

The Delaware MET Student Code of Conduct: GRADES 9–12

LEVEL I OFFENSE(S):

- 3 Unexcused Lates
- Cheating/Plagiarism
- Disruptive Behavior
- Inappropriate Dress
- Inappropriate Language
- Loitering
- Minor Vandalism
- Non-Compliance
- Violation of Acceptable Use Policy

LEVEL I DISCIPLINE

Teacher Guidelines for Level I Offense(s)
Grades 9-12

FIRST OFFENSE:

GRADES 9-12

- Teacher student conference and parent notification

BUS 9-12

- Counseled by bus driver
- Discipline referral submitted to the Principal

SECOND OFFENSE:

GRADES 9-12

- Detention and parent notification

BUS 6-12

- Reassigned seat
- Discipline referral submitted to the Principal
- Written Parent Notification

THIRD OFFENSE:

GRADES 9-12

- Written disciplinary referral to the administration with appropriate written documentation.

BUS 9-12

- Discipline referral submitted to the Principal
- Bus suspension and suspension of equal days (1/3)
- Written Parent Notification

FOURTH OFFENSE OF THE SAME BEHAVIOR BECOMES CHRONIC AND A LEVEL II VIOLATION.

LEVEL II OFFENSE(S):

- Referred Level I Offenses
- Careless Behavior
- Chronic Disruption
- Class Cut
- Defiance
- Failure to Serve Detention
- Forgery
- Gambling
- Leaving School/Bus Without Permission
- Misuse/Abuse of Substances
- Misuse of Technology
- School Cut/T truancy
- Smoking
- Stealing
- Violation of Bus Safety Policy
- Violation of Medication Policy

LEVEL II DISCIPLINE

FIRST OFFENSE:

GRADES 9-12

- (1-3 days) Suspension (or Saturday School)
- Parent Notification
- Referral to School Discipline Committee
- Behavior Plan, if required
- Police Notification when necessary
- Restitution/Restoration of school/bus property if warranted
- For smoking - \$25.00 fine (in lieu of the fine, proof of completion of a smoking cessation class will be accepted)
- For Misuse of Technology – Cancellation of user privileges for the period of the suspension.

BUS 9-12

- (1-3 days) Bus and School Suspension of equal days (or Saturday School)
- Parent Notification
- Referral to School Discipline Committee
- Behavior Plan, if required
- Police Notification when necessary
- Restitution/Restoration of school/bus property if warranted
- For smoking - \$25.00 fine (in lieu of the fine, proof of completion of a

smoking cessation class will be accepted)

SECOND OFFENSE:

GRADES 9-12

- Suspension (1-3 days)
- Parent Notification
- Referral to School Discipline Committee
- Behavior Plan required
- Notification of Police, when necessary
- Possible Referral to Outside Agencies
- Restitution/Restoration of school/bus property if warranted
- For smoking - \$50.00 fine
- For Misuse of Technology – Cancellation of user privileges for a marking period

BUS 9-12

- Bus and School Suspension of equal days (1-3 days)
- Parent Notification
- Referral to School Discipline Committee
- Behavior Plan required
- Notification of Police, when necessary
- Possible Referral to Outside Agencies or Programs
- Restitution/Restoration of school/bus property if warranted
- Parent Notification
- For smoking - \$50.00 fine

THIRD AND SUBSEQUENT OFFENSE(S):

GRADES 9-12

- Suspension (3-5 days)
- Parent Conference Required Before Returning to School
- Referral to School Discipline Committee
- Behavior Plan required
- Notification of Police when necessary
- Possible Referral to Outside Agencies
- Restitution/Restoration of school/bus property if warranted
- For smoking - \$50.00 fine
- For misuse of technology – Referral to Building Discipline Committee to consider cancellation of user privileges for the remainder of the school year

BUS 9-12

- Suspension (3-5 days)
- Parent Conference Required Before Returning to School
- Referral to School Discipline Committee
- Behavior Plan required
- Notification of Police when necessary
- Possible Referral to Outside Agencies or Programs
- Restitution/Restoration of school/bus property if warranted
- For smoking - \$50.00 fine

LEVEL III OFFENSE(S):

- Referred Level I and II Offenses
- Abusive Language
- Chronic Stealing
- Disorderly Conduct
- Extortion
- Fighting
- Harassment/Bullying
- Inappropriate Public Behavior
- Major Vandalism
- Offensive Touching of a Staff Member
- Offensive Touching of a Student
- Sexual Harassment
- Terroristic Threatening and/or Behavior

LEVEL III DISCIPLINE

FIRST OFFENSE:

GRADES 9-12

- Suspension (1-5 days)
- Police Notification, if warranted
- Parent Conference Required Before Returning to School
- Placement on a Behavior Plan
- Referral to School Discipline Committee
- Restitution, if applicable
- DOE Student Conduct Report will be filed as required by law.
- Major Vandalism to School Computer –Referral to Building Discipline Committee to consider cancellation of user privileges for the remainder of the school year.

