

# 2018-19 Student/Parent Handbook

## Students Rights and Responsibilities

A primary function of the school is to create a positive climate for all students. The school staff, parents and students have a responsibility to work together to foster a learning climate that will permeate the total school program.

One of the goals of education in the Caesar Rodney School District is to develop, in students, an appreciation of the democratic way of life. An appreciation of the democratic way of life must include, to the fullest extent possible, opportunities for students to exercise their rights and assume their responsibilities of citizenship.

The mature exercise of rights and privileges requires that adults and students alike respect the rights of others and respect legally constituted authority.

Students must be free to, and are encouraged to, participate in student government organizations that provide all students with a voice in school affairs. Open channels of communication should exist for the student, student government, the faculty and administration. Recommendations made by the student government should receive a prompt and substantive response.

A student's exercise of rights and privileges in the school setting must depend on age, maturity and to an extent, the standards of the community in which we live. No right is absolute. Every right has its limitations. One basic limitation is that the exercise of the rights of one individual or group ceases when it infringes on the rights of another individual or group. Other limitations that pertain to the public education process are found in federal and state law, regulations of the Delaware Department of Education (DOE) and policies of the Board of Education.

Rights assumed by students must be accompanied by corresponding responsibilities. Students must further accept the consequences of their actions; recognize the limits of these freedoms and show concern and consideration for the rights exercised by both students and adults. Student rights involve equivalent responsibilities. Thus, students have the following responsibilities:

1. To attend school for the purpose of obtaining a quality and meaningful education.
2. To recognize and function within the policies established by the Board of Education and the rules and regulation of school officials.
3. To contribute toward the improvement of the teaching-learning situation and to strive for the overall betterment of the school environment.
4. To maintain respect for school staff and students and to exhibit conduct reflecting self-control, self-regulation and self-discipline.
5. To cooperate with the student officers in the development and implementation of student-related policies.

6. To develop a sense of pride and respect for the school and the ideals for which it stands.
7. To provide support for the members of organizations, groups and teams representing the school as part of the esprit de corps necessary for their success.
8. To accept every person as an individual human being and to promote group relations and understanding.

Each school's disciplinary rules and procedures reflect the age of the students assigned to the school and provide for more meaningful ways for students to demonstrate responsibility.

### **A. Student Due Process Rights**

The essential rights involved in disciplinary procedures stem from the concept of due process. In order to ensure student's due process rights, the Caesar Rodney School District Board of Education has established procedures to be followed in resolving disciplinary violation.

**When a student commits a violation which may result in disciplinary action less than a suspension from classes or school (such as, but not limited to, detentions, Saturday detentions, Extended Day, bus suspensions of 5 days or less or lesser bus disciplinary action or disciplinary action involving curricular\*, co-curricular\*\* and school functions). The following procedures are to be followed:**

The student shall:

1. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulation.
2. Be given oral or written notice of the charges and, if the charges are denied, be given an explanation of evidence known to school authorities.
3. Be given an opportunity to present his/her side of the story during a conference.
4. Be advised that the disciplinary action may only be appealed to the next administrative level for failure of the school administration to follow any of the above three procedures. The student may not appeal disciplinary actions less than a suspension from classes or school because of a disagreement with the school administration over the interpretation of the facts for the determination of disciplinary action.

\**Curricular activities* – activities such as, but not limited to, band performance, choral performance and academic contest outside the regular school day.

\*\**Co-Curricular activities* – activities such as, but not limited to, school club, field trips outside the regular school day.

**Student Due Process Rights** *(continued)*

**When a student commits a violation which may result in a suspension from classes or school the following procedures are to be followed:**

The student shall:

1. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulations.
2. Be given oral or written notice of the charges and, if the charges are denied, be given an explanation of the evidence known to school authorities.
3. Be given an opportunity to present his/her side of the story during a conference.
4. Be advised that the suspension may be appealed to the next administrative level for failure of the school administration to follow any of the above three procedures, or because of a disagreement with the interpretation of the facts or the determination of disciplinary action.

**When a student commits a violation which may result in a recommendation for expulsion from school, the following procedures are to be followed:**

State Regulations define expulsion as “. . . the exclusion of a pupil from school.”

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

**STEP I**

- A. The student shall be suspended up to 5 school days. Prior to the suspension, the student must be informed orally, or in writing, of the allegations against the student, the conduct that forms the basis of the allegations, and policy or rule violated. The student must be given an explanation of the evidence supporting the allegations and an opportunity to present the student’s side of the story. If, however, the student’s presence in the school environment poses a threat to the health, welfare and safety of the school, the student may be removed immediately with the initial due process procedures followed as soon as practicable.
- B. The Principal (references to the Principal include the Principal’s designee) shall make every reasonable effort to investigate all aspects of the discipline problem, including a conference to inform the student of the charges, and an opportunity to tell the student’s side of the story. When obtaining written statements from witnesses, reasonable efforts shall be made to notify the Parent (references to Parent includes a student’s legal guardian or relative caregiver) of each witness.
- C. The Principal shall complete the investigation within 3 school days after the day of the incident under investigation.
- D. If the Principal determines the student committed the offense and the nature of the offense warrants a recommendation for expulsion, the Principal shall hold a building level conference with the Parent and the student via phone or in person. The Principal shall inform them of the recommendation for expulsion; that the student will be serving a short-term suspension pending the outcome of the expulsion hearing; and the expulsion procedures. The Principal shall have a person present at the conference to take notes, or shall record the conference.

- E. All documentation related to the expulsion recommendation shall be delivered to the Superintendent (references to Superintendent include the Superintendent’s designee) within 2 school days of the building level conference, or within 7 school days of the incident whichever is sooner.
- F. If the Principal determines there is reliable information that would lead a reasonable person to believe that a mandatorily reportable crime under 14 *Del. C.* § 4112 has been committed, the Principal shall notify the police as soon as practicable. All reports must be made by phone, or in person, and followed up by a written report of the incident within 3 school days. Additionally, the Principal shall report all mandatory reportable offenses under 14 *Del. C.* § 4112 and 14 *DE Admin. Code* § 601 within 5 school days of the incident.
- G. If the Superintendent concurs with the recommendation for expulsion, the student’s suspension shall be extended pending a recommendation by the hearing officer following the Step II formal hearing.
- H. If the Superintendent does not concur with the recommendation for expulsion, alternative education placement may be considered after consultation with the student and the student’s Parent.

**STEP II**

- A. If the Superintendent concurs with the recommendation from the Principal, the Superintendent shall, within 10 school days of the incident giving rise to expulsion recommendation, notify the student and the student’s Parent of intent to expel, the reasons for the expulsion, and the date, time, and location for the hearing. The notice of intent to expel shall be sent by certified mail or hand-delivered. In addition, the notice shall be accompanied by a copy of these expulsion procedures.
- B. The hearing shall be held not less than 7 school days nor more than 20 school days after the notice of intent to expel is received. The notice shall be deemed to be received on the 4<sup>th</sup> school day following the day of mailing. The time period may be extended by agreement of all parties.
- C. If requested, the student and Parent will be given the reasons for the recommendation; the names of witnesses who may appear; and copies of exhibits that may be submitted.
- D. The hearing shall be conducted by an impartial hearing officer selected by the Superintendent. The hearing officer may be an employee of the District.
- E. The hearing officer shall have full authority to control the conduct of the hearing, including authority to admit or exclude evidence. The hearing officer shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The hearing officer shall exclude plainly irrelevant evidence. Unduly repetitive proof, rebuttal, and cross-examination shall be excluded. The witnesses shall be sworn by the hearing officer or the registered professional reporter. The District shall receive written Parent permission for any witness who is a minor.

