent, you must notify the school in writing by September 15th after the start of each school calendar year. We have designated the following type of information as directory information:

- Student's name
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Awards received
- The most recent educational agency or institution attended
- Student ID number, user ID, or other unique personal identifier used to communicate in electronic systems that cannot be used to access education records without a PIN, password, etc. (A student's SSN, in whole or in part, will not be used for this purpose.)

## **APPENDIX K- Student Acceptable Use Policy**

The Delaware Met Charter School (hereafter referred to as The Delaware Met) is now offering Internet access and computers for student use. This document contains the Acceptable Use Policy for your use of all computers, software and internet access while at The Delaware Met Charter School (hereafter referred to as The Delaware Met Computer Network).

### **A. Educational Purpose**

1. The Delaware Met Computer Network has been established for a limited educational purpose. The term "educational purpose" includes classroom activities
2. The Delaware Met Computer Network has not been established as a public access service or a public forum. The Delaware Met has the right to place reasonable restrictions on the material you access or post through the system. You are also expected to follow the rules set forth in the code of conduct and the law in your use of The Delaware Met Computer Network.
3. You may not use The Delaware Met Computer Network for commercial purposes. This means you may not offer, provide, or purchase products or services through The Delaware Met Computer Network.
4. You may not use The Delaware Met Computer Network for political lobbying. But you may use the system to communicate with elected representatives and to express your opinion on political issues.

### **B. Student Internet Access**

1. All students will have access to Internet World Wide Web information resources through their classroom, library, or school computer lab.
2. Elementary students will have e-mail access only under their teacher's direct supervision using a classroom account. Elementary students may be provided with individual e-mail accounts under special circumstances, at the request of their teacher and with the approval of their parent.
3. You and your parent must sign an Account Agreement to be granted an individual e-mail account on The Delaware Met Computer Network. This Agreement must be renewed on an annual basis. You parent can withdraw their approval at any time.
4. If approved by your building principal and supervised by your classroom teacher, you may create a Web page using The Delaware Met Computer Network. All material placed on your Web page must be pre-approved in a manner specified by the school. Material placed on your Web page must relate to your school and current classroom activities.

### **C. Unacceptable Uses**

The following uses of The Delaware Met Computer Network are considered unacceptable:

#### **1. Posting Personal Information**

- a. You will not post personal contact information about yourself or other people. Personal contact information includes your address, telephone, school address, work address, etc.

- b. You will not agree to meet with someone you have met online without your parent's approval. Your parent should accompany you to this meeting.
- c. You will promptly disclose to your teacher or other school employee any message you receive that is inappropriate or makes you feel uncomfortable.

## **2. Illegal Activities**

- a. You will not attempt to gain unauthorized access to The Delaware Met Computer Network or to any other computer system through The Delaware Met Computer Network or go beyond your authorized access. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing".
- b. You will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- c. You will not use The Delaware Met Computer Network to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of person, etc.

## **3. System Security**

- a. You are responsible for your individual account and should take all reasonable precautions to prevent others from being able to use your account. Under no conditions should you provide your password to another person.
- b. You will immediately notify a teacher or the system administrator if you have identified a possible security problem. Do not go looking for security problems, because this may be construed as an illegal attempt to gain access.
- c. You will avoid the inadvertent spread of computer viruses by following the District virus protection procedures if you download software.

## **4. Inappropriate Language**

- a. Restrictions against Inappropriate Language apply to public messages, private messages, and material posted on Web pages.
- b. You will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- c. You will not post information that could cause damage or a danger of disruption.
- d. You will not engage in personal attacks, including prejudicial or discriminatory attacks.
- e. You will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a You are told by a person to stop sending them messages, you must stop.
- f. You will not knowingly or recklessly post false or defamatory information about a person or organization.

## **5. Respect for Privacy**

- a. You will not re-post a message that was sent to you privately without permission of the person who sent you the message.
- b. You will not post private information about another person.

## **6. Respecting Resource Limits.**

- a. You will use the system only for educational activities and limited.

- b. You will not download large files unless absolutely necessary. If necessary, you will download the file at a time when the system is not being heavily used and immediately remove the file from the system computer to your personal computer.
- c. You will not post chain letters or engage in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.
- d. You will check your e-mail frequently, delete unwanted messages promptly, and stay within your e-mail quota.
- e. You will subscribe only to high quality discussion group mail lists that are relevant to your education or career development.

## **7. Plagiarism and Copyright Infringement**

- a. You will not plagiarize works that you find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
- b. You will respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. If you are unsure whether or not you can use a work, you should request permission from the copyright owner. Copyright law can be very confusing. If you have questions ask a teacher.

## **8. Inappropriate Access to Material**

- a. You will not use The Delaware Met Computer Network to access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature). A special exception may be made for hate literature if the purpose of your access is to conduct research and both your teacher and parent have approved.
- b. If you mistakenly access inappropriate information, you should immediately tell your teacher or another school. This will protect you against a claim that you have intentionally violated this Policy.
- c. Your parents should instruct you if there is additional material that they think it would be inappropriate for you to access. The school fully expects that you will follow your parent's instructions in this matter.

## **D. Your Rights**

### **1. Free Speech**

Your right to free speech, as set forth in the code of conduct, applies also to your communication on the Internet. The Delaware Met Computer Network is considered a limited forum, similar to the school newspaper, and therefore the School may restrict your speech for valid educational reasons. The School will not restrict your speech on the basis of a disagreement with the opinions you are expressing.

### **2. Search and Seizure.**

- a. You should expect only limited privacy in the contents of your personal files on the School system. The situation is similar to the rights you have in the privacy of your desk.

- b. Routine maintenance and monitoring of The Delaware Met Computer Network may lead to discovery that you have violated this Policy, the code of conduct, or the law.
  - c. An individual search will be conducted if there is reasonable suspicion that you have violated this Policy, the code of conduct, or the law. The investigation will be reasonable and related to the suspected violation.
  - d. Your parents have the right at any time to request to see the contents of your e-mail files.
3. **Due Process**
- a. The School will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through The Delaware Met Computer Network.
  - b. In the event there is a claim that you have violated this Policy or the code of conduct in your use of the The Delaware Met Computer Network, you will be provided with a written notice of the suspected violation and an opportunity to present an explanation before a neutral administrator [or - will be provided with notice and opportunity to be heard in the manner set forth in the code of conduct.
  - c. If the violation also involves a violation of other provisions of the code of conduct, it will be handled in a manner described in the code of conduct. Additional restrictions may be placed on your use of your Internet account.

### **E. Limitation of Liability**

The School makes no guarantee that the functions or the services provided by or through the School system will be error-free or without defect. The School will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. The School is not responsible for the accuracy or quality of the information obtained through or stored on the system. The School will not be responsible for financial obligations arising through the unauthorized use of the system.

### **F. Personal Responsibility**

When you are using the The Delaware Met Computer Network, it may feel like you can more easily break a rule and not get caught. This is not really true because whenever you do something on a network you leave little "electronic footprints," so the odds of getting caught are really about same as they are in the real world.

**But the fact that you can do something or think you can do something without being caught does not make it right to do so.** Even if you don't get caught, there is always one person who will know whether you have done wrong -- and that person is you. Your use of the Internet can be a mirror that will show you what kind of a person you are.