The Delaware MET Student Code of Conduct: GRADES 9–12

BUS 9-12

- Suspension (1-5 days)
- Police Notification, if warranted
- Parent Conference Required Before Returning to School
- Placement on a Behavior Plan
- Referral to School Discipline Committee
- Restitution, if applicable
- DOE Student Conduct Report will be filed as required by law

SECOND AND SUBSEQUENT OFFENSE(S): GRADES 9-12

- Suspension 5 days: May be extended by Superintendent
- Police Notification
- Referral to School Discipline Committee
- Possible Referral to Outside Agencies or Programs
- Restitution if applicable
- DOE Student Conduct Report will be filed as required by law
- Parent Conference Required Before Returning to School
- Loss of extracurricular activities (length of time to be determined by the school administration)
- Major Vandalism to School Computer – Cancellation of user privileges

BUS 9-12

- Suspension 5 days: May be extended by Superintendent
- Police Notification
- Referral to School Discipline Committee
- Possible Referral to Outside Agencies or Programs
- Restitution if applicable
- DOE Student Conduct Report will be filed as required by law
- Parent Conference Required Before Returning to School

LEVEL IV OFFENSE(S):

- Arson
- Assault on a Staff Member or Student
- Bomb Threat or any behavior that could or does result in the evacuation

or lockdown of a school building, district facility, or bus.

- Multiple DOE Student Conduct Reports
- Possession of any Weapons or Explosive Devices
- The Unlawful Possession, Use or Distribution of Illicit Drugs, Paraphernalia, Alcohol or Counterfeit Substances.
- Note: Any felony not specifically mentioned that was committed while at school or during a school function will be considered a Level IV Offense.

LEVEL IV DISCIPLINE

FIRST OFFENSE: GRADES 9-12

- Out of school suspension pending a hearing. The Superintendent will determine whether or not to have a formal expulsion hearing or to have a District level hearing.
- Police Notification
- Written Parent Notification

If Student is Expelled:

- Loss of extra-curricular participation privileges (length of time to be determined by School Board)
- Loss of driver's license (as per State of Delaware)

SECOND AND SUBSEQUENT OFFENSES: GRADES 9-12

- Recommendation for expulsion from school for 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, extracurricular activities and school functions during the time of the expulsion.
- Exclusion from school property during time of 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 a district alternative program, if appropriate.
- Loss of Extra-Curricular Participation Privileges (length of time to be determined by School Board)
- Loss of Driver's License (as per State of Delaware).

The Delaware MET Student Code of Conduct: GRADES 9–12

WHEN IS THE CODE IN FORCE? THE CODE IS IN FORCE:

- 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.
- The Code also applies to out-of-school conduct by a student if the district believes the nature of such conduct indicates the student presents a threat to the health, safety or welfare of other students or staff.

That portion of the Code which protects school buildings and grounds is always in force. 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:

GRADES 9-12:

- Serious or excessive behavior that necessitates a more severe disciplinary action than that which is listed shall be subject to the discretionary authority of the principal for level I and II offenses and the Superintendent for level IV and V offenses.

Any student who hinders an investigation or any student who aids, is involved with the planning, or helps

another student in any way in an act which violates the Code of Conduct may be subject to the same disciplinary action as the individual who committed the violation.

PROCEDURE FOR MAKING DISCIPLINARY REFERRALS

All teachers are expected to use reasonable behavior management techniques in the classroom prior to referring a student to a building administrator for disciplinary action. In order to have uniform disciplinary procedures the following steps should be taken before referring a student to the office for a Level I violation.

1st offense: Teacher reprimand/conference with the student

2nd offense: Teacher detention and/or parent notification

3rd offense: Teacher detention and parent/teacher strategy

4th offense: Written disciplinary referral to the office

There are times when it is necessary to send a disruptive student to the office before the above interventions have taken place. However, the teacher is still required to meet the above guidelines. A referral to the office for violations of Level II and above may be made without prior intervention by the teacher.

STUDENT GRIEVANCE

A grievance is another name for a complaint. A student grievance exists when it is alleged that a 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. Parents of a student

3. Groups of parents of students

The grievance procedure may be used as follows:

1. Where it is alleged that any student or group of students:

- a) Is being denied access to an appropriate educational opportunity.
- b) Is being denied participation in any school activity for which the student is eligible.
- c) Is being denied the opportunity to compete for a position in an activity where the selection is limited.
- d) Is being subjected to an arbitrary or unreasonable regulation, procedure or standard of conduct.

2. Where it is alleged that the rights of an individual student and/or group of students are being denied or abridged.

GRIEVANCE PROCEDURES

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.
2. A conference shall be held within one (1) to four (4) school days after the request.
3. If the conference does not resolve the complaint, the grievant may file a written grievance with the principal within three (3) days of the conference.
4. If the principal fails to resolve the issue to the satisfaction of the grievant, the grievant will, upon request, be given written notice by the principal within three (3) days stating the reason the problem was not resolved.
5. A grievant wishing to appeal the principal's written decision must file a written appeal with the Superintendent

not later than five (5) school days from the date of the principal's written decision.