**Student Due Process Rights** *(continued)*

- F. The student shall have the following rights:
1. To be represented by counsel at the student's expense;
  2. To question any witnesses who testify and receive a copy of any statements and/or affidavits of such witnesses;
  3. To request that any witnesses appear in person and answer questions or be cross-examined (student witnesses will not be excused from school or allowed to testify unless their parent(s)/guardian(s) have given written permission);
  4. To testify and produce witnesses on his/her behalf;
  5. To obtain, upon written request, a copy of the transcript or tape of the formal hearing.
- G. In lieu of a hearing, a student may elect to waive the hearing and admit committing the violation. The student's Parent shall submit a signed waiver stating the student is knowingly and voluntarily waiving the right to a hearing. The hearing may be waived prior to the commencement of the hearing. The student waiving the hearing is subject to the consequences set forth in the Code of Conduct. Within 5 school days of receiving such a waiver, the Superintendent shall prepare a report for the Board's action at its next regular meeting, or at a special meeting scheduled to decide the disciplinary matter.

**STEP III**

- A. Within 5 school days following the conclusion of the hearing, the hearing officer shall prepare a written report (the "Report") for the Board. The Report shall summarize the evidence, state conclusions of fact, and make a recommendation as to whether the Board should expel the student. If expulsion is not recommended, alternative education placement may be recommended if appropriate.
- B. If the hearing officer does not recommend expulsion, the student may be permitted to return to school pending a review of the Report by the Board.
- C. The Board will make its decision at its next regular meeting, or at a special meeting scheduled to make a decision on the expulsion recommendation. The Board may accept, reject, or modify the recommendation of the hearing officer. The Board's decision shall be based solely upon the hearing officer's Report, and the record of the expulsion hearing.
- D. Eligible expelled students shall be placed in a Consortium Discipline Alternative Program in accordance with 14 *Del. C.* § 1604 and 14 *DE Admin. Code* 611. The Board shall determine if the students not eligible for placement in a Consortium Discipline Alternative Program shall be expelled with or without Appropriate Educational Services.
- E. A decision to expel a student shall be reported to the Delaware Department of Education within 5 school days of the Board's decision to expel. When the Board expels a student, but determines the student shall not be placed at a Consortium Discipline Alternative Program, the written decision shall address with specificity the reason for non-placement and the evidence in support

thereof. Such decisions shall be submitted to the Delaware Department of Education's Office of School Climate and Discipline within 5 school days of such decision, with a copy to the student's Parent.

- F. Within 10 school days of the decision by the Board, the Board shall submit its written decision to the Superintendent and Parent. The written decision shall include notice of the right to appeal to the State Board of Education.
- G. In calculating the period of time for the term of the expulsion, school days will be used. Students receiving residential services from a Department of Services for Children, Youth and Their Families (DSCYF) program shall have the amount of school days served in such program counted as part of the calculation of time for the expulsion. This does not preclude the District from transitioning a student from a YRS program to the regular school program through an alternative program. However, transition through an alternative program is not required.
- H. The Delaware Division of Motor Vehicle shall be notified of the beginning and ending date of expulsion for students who are expelled from the District 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 Delaware Department of Education's Office of School Climate and Discipline.

**STEP IV - "STUDENTS WITH DISABILITIES"**

In the case of students with disabilities as defined in Federal and State regulations, an Individualized Educational Plan (I.E.P.) team meeting will be convened when a student has been suspended for more than 10 days, either consecutively or cumulatively, in any one school year, or if expulsion is being considered. When a student with disabilities has accumulated 8 days suspension, the student advisor is to notify the building Special Education Department Team Leader in writing to ensure that appropriate action may be taken prior to reaching 10 days of suspension.

If the District decides to change a student's educational placement for disciplinary reasons for more than 10 school days, the District must notify the Parent of its decision, provide the Parent with a copy of the Notice of Procedural Safeguards, and conduct a team meeting to determine whether the student's misconduct was a manifestation of his or her disability. This is referred to as a "Manifestation Determination Review" (MDR). The meeting must take place immediately, if possible, or within 10 school days of the District's decision to take this type of disciplinary action.

Please refer to the DE Procedural Safeguards Notice for Special Education Rights of Parents and Children for information on disciplining children with disabilities on the DOE

website: <http://www.doe.k12.de.us/Page/2337>

Student Due Process Rights (continued)

**FOLLOW-UP TO EXPULSION**

- A. A student who is expelled shall be informed of the duration of the expulsion, after which the student's Parent may petition the Board for readmission.
- B. For the duration of the expulsion, a student shall be denied attendance at any school or facility in the District unless there are special considerations required by law.
- C. Before making application for readmission, any student who has been expelled must provide evidence of having received appropriate related services pertinent to the expulsion offense.
- D. All students readmitted to school following an expulsion shall be:
  - 1. Readmitted on a date to coincide with the beginning of a marking period/semester as defined by the school calendar.
  - 2. Advised that the conditions for readmission shall be specified through a written behavioral contract designed by appropriate school personnel and signed by the student and his/her parent.
  - 3. Retained on the behavioral contract for 1 calendar year following the date of readmission.

**Any student who transfers from the District before the completion of the disciplinary process outlined in any of the above three procedures, or before serving disciplinary action assigned as a result thereof may, at the discretion of the Superintendent, be required to resume the process or complete the disciplinary action upon return to the District.**

**AA. Suicide Prevention Training**

The Caesar Rodney School District (hereinafter referred to as "The District") recognizes the serious problem of youth suicide and acknowledges that providing this policy for school and district related to youth suicide recognition and prevention is very important. The District also acknowledges that youth suicide is a complex issue which cannot be addressed by the district and schools alone. This Suicide Prevention Policy meets requirements of **Del.C.§4124**, relative to Suicide Prevention.

**I. Suicide Prevention Training for Public School Employees**

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

**II. Suicide Prevention Program**

Each school within The District shall develop a Suicide Prevention Program. The components of the school Suicide Prevention Program may vary to address the needs of different grade levels. The Suicide Prevention Coordination Committee established pursuant to Section III is responsible for the implementation of the Suicide Prevention Program.

**III. Suicide Prevention Coordination Committee**

Each school shall establish a committee that is responsible for coordination the Suicide Prevention Program with in that school.

- A. When setting up the Committee, the principal/head of school may wish to consider including persons such as a school counselor, school psychologist or other school-based healthcare professional, a school resource officer, a school nurse or representative from the medical community who might have insight into the prevention or recognition of the warning signs of youth suicide.
- B. The Committee shall:
  - 1. Hold regular meetings.
  - 2. Coordinate any required staff training. The Committee may determine additional training is required for its school.
  - 3. Create and maintain a training log (either paper or electronic) to record that all appropriate staff have been trained, as well as specific training they received.
  - 4. Meet any of the requirements assigned in Section IV below.

**IV. Other Requirements**

- A. **Procedure for confidential and anonymous reporting of warning signs of suicide.** Each school's Suicide Prevention Coordinating Committee shall determine the process it will use to provide for confidential and anonymous reporting of a student demonstrating the warning signs of suicide. The procedure may be tailored to meet the school's specific needs. The document outlining the process will be maintained by the principal of school or a staff member designated by the principal of school. At a minimum, any privacy rules shall be followed, including any applicable Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability act (HIPAA) provisions.

### **Suicide Prevention Training** *(continued)*

- B. **Procedure for communication between school staff members and medical professional who are involved in treating students for suicide issues.** Each school's Suicide Prevention Coordination Committee shall determine the process it will use to provide for communication between school staff members and medical professional (e.g. nurses counselors, physicians) who are involved in treating students for suicide issues. The procedure may be tailored to meet the needs of each school. The document outlining the process will be maintained by the principal of school or staff member designated by the principal of school. At a minimum any privacy rules shall be followed, including any applicable Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) provisions.
- C. **Posting of the Suicide Prevention Policy.** Each school shall post this Suicide Prevention Policy in all student and staff handbook(s) and on the District's website. Each school within the district may also post this Suicide Prevention Policy on its website. **Retaliation Restrictions.** No Employee, school volunteer or student shall be retaliated against for reporting a student thought to be demonstrating the warning signs of suicide.

### **Procedures for School Staff Members and Healthcare Professionals**

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

1. Caesar Rodney School District School's process is to immediately report any student thought to be demonstrating the warning signs of suicide to the school nurse school, counselor, or principal of school, (or his/her designee). This may be done verbally initially; however, a written record of the report shall be prepared. A school employee, a school volunteer or student is individually immune from a cause of action for damages arising from reporting warning signs of suicide in accordance with these procedures unless that reporting constituted gross negligence and/or reckless, willful or intentional conduct.
2. Healthcare Professionals. The primary contacts at the District School are identified in Section 1 above. For a student who has not reached the age of 18, Release of Information forms shall be signed by the parent, guardian, or relative caregiver in order for the primary care physician or healthcare professional to communicate with school personnel regarding any treatment of a student. Notwithstanding the foregoing, communications between healthcare professionals and a school staff regarding any treatment of a student may occur for any student 14 years or older who has provided consent for voluntary outpatient treatment in accordance with 16 Del.C. §5003. In accordance with HIPAA and FERPA guidelines, releases shall be signed before communication may

take place. Communications without signed released in emergency situation may occur in accordance with HIPAA and FERPA regulations and guidelines.

3. 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 the student.
4. After confirmation that the student has been involved in a suicide ideation or suicidal behavior, the student shall be evaluated by a healthcare professional or a non-licensed healthcare professional working under the supervision of a licensed healthcare professional.
5. The recommendation from the healthcare evaluation which are pertinent to managing the student's risk in school shall be shared at a meeting between the student, parent/guardian, school nurse, school counselor, or principal (or his/her designee) prior to the student's return to school. Recommendations will be shared with school personnel who are responsible for their implementation.
6. Emergency evaluations can be obtained from hospital emergency departments; a licensed healthcare professional; a physician; or nurse practitioner; or from the state's Child Priority Response Mobile Crisis Service if the student is under 18 years of age, or from the Adult Mobile Crisis Service if the student is between ages of 18-21.

### **B. Students' and Parents' Right to Privacy**

All personal records of students are deemed to be confidential and shall not be subject to disclosure or release beyond the schools of the District unless such disclosure or release is authorized in writing by the parent/guardian or, if the student is 18 years of age, by written authorization of the student. Parents shall have the opportunity to review and challenge the contents of their child's record. Whenever a student has attained the age of 18, the rights afforded the parent shall be those of the student.

### **C. Student Government**

It is important that students have the opportunity to learn about and participate in decision-making process necessary for developing responsible and productive citizens. While the forms and functions of student government will vary from school to school, in all cases the scope of its powers, privileges and responsibilities should be a matter of public record. The student government organization should:

- Publish a charter or constitution as a result of joint administration-faculty-student discussions;
- Establish procedures for consideration of matters before the group will be formulated, including referral or other disposition of matters considered to be proper concerns of the organization under Board policies, individual school regulations, or the organization's constitution;
- Determine eligibility rules for candidates;

### **Students' and Parents' Right to Privacy** *(continued)*

- Use the guidelines and practice recommended by the national and state student government associations as models for appropriate student activity in student government.

The decisions of the student government organization shall not be influenced by the staff. However, the administration has the responsibility to monitor the action of the student government for the purpose of assuring that the actions of student government are within the limits of the Board of Education policies, state and federal laws, and DOE regulation and that the rights of any individual are not infringed upon.

### **D. Student Conduct**

It is the intention of the Board of Education that the District's schools help students achieve maximum development of individual knowledge, skills and competence and they learn behaviors patterns which will enable them to be responsible, contributing members of society. The Board, in accordance with state law, will periodically approve code of conduct for students. The rules:

- Will not infringe upon constitutionally protected rights;
- Will be clearly and specifically described;

Will be printed in a handbook or some other publication made available to students and parents.

In all instances, students will be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board of Education in all District employees, the educational purpose underlying all school activities, the widely shared use of school property, and the rights and welfare of other students. All employees of the District will be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the established rules of conduct. Incurability or acts interfering with the normal operation of the school will be considered extremely serious offense and will be dealt with accordingly.

- **Student Conduct Off School Grounds;** Students are subject to discipline, up to and including suspension and expulsion, for misconduct even if such misconduct occurs off school property and during non-school time.

Such discipline may result:

- If the incident was initiated in the school building or on school grounds; or
- if the incident occurred or was initiated off school grounds and on non-school time and if, after the occurrence, there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school's education program or threatened the health, safety, or welfare of students.

Examples of the type of off-school property misconduct that may result in such discipline include but are not limited to:

- Use, possession, sale or distribution of dangerous weapon, including knives or guns;
- Use, possession, sale or distribution of controlled substances and;
- Use of physical force;

The Board may impose discipline up to and including suspension and/or expulsion, if it is determined that a student's:

- use, possession, or sale of controlled substances in the community has a reasonable likelihood of endangering the safety of students or employees because of possible of sales in the school;
- use of weapons (guns, etc.), or violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or
- similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge onto the school scene for such misconduct off school grounds.

### **E. Code of Conduct**

The title "Code of Conduct" is to be an identified section in the Parent/Student Handbook in which the principal publishes the expectations, rules, and regulations regarding appropriate and inappropriate student behavior. The various items are to be listed in alphabetical order and principals are authorized to rephrase District policy to meet the needs for appropriate communication with the age and maturity levels of the students enrolled in their school.

Codes of Conduct are not inclusive listings of all appropriate or inappropriate behavior, but are intended to be a good faith effort to communicate what common sense ought to be regarding student behavior. Principals have the right and responsibility their professional judgment in disciplining students and the published Code of Conduct shall not limit their profession judgment unless the Board of Education has presented a specific action regarding a specific student behavior. Common conduct definitions can be found at:

<http://regulations.delaware.gov/AdminCode/title14/600/614.shtml>

### **F. Care of School Property by Students**

The Board of Education recognizes normal wear and tear to school property will occur and does not hold students responsible for such damage. However, students shall be held responsible for undue wear, willful damage or loss of school property. Where it has been established without a doubt that students have damaged **school** property, parents of the students concerned will be billed for the cost of repairs. Where the principal feels that the student would better learn responsibility for his/her action by doing work around the school, this arrangement may be made. Where damage may be considered an act of vandalism, the principal shall notify appropriate law enforcement agencies.

### **G. Student Dress**

Standards for dress and grooming are based on the health and safety of the student as well as the appropriateness of the activity in which the student is engaged.