6. The Superintendent/designee shall resolve the appeal by investigating the situation, reviewing the written appeal/records, or will schedule a conference to hear the grievance no later than five (5) school days following the receipt of the notice of appeal and shall issue a decision in writing no later than five (5) school days following the investigation/conference.

7. If the grievance decision at the Superintendent's level is not acceptable, the Superintendent's decision may be appealed to the Board of Education. This appeal must be filed, in writing, no later than five (5) school days following the Superintendent's decision. The Board of Education shall resolve the grievance by investigating the problem, holding conferences with the involved parties or reviewing the written grievance records.

8. The decision of the Board of Education shall be the final decision of the school system. A copy of the decision shall be sent to the parties involved not later than ten (10) school days following the board hearing.

9. Further appeals may be addressed to the Delaware Secretary of Education.

DRUG AND ALCOHOL POLICY

The Delaware Met staff is dedicated to the welfare of the students. This policy is intended to protect the health, safety and welfare of all concerned as well as maintain and improve the rapport between students and staff. The policy, including its rules, regulations and guidelines, is an effort by the Delaware Met and its Board of Directors to openly and effectively respond to the current and potential uses and abuses of drugs, alcohol, and drug-like substances by members of its entire student population.

The Delaware Met will work to educate, prevent, and intervene in the use and abuse of all drug, alcohol, and drug-like substances by the entire student population. This will be accomplished through the use of a drug curriculum, classroom and extra-curricular activities, parent/guardian/community support and resources, a strong and consistent administrative and faculty effort, and rehabilitative and disciplinary procedures.

As an extension of this policy, the following rules, regulations, and guidelines shall be used by all Delaware Met personnel when responding to drug, drug-like substance, and alcohol related situations.

POLICY

Since possession, distribution, and consumption of alcohol or illegal drugs is in violation of certain state and federal statutes, the State Board of Education Policy on the Possession, Use, or Distribution of Drugs and Alcohol, as well as the Delaware Met Student Code of Conduct, the Delaware Met of Directors hereby declares that such illegal possession, distribution, or consumption have no relationship to the rightful and legal pursuit of educational opportunities, nor to a positive and wholesome climate for learning. The following policy and administrative guidelines on the possession, use, or distribution of drugs/alcohol shall apply to Delaware Met students.

The possession, use and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia are harmful to students and are prohibited within the school environment. Communication devices, such as but not limited to, mobile telephones and electronic beeper, ordinarily have no place in the school environment. The unauthorized possession of such communication devices is prohibited. Communication devices are to be confiscated by the administration. If the devices are involved in a criminal act, they are to be turned over to the appropriate police agency. If not involved in a criminal act, the communication devices may be returned to the parent or guardian of the student. Student lockers are the property of the school and may be subjected to search at any time with or without reasonable suspicion. Personal possessions, such as coats, purses, book bags, etc., may also be subjected to search with reasonable cause.

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 Del. C., Ch. 47, turned over to the police as potential evidence. A request for analysis shall be made where appropriate.

Guidelines for Drug and Alcohol Violations Policy

Definition of Terms:

The following definitions shall apply to the Policy for the District on the Possession, Use, or Distribution of Drugs and Alcohol.

- A. **"Alcohol"** shall mean alcohol or any other 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 Del. Code, including, for example, roach clips, miniature cocaine spoons and containers for packaging drugs.
- D. **"Prescription Drugs"** shall mean any substance obtained directly for or pursuant to a valid prescription or order of a practitioner, as defined in Title 16, Del. Code, Sec. 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, and caffeine pills.
- F. **"Non-Prescription Medication"** shall mean any over-the-counter medication; some of these medications may be 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 non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See 16 Del. 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"** is the exclusion of a student from his or her regular school program for a period determined by the district not to exceed 180 school days. A student who is expelled shall be denied attendance at any school or facility in the Kuumba Academy Charter School except students who have been expelled from their regular school program and are placed in an alternative school/program housed in a Red Clay school or facility.
- M. **"Student Assistance Program"** Student and family Services is composed of school personnel. This team has been trained to understand and work on the issues of adolescent chemical use, abuse, and dependency and will play a primary role in the identification and referral process of student's coming to their attention through the procedures outlined in this policy.

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

Additional Policies to be incorporated pending Board approval following charter approval

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; (8) 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 (8) 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 (8) any replica of any firearm described in subparagraph (A) if such replica-- .is not designed or redesigned for using rimfire 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 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.

Sample Attendance Policy *The Delaware MET*

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 visiting teacher/social worker 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 Superintendent 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 principal. The absence should be prearranged by writing the principal, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least 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 DCAS, 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. 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.