- Teachers and students leaders may counsel with students who affect extreme style of dress and grooming. Faculty members should refer questionable styles to the principal. If it is deemed necessary, the principal will confer with the parents of the students and/or take other appropriate disciplinary action.
- Students shall be required to modify their dress standards when such dress creates disruptive influences, interferes with the teaching–learning process, or creates classroom disorder.
- Students shall be required to follow dress standards to prevent hazards or dangers in areas such as shop, laboratory and physical education classes.

*Note: Additional information will be provided by the school in a separate publication regarding appropriate and inappropriate dress.*

### **H. Student Publication**

Student publications are important elements of the instructional program and contribute directly to the accomplishment of the school’s goals. The Board supports the development of student-produced school newspaper, yearbooks, and other publications. Such publications must have a faculty sponsor appointed by the principal. All student publications shall include a statement, prominently displayed which identifies the publication’s relationship to the District, the staff writers, and the faculty sponsor. As designee of the Board of Education, the principal is responsible for instructing the faculty sponsor on all legal requirements pertinent to rights and responsibilities of student and sponsor. The principal must also render prompt decisions to the student editors and sponsors when conflicts occur on the appropriateness of material.

The Board expects student publications to meet the following guidelines;

- Published material does not endanger the health or safety of students;
- Published material does not threaten to disrupt the educational process;
- Published material does not indicate a commercial purpose;
- Published material does not contain obscene and /or inflammatory statements;
- Published material does not contain libelous or slanderous statements;
- Published material does not violate the canons of journalism;
- Published material is distributed in accordance with pre-approved procedures.

### **I. Underground Student Publications**

Student who edit, publish, and/or wish to distribute non-school-sponsored handwritten, printed, or duplicated materials among their fellow students in the schools must assume responsibility for the content of such materials. They may be restricted in the time and place of distribution; and, if the principal determines that the material is

libelous or obscene according to current legal definitions, or would threaten to disrupt the educational process, they may be prohibited from distributing the material.

### **J. Sexual Harassment**

Any reported act which unreasonably interferes with the education of any individual by creating an intimidating, hostile, humiliating or sexually offensive educational environment will be dealt with as a disciplinary issue.

All reported incidents of sexual harassment will be investigated; parent of students involved will be contacted; and appropriate disciplinary and/or criminal action will be taken.

### **K. Secret Societies/Gang Activity**

1. Secret Societies: Secret fraternities, sororities, or other clubs made up of students from public school are prohibited. Secret fraternities, sororities, or clubs have been adjudged by the courts to include those social clubs, operating off campus, which nevertheless derive their membership wholly or in part from the public schools. These organizations practice a process of selection designed to create an exclusive membership and seek by this process to maintain the club’s segregation distinction and caste system of self–perpetuation, rushing, pledging and undemocratic selection of new members.

2. Gang Activity: Student behavior which is “gang” related is prohibited at school or at school sponsored events. Students who engage in such activities shall be suspended until the matter resolved. Gang Paraphernalia, clothing, grooming, etc. or an activity which indicates or implies membership or affiliation with a gang presents a clear and present danger to the education environment and are prohibited.

3. Consequences for Membership in Secret Societies or Gangs: Students who violate this policy will, by such action, immediately forfeit all privileges of participating in extracurricular activities, honors or office.

### **L. Hazing**

It is a policy of the Board of Education that hazing activities of any type are inconsistent with the educational process and is prohibited at all times. Hazing is defined as: Doing any act of coercing another to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent or assumption of risk by the individual subjected to hazing does not lessen the prohibition contained in this policy. No administrator, faculty member, or other employee of the school District will encourage, permit, condone or tolerate hazing activities. No student, including leaders of student organizations, will plan, encourage, or engage in any hazing.

### **M. Tobacco Use by Students**

Possessing, using, dispensing or selling tobacco in school building, on school grounds, or on school buses is wrong and harmful, and therefore is prohibited and suspension is automatic.

### **N. Drug and Alcohol Use by Students**

Students are not permitted to possess, use, distribute, sell or be under the influence of drugs, drug-like substances, look-alike drugs, drug paraphernalia, and/or alcohol on school property or at school sponsored events as these items are considered to be wrong and harmful.

Students who violate this policy shall be immediately suspended from school and school activities. The principal shall refer to the Superintendent students who have been suspended for drugs or alcohol related matters where expulsion is a consideration. The Superintendent or designee shall hold a hearing to determine appropriate disciplinary action.

The principal or designee is to notify the appropriate law enforcement agency when students violate this policy. Notification to law enforcement agencies is not a part of the school disciplinary response, but is action required of school official by the Delaware Code.

Procedure and regulation for the implementation of this policy are to be developed by the administration and are to be reviewed and authorized by the Board of Education.

#### **1. THE PROCESS TO BE FOLLOWED FOR GRADES 6-12:**

##### **Alcohol 1<sup>st</sup> Incident: Possession/Use/Impairment and Distribution\*\***

- 5 days minimum to 10 days maximum suspension from school
- appropriate law enforcement agency notified
- no participation in or attendance at curricular activities, co-curricular activities, extra-curricular activities, and school functions for 45 consecutive school days plus 40 hours of school service prior to the end of the 45 consecutive school day restriction (see definitions)
- counseling-mandatory for readmission

\*\* Students who distribute or make alcohol available to other students will be disciplined as per provisions listed under Alcohol: 2<sup>nd</sup> Incident.

##### **Alcohol 2<sup>nd</sup> Incident:**

- expulsion from school for a length of time and conditions for readmission to be determined by Board of Education
- counseling and community service – mandatory for readmission
- appropriate law enforcement agency notified
- no attendance at curricular activities, co-curricular activities, extra-curricular activities and school functions during time of expulsion (see definitions)
- no participation in curricular activities, co-curricular activities, extra-curricular activities and school functions during time of expulsion (see definitions)
- support enrollment into an alternative education program
- exclusion from school property during time of expulsion

### **Drug, Drug-Like Substances, Look-alike Substances and/or Drug Paraphernalia: Possessions/Use/Impairment/Distribution**

- expulsion from school for a length of time and conditions for readmission to be determined by the Board of Education
- counseling and community service – mandatory for readmission notification of appropriate law enforcement agency
- no attendance at curricular activities, co-curricular activities, extracurricular activities and school functions during time of expulsion (see definitions)
- no participation in curricular activities, co-curricular activities, extracurricular activities and school functions during time for expulsion (see definitions)
- support enrollment into an alternative education program
- exclusion from school property during time of expulsion

#### **2. THE PROCESS TO BE FOLLOWED FOR GRADES K-5**

A student found to be in violation of this policy is to be suspended and the principal shall refer the matter to the Superintendent.

In considering appropriate disciplinary action, the Superintendent shall consider the age and maturity of the student involved.

The Superintendent shall determine if the circumstances are such that a Board hearing is needed as part of determining the appropriate disciplinary action.

##### **Definitions:**

Curricular activities – activities such as but not limited to, band performances, choral performance, and academic contest, outside the regular school day.

Co-curricular activities – activities such as, but not limited to, school clubs, field trips outside regular school day

Extra-curricular activities – activities such as, but not limited to, athletics, drama, yearbook

School Functions – activities such as, but not limited to proms, dances, graduation.

### **O. Weapons in School**

The Board of Education has determined that the possession of a weapon by a student is detrimental to the safety and welfare of students, staff and visitors. Weapons include items such as guns, knives, explosive devices and any implement which can cause serious injury are considered weapon with respect to this policy. Possession and/or use of any dangerous or deadly weapon on school property, on school buses, other school transportation, or at a school activity away from school is prohibited.

*Note: Possession of an aerosol self-defense spray device will not be considered a weapon unless it is displayed or discharged for any purpose other than to repel an attack outside the school building.*

Possession or use of a weapon at school will result in the immediate suspension of the student and the matter will be referred to the Superintendent. A hearing will be held to determine if a recommendation for expulsion from school shall be presented to the Board of Education.



### **Weapons in School** *(continued)*

The Federal Gun Free Schools Act of 1994, under certain circumstances, requires a 180 school day expulsion for students who bring certain types of weapons on to school property.

#### **Exceptions for Educational Purpose**

- If a weapon is used for an appropriate educational purpose, the teacher/student who desires to use a weapon for an educationally related activity shall obtain permission of the principal to bring the weapon to school. In such instances, the weapon shall be transported in an enclosed case and stored in the principal's office before and after its use in the educational activity. Whenever a gun is present for such use, the principal shall determine if it is loaded before accepting the item for storage.
- This policy would not prohibit an activity such as a school rifle or archery team if the contest and practice are conducted at a range away from school which is designed for such activity.
- Archery is a sports related activity included in the high school physical education curriculum. The instructor shall take appropriate measures to assure safe instruction and storage of equipment.

### **P. Terroristic Threatening /Bomb Threats**

Terroristic threatening, including bomb threats, is a serious offense which subjects the student(s) involved to both school disciplinary action and criminal charges. According to the Delaware Code, Title 14, Section 4131, this section on Terroristic Threatening/Bomb Threats serves as notice to both parents and students that (1) individuals are prohibited from making a false statement which causes evacuation of a school or other place of assembly with penalties as specified in Title 11, Section 621 of the Delaware Code. In addition to the penalties otherwise authorized by law, any person convicted of a terroristic threatening offense shall pay a fine of not less than \$1,000 nor more than \$2,500 (which fine cannot be suspended), and minimum community service of 10 hours; (2) individuals are prohibited from disturbing schools or destroying school property with penalties as specified in Title 14, Section 4110 of Delaware Code, including a fine of \$20 or imprisonment of not more than 30 days, or both; and (3) that schools are required to report such crimes as specified in Title 14, Section 4112 of Delaware Code, including fines for non-report of not more than \$250 for the first offense and not more than \$500 for a subsequent offense. Terroristic threatening ranges from a class A misdemeanor to felony, depending on the age of the perpetrator and/or the nature of the charge as specified in Delaware Code, Chapter 11, Section 621. A person guilty of terroristic threatening when:

*(1)The person threatens to commit any crime likely to result in death or in serious injury to person or property; or (2) The person makes a false statement or statements likely to cause evacuation of a building: (a) Knowing that the statement or statements are a place of assembly or facility of public transportation; or (b) Knowing that the statement or statements are likely to cause serious inconvenience or (c) In reckless disregard of the risk of causing terror or serious inconvenience.*

### **Q. Student Use of Electronic Communications Equipment**

Students in possession of electronic communications equipment (such as beepers, cellular phones, personal digital assistants – PDA's, iPods etc.) that is turned on, rings, emits any audible sound, vibrates, or is being used in any manner on the school bus, or from the time the student arrives on school property until school is dismissed, will be subject to disciplinary action. It is expected that electronic communications equipment not be visible during the school day, during detention or extended day. Students serving detention or extended day will not be allowed use of electronic communications equipment until after serving detention or extended day. Violators will be subject to disciplinary action.

For the first violation, the student shall receive an administrative referral, warning, and the electronic communications equipment will be confiscated and returned to the student at the close of the day. For the second violation, the student shall receive an administrative referral and the electronic communications equipment will be confiscated and returned to a parent/guardian. For the third violation, the student shall receive a recess detention (elementary) or an extended day detention (secondary) and the electronic communications equipment will be confiscated and returned to a parent/guardian. For the fourth violation, the student shall receive a 1 day in school suspension and the phone will be confiscated and returned to a parent or guardian. For the fifth violation, the student shall receive a 3 day in school suspension and the phone will be confiscated and returned to a parent or guardian. For the sixth violation, the student shall receive a 3 day out of school suspension and the phone will be confiscated and returned to a parent or guardian. For the seventh violation, the student shall be suspended and referred to the Superintendent for a hearing and the electronic communications equipment will be held and returned to the parent at the discretion of the Superintendent. The administration will make a reasonable effort to securely store the electronic communications equipment, but the school/District is not liable for loss or damage of such equipment during the term of storage.

The principal is authorized to establish procedures to determine whether exceptional circumstances require an individual waiver of this policy. Parents shall be notified when cell phones are confiscated.

### **R. Students of Legal Age**

The District recognizes the fact that when most students reach the age of 18, the student has rights which were formerly rights of the parent/guardian. When an eligible 18 year old declares independence, the high school principal shall forward a copy of the declaration to the parent/guardian or person who was in control of the student prior to reaching age 18 and provide an explanation as to why the adult will no longer be provided information about the student. If a student who is 18 years of age or older does not declare independence, the school/District shall continue to communicate to the student and the student's parent/guardian as the school/District does before an eligible student declares independence.

### **Students of Legal Age** *(continued)*

A student who is eligible to declare independence may do so by completing the form for such purpose. The form for a student to use to declare independence may be obtained from the school principal or designees.

*Note - The Courts may declare a seriously handicapped person a permanent ward and in such instances the student could not declare legal independence.*

### **S. Pregnant Students**

Access to an educational opportunity is not denied to a pregnant student. However, the condition of pregnancy could necessitate modification of a student's program if usual and normal activity could be detrimental to the health of the student or unborn child. The following are guidelines for establishing appropriate educational programs for pregnant students:

1. Whenever a condition of pregnancy exists, the student may remain in regular school attendance provided there is no compelling reason to prevent such attendance. Pregnant students are expected to notify their guidance counselor and school nurse of their condition as soon as the pregnancy has been diagnosed by a physician.
2. Pregnant students are expected to visit with a physician to obtain appropriate advice for their own health and pre-natal-care.
3. Pregnant students shall be expected to participate in all usual and normal student activities until the attending physician prescribes limitation on activities. Two alternative education programs are available for pregnant students. Admission to either the James H. Groves Adult High School or the Delaware Adolescent Program, Inc. (DAPI) is an option for pregnant students. Information regarding those programs can be obtained from the guidance counselor.
4. Pregnant students who do not opt for one of the alternative programs may continue regular enrollment if attendance prior to time of expected delivery is regular. During the time of absence necessitated by complications or delivery certified by a physician, the student may be eligible for homebound instruction. Such students are expected to return to regular attendance as soon as the attending physician certifies school attendance will not be detrimental to the student's health.

### **T. Student Interrogations, Searches and Arrests**

1. **Students Interrogations:** School officials have the right and responsibility to question students as they investigate possible infractions. Such interrogations are to be conducted in accordance with Student Due Process Rights. When school Officials deems it appropriate to involve law enforcement agencies in the interrogations, the school officials shall make reasonable effort to notify parents prior to the interrogation of the student by law enforcement personnel. Except as prescribed by the Code of Delaware, any interrogation of a student by law enforcement officials or other authorized agencies on the school property shall be conducted with a school official present unless the parent authorizes a private interrogation.

2. **Student Searches:** The school principal or designees is authorized to search a student's person and/or personal effects if the principal or designee has reason to believe the student may be concealing contraband, illegal or/and or prohibited items. All searches of students and students' property shall be conducted in the presence of a witness.

3. **Student Arrests:** The relationship between school officials and law enforcement agencies has been established between the District and law enforcement agencies. If the police arrive at the school for the purpose of arresting a student for a non-school related offense, the principal or designee shall attempt to notify the parent of the action of the police.

### **U. Locker Searches**

Lockers are school property and are assigned to students for their use. Books and other materials recognized by the school as having educational value may be stored in the locker. Lockers are not transferable by students. The school principal or designee shall reserve the right to inspect any locker at any time, with or without the student's presence or consent. Articles that are not of educational value, or may be deemed harmful to a student or a group of students, or may cause damage to the school or school property, may be confiscated by the school principal and held for proper disposition of disposal. The school shall not be held responsible for money or personal articles of value left in lockers. *Note: There should be no expectancy or privacy with respect to use of lockers.*

### **V. Parking Lot Searches**

Students are permitted to park on school premises as a matter of privilege, not of right\*. The school retains authority to conduct routine patrols of student parking lots and inspection of the exterior of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent and without a search warrant. If a properly conducted search yields illegal or contraband materials, such findings will be turned over to proper legal authorities for ultimate disposition.

*Note: Administrative action will be taken in accordance with school policy. It is the driver's responsibility to secure the contents of his/her vehicle. Anything in the vehicle will be presumed to be the driver's property.*

*\*Students must have a valid parking permit for the current school year.*

### **W. Student Concerns, Complaints and Grievances**

The Board of Education expects students and parents/guardians to seek redress when they believe action of support staff person, teacher, or administrator has been unfair in the application of District policy or school regulations. The issue could be related to discipline, curriculum, procedures, regulations or common practice. An appeal should be first presented to the individual whose action is questioned or staff member who supervises the person who is the focus of the action which caused the student or parent/guardian to have a concern, complaint or grievance.

### **Student Concerns, Complaints and Grievances** *(continued)*

The terms concern, complaint and grievance are not defined but are used to denote issues that have varying levels of complexity and there are various ways to address issues. An issue which is not related to an appeal of disciplinary action might be appropriately referred to student government if the issues are related to matters in which student government has a role or responsibility. Issues related to discipline or the action of a staff person should be appealed to the principal or appropriate designee. Actions or decisions of the staff person may be formally appealed to the principal or Superintendent if the principal's action is in question. Appeals to the principal and superintendent must be submitted in writing. A formal appeal of a student suspension or other disciplinary action will cause a delay in the serving of the disciplinary action until the appeal is completed. A principal may suspend a student who has filed an appeal if the continued presence of the student is considered to present a danger to the student or other students' health, safety, or welfare. Then the principal should immediately refer the matter to the Superintendent or designee. Principals shall establish procedures which will provide timely review and disposition of appeals. The Superintendent shall establish procedures which will provide timely review and disposition of appeals by a principal's action. Students and parents/guardians have the right to appeal the Superintendent's disposition to the Board of Education. The procedure for such appeal shall be part of the written report to the student and/or parent/guardian prepared by the Superintendent in response to an appeal of a principal's action. Students and parents/guardians have the right to appeal decisions of the Board of Education to the State Board of Education.

### **X. Student Protest, Demonstrations, and Strikes**

With each school, the Board of Education expects the principal to have established channels of communication and procedures for students to follow in expressing opinions, concerns or complaints. Students who willfully disrupt the routine and daily schedule of the school or a school-sponsored event by participating in individual or group activity which has as its purpose the encouragement of noncompliance with an existing school policy, regulation or administrative decision will be subject to disciplinary action as appropriate. They may also be required to forfeit all recognition, student-body participation, honors, awards, and scholarships. Any instance of truancy, insubordination or overt acts of behavior detrimental to the welfare of others resulting from their participation will be subject to appropriate disciplinary action, including arrest.

### **Y. Bully Prevention and Cyberbullying**

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

### **I. Prohibition of Bullying Which Includes Cyberbullying**

To further these goals and as required by 14 DEL.C 4112D, the District hereby prohibits the bullying of any person on school property or at school functions, or by use of data or computer software that is accessed through a computer, computer system, computer network or other electronic technology of a school district or charter school from grades kindergarten through grades twelve. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated by each school district and charter school in the same manner as incidents of bullying. The District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying. "School function" includes any field trip or any officially sponsored District event. "School property" means any building, structure, athletic field, sports stadium or real property that is owned, operated, leased or rented by the District including, but not limited to, any school, or any motor vehicle owned, operated, leased, rented or subcontracted by the District.

### **II. Definition of Bullying & Cyberbullying**

- A.** As defined in this policy, **bullying** means any intentional written, electronic, verbal or physical act or actions against a student, school, volunteer or school employee that a reasonable person under the circumstances should know will have 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.
- B.** As defined in this policy, cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
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.

### **Bully Prevention and Cyberbullying** *(continued)*

2. The place of origin of speech otherwise constituting cyberbullying is not material to whether is not considered cyberbullying under this policy, nor is the use of school or district materials.

Explanation: Bullying is usually defined as involving **repeated** acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be 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 reasonable foreseeable effect:

**Physical Bullying:** Pushing, shoving, kicking, destroying of property, tripping, punching, tearing clothes, pushing books from someone's hands, shooting/throwing object at someone, gesturing.

**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. Cyberbullying may include but is not limited to:

1. Denigration: spreading information or pictures to embarrass,
2. Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks
3. Exclusion: isolating an individual from his or her peer group.
4. Impersonation: Using someone else's screen name and pretending to be them.
5. 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 reasonable foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment.

Similar behaviors that do not rise to the level of bullying may still be prohibited by other District policies or building, classroom or program rules.

### **III. School-wide Bully Prevention Program**

The District is committed to support each school in their adoption of school-wide bully prevention program. Each school is directed to develop or adopt a school-wide bully prevention program that is research-based.

A. Each school will strive to meet these goals:

Reduce existing bullying problems among students

1. Prevent development of new bullying problems
2. Achieve better peer relations and staff-student connections at school

B. In order to be a school-wide program, the program will contain:

1. School-level components
  - a. A Coordinating Committee will be created, as described in Section IV of this policy.
  - b. The school's supervisory system in non-classroom areas will be reviewed as set forth in Section IV of this policy
2. Classroom level component
  - a. Enforce and discuss principles against bullying
3. Individual Level Components
  - a. Supervise students and ensure all staff intervene appropriately when suspected bullying occurs
4. Community Level Components
  - a. Develop partnerships with community members to support the school's program

C. Resource and Curriculum

The District encourages staff to find or create appropriate bullying prevention resources that can be used with the overall structure set forth above without compromising the fidelity of the school-wide program.

### **IV. Investigative Procedures**

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

1. All complaints must be appropriately investigated and handled consistent with due process requirement.
2. Each principal may designate a person or persons to be responsible for responding to bullying complaints.
3. Neither complainant nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. However, efforts should be made to increase the confidence and trust of the person making the complaint. Whenever practical, the investigating person will make efforts to document the bullying from several sources.

**School-wide Bully Prevention Program** *(continue)*

4. After receiving notice of the suspected bullying, either through a short form, an incident report, or an anonymous or other written complaint, the designated person will review the complaint in conjunction with any other related complaints. Reasonable steps will then be taken by the designated person to verify the information and to determine whether the information would lead a reasonable person to suspect that a person has been a victim of bullying.
  5. Once the principal or designated person has confirmed that a person has been the victim of bullying, the principal or designated person will take prompt investigatory steps to determine who committed the acts of bullying and whether others played a role in perpetuating the bullying.
  6. After identifying those who committed the act or acts of bullying. The principal or designated person will apply disciplinary actions, consistent with due process rights, and the range of consequences identified herein. The bully will be informed that graduating consequences will occur if the bullying continues.
  7. The principal or designated person will keep a written record of the bullying incident, and any disciplinary action taken.
  8. Each confirmed incident must be recorded in the School Register of Bullying Incidents.
- A. All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the principal or his designee within five (5) working days pursuant to Department of Education regulations.
- B. The school administration should be aware that some acts of bullying may also be crimes which under the School Crime Reporting Law (14 DEL.C.4112) are required to be reported to the police and/or the Department of Education.

**VII. Non-Classroom Supervision**

To the extent that funding is available, each school must develop a plan for a system of supervision in non-classroom areas. The plan shall provide for the review and exchange of information regarding non-classroom areas. The Coordinating Committee will review and refine the supervisory system specifically to make bullying less likely to happen.

**VIII. Consequences for Bullying**

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

- A. Consequences should take into account:
1. Nature and severity of the behaviors
  2. Degree of harm

3. Student's age, sex and personality (including development and maturity levels of the parties involved)
  4. Surrounding circumstances and context in which the incidents occurred.
  5. Prior disciplinary history and incidences of past or continuing patterns of behavior
  6. Relationships between the parties involved (including any imbalance of power between the perpetrator and victim)
  7. Ease of use for staff (within available resources and time constraints)
- B. The appropriate range of consequences for bullying is as follows:
1. Removal of positive reinforcers:
    - a. Time-out
    - b. Loss of a privilege
  2. Use of negative or unpleasant consequences:
    - a. Verbal reprimand clearly specifying what is not acceptable
    - b. Notice to parent/guardian (required by law)
    - c. Conference with parent/guardian
    - d. Forbidden to enter certain areas of school
    - e. Reassignment of classes or another mode of transportation
    - f. Detention/Extended Day
    - g. In-school suspension
    - h. Out-of-school suspension
    - i. Referral to Superintendent for Expulsion
    - j. Referral to an external agency
    - k. Report to Law Enforcement officials
  3. In addition, formative activities may include:
    - a. Reparation to victim in form of payment for or repair of damage to possessions out of offender's own money.
    - b. Education about what bullying is and why it is not acceptable.
    - c. Completion of psychological assessment or evaluation.
    - d. Completion of counseling (In house or referral to an outside agency, individual or family).
    - e. Cooperation with a behavioral management program developed in consultation with a mental health professional.
    - f. Submission to a psychological, psychiatric or neuropsychiatric evaluation before bully can return to school.

**School-wide Bully Prevention Program** *(continued)*

- C. The District believes that positive consequences should be given when students are obeying the rules about bullying. These consequences may include:
  - 1. Enthusiastic, concrete, behavior-specific praise.
  - 2. Creative consequences that are truly positive for your students considering their age, sex and maturity level.
- D. The District believes that victims should be given support. If bullying is suspected, staff member will make an effort to:
  - 1. Find a private opportunity for discussion with victim.
  - 2. Discuss with victim what support they need.
  - 3. Ensure their safety.
  - 4. Make referrals to external agencies if necessary.
  - 5. Provide the victim with information for mental health or medical treatment.

**IX. Training**

The District will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity pursuant to § 617, Title 11 of the Delaware Code and bullying prevention pursuant to § 4112D, Title 14 of the Delaware Code. The training materials shall be prepared by the Department of Justice and the Department of Education in collaboration with law enforcement agencies, the Delaware State Education Association, the Delaware School Boards Association and the Delaware Association of School Administrators. Any in-service training required by this section shall be provided within the contracted school year and provided in 14 Del. C. § 1305(3).

**X. Reporting Procedures**

A. The procedures for a student and parent/guardian or relative caregiver pursuant to 14 Del. C. § 202(f) or legal guardian to provide information in 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 action 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 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.

**XI. Anonymous Reports**

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

**XII. Notification of Parents, Guardians or Relative Caregiver**

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

**XIII. Retaliation**

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

**XIV. Proceed to Communicate with Medical and Mental Health Professionals**

- A. The following procedures for communication between school staff members and medical professional who is involved in treating students for bullying issues must be followed:
  - 1. Pediatricians, Primary Care Physicians and Mental Health Professionals are important links in the overall wellness of the whole child. The ability to communicate appropriately to identify the optimal health care needs of the child is necessary when issues at school impact the physical and emotional health of the child. This is especially true in bullying due to the social nature of the problem. Release of information forms must be signed by the parent, guardian or relative caregiver. Pursuant to 14DEL.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 the school and at the physician or mental health professional's office before communication may take place according to HIPAA and FERPA guidelines.
  - 2. If a parent refuses to sign a release form at the school, the school will review this policy with them, explaining the reasons the release would be advantageous to their child.

**B. Proceed to Communicate with Medical and Mental Health Professionals***(continued)*

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

- a. Require that return to school will be contingent upon the clinical evaluation providing recommendation and treatment plan if identified as appropriate.
  - b. Require that the student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendation and treatment plan if identifies a appropriate.
2. Summary of this evaluation shall be shared at a meeting with student, parent/guardian and school principal or designated person prior to return to school or general population.

**XV. Implementation**

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

**XVI. Accountability**

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

**XVIII. Immunity**

A school employee, school volunteer or student is individually immune from the cause of action for damages arising from reporting bullying in good faith and to the appropriate person or persons using the procedures specified in the school district or charter schools’ bullying prevention policy, but there shall be not such immunity if the act of reporting constituted gross negligence and/or reckless, willful, or intentional conduct.

**XVIII. Other Defenses**

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

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

**XIX. Relationship to School Crime Reporting Law**

An incident may meet the definition of bullying and also the definition of 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.

**XX. School Ombudsperson Information**

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 district and each School. The contact information shall also be prominently displayed in each school.

**School Crime and Bullying Information:  
Delaware Department of Justice  
School Ombudsperson,  
1-800-220-5414**

**XXI. Informing Students of Electronic Mediums**

Upon implementation of this policy, and again at the beginning of each academic year, the school district shall inform students in writing of mediums where posting of speech will be presumed to be available to a broad audience with the school community, regardless of privacy setting or other limitations of those postings. From implementation of this policy through the end of 2018-19 school year, posting on Facebook, Twitter and Instagram shall, at minimum, be included in the district’s list of mediums where posting of speech will be presumed to be available to a broad audience with the school community regardless of privacy setting or other limitations on these postings.

**XXII. 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/guardians, faculty and staff.

**XXIII. Rules and Regulations**

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

## **Z. Responding to Teen Dating Violence and Sexual Assault**

The Caesar Rodney School District (the “District”) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District strives to provide safe learning environments for all students.

### **I. Definitions for terms related to Teen Dating Violence and Sexual Assault can be found at:**

<http://crk12.org/cms/lib7/DE01903180/Centricity/Domain/625/sectionJ.pdf>

**FILE JLDBG** or a copy can be provided by calling 302-698-4800 x131.

### **II. Prohibition of Teen Dating Violence and Sexual Assault**

To further these goals and as required by, the District prohibits Sexual Assault and Teen Dating Violence by any person at any school function or on any school property.

### **III. Confidentiality**

#### **A. School Counselors, Mental Health & Medical Professional**

These professions are bound by their professional licensure and code of ethics and as such they are required to maintain confidentiality. The Family Education Rights and Privacy Act (“FERPA”) rather the HIPAA (the Health Insurance Portability and Accountability Act of 1996) applies to the confidentiality of education records, including health information, and the consent required to disclose education records. However, certain information can be released in particular circumstances such as; law enforcement investigations, mandatory reporting (such as child abuse) and in the course of certain judicial or administrative proceedings. Mental health and medical professionals are required to maintain confidentiality of all information acquired from clients in a professional capacity (including information regarding teen dating violence) except in the following situations: a student communicates an explicit and imminent threat to kill or seriously injure a clearly identified victim or victims (including themselves), or any suspicion of child abuse, or in a case when the student presents with serious burns or respiratory tract burns, non-accidental poisoning, stab wounds, bullet wounds, gunshot wounds, powder burns or other injury caused by the discharge of a gun, pistol or other firearm.

#### **B. Other School Employee, Including Teachers & Administrators**

These professionals are bound by confidentiality of FERPA. However, once a school employee knows or reasonably should know of possible sexual violence of a minor and/or any sexual violence that could have occurred in the school environment, the school employee must take immediate and appropriate action to explore the incident and keep the student victim safe.

## **IV. What Must be Reported and to Whom**

Certain school crimes, threats of harm to self or others, child abuse, and sexual violence of a minor and/or any sexual violence that could have occurred in the school environment requires mandatory reports to either law enforcement and or DFS. In and of themselves, teen dating violence, sexual

behaviors and teen pregnancy do not require mandatory reports. The following circumstances require a mandatory report under 14 DEL.C§4112:

- A. Violent Felony in the School Environment (includes Assault in the First and Second Degree, Unlawful Sexual Contact in the First and Second Degree and Stalking);
  1. An immediate report shall be made by the school principal or designee to the appropriate police jurisdiction.
- B. Assault in the Third Degree in the School Environment
  1. An immediate report shall be made by the school principal or designee to the appropriate police jurisdiction.
- C. Unlawful Sexual Contact Third Degree in the School Environment
  1. An immediate report shall be made by the school principal or designee to the appropriate police jurisdiction.
- D. Abusive Sexual Behavior against a Minor regardless of Where the Incident Occurs.
  1. An immediate report shall be made to DFS. Law enforcement should also be contacted.
- E. Abusive Sexual Behaviors against a Student 18 Years of Age or Older in the School Environment.
  1. An immediate report shall be made by the school principal or designee to the appropriate police jurisdiction.
- F. Threats of Harm to Others (Mental Health provider only)
  1. An immediate report shall be made to appropriate police jurisdiction.

## **V. How to Respond to Teen Dating & Sexual Dating**

There are different protocols to follow depending on the nature of the incident and whether a mandatory report is required. Refer to the State of Delaware Child Protection Accountability Commission Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Updated 2014.

## **VI. How to Respond to Child Abuse and Neglect**

Refer to the State of Delaware Child Protection Accountability Commission Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Update 2014.

## **VII. How to Respond to Teen Pregnancy**

Refer to the State of Delaware Child Protection Accountability Commission Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Update 2014.

## **VIII. How to Respond to Youth-Produced Sexual Images**

(often referred to as Sexting)

Refer to the State of Delaware Child Protection Accountability Commission Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Update 2014.



**IX. Consequences for Offense**

A student who commits the offenses of Teen Dating Violence or Sexual Assault is subject to disciplinary action up to expulsion in accordance with the Caesar Rodney School District Code of Conduct.

**X. Training**

- A. All administrators, school nurses, and school counselors in the District serving students in grades 7 through 12 shall receive this policy and shall attend protocol training during the first year of assignment as an administrator, school nurse or school counselor, and at least once in every 3-year period thereafter pursuant to 14Del.C.§4112E. The training materials and training shall be developed and provided by the Delaware Domestic Violence Coordinating Council. Any in-service training required shall be provided within the contracted school year as provided in 14Del.C§1305 (e).
- B. The District shall ensure existing health standard programming related to comprehensive healthy relationships, based on Health Standards adopted by the Delaware Department of Education as approved by the State Board of Education, is provided in health education programs or related classes.

**XI. Immunity**

A District employee, District volunteer or student is individually immune from a cause of action for damages arising from reporting Teen Dating Violence and/or Sexual Assault in good faith and to the appropriate person or persons using the procedures specified in this policy, but there shall be no such immunity if the act of reporting constituted gross negligence and /or reckless, willful or intentional conduct.

**XII. Relationship to School Crime Reporting Law**

An incident may meet the definition of Teen Dating Violence and/or Sexual Assault 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 14 DEL.C.§4112, or from reporting under that section. Nothing in this policy 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.

**XII. 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 shall be distributed annually to all students, parents, faculty and staff.

**XIII. Rules and Regulations**

Implementation of this policy shall comply with all rules and regulations that Delaware Department of Education may promulgate to implement. 14DEL.C§4112E. LEGAL REFS.: 14 Del.C.§4112E, 14 Del.C.§4112,14 Del.C.§1305(e), 16 Del.C.9CROSS REFS.: Family Educational Rights and Privacy Act (“FERPA”), HIPPA (the Health Insurance Portability and Accountability Act) of 1996, Delaware Child Protection Accountability Commission Guidelines for Responding to Teen Dating and Sexual Violence in Delaware Schools, Caesar Rodney School District Code Of Conduct.

## 2018 - 19 Student & Parent Information

### Half Days

Dismissal will be 3 hours early on all half days. Cafeteria will open on all half days unless special notice is given.

### Absences and Excuses

The Code of Delaware requires that every person having control of a child between the ages of five and sixteen shall send such child to school each day that school is in session. The Code further acknowledges that there are instances when a child's absence is not an illegal act by either the child or the person in control of the child. However, it is clearly the expectation of the State of Delaware that children enrolled in school shall be in regular attendance. When appropriate, the District will schedule a hearing for parents/guardians of students in grades K-12 to determine if school absences are excessive and if parents/guardians are in violation of compulsory school attendance laws. High School students are subject to the CRHS attendance hearing procedures. The Board of Education expects those in control of students enrolled in the Caesar Rodney Schools to be responsible for regular and punctual patterns of attendance and such is expected of all enrolled students.

The Board of Education recognizes that under certain conditions, absence from school attendance is necessary or appropriate.

The Superintendent of Schools is charged with maintaining a comprehensive system of attendance records. Classroom teachers and building principals are to maintain an accurate record of student attendance, absence, and tardiness.

The Board classifies absence from school as either "*excused*" or "*unexcused*". Students who are absent from school or a class are responsible for school work missed during their absence. Building principals shall, in cooperation with classroom teachers, establish the procedures for make-up work and shall communicate such procedures to parents in the school's parent/student handbook or its equivalent.

It is the student's responsibility to take advantage of opportunities provided by the teacher to make up work. The student's grades could reflect failure to make up school work missed as a result of an absence. It is the responsibility of the person in control of a child to send a note to the school on the first day of return from an absence describing the reason which caused the student to be absent.

**Excused Absences** include the following:

- Absence associated with student illness;
- Absence associated with a family emergency;
- Absence associated with a religious holiday;
- Absence associated with a subpoenaed court appearance;
- Absence associated with an appointment for treatment by a doctor; or dentist provided evidence of such is provided;
- Absence associated with other reasons pre-approved by the principal;
- Absence associated with suspension

**Unexcused Absences** include, but are not limited to, the following:

- Absences for which no written note was provided by the person in control of the student;
- Absences not considered excused

### Special Circumstances for High School Students

High school students are required to attend class regularly in order to receive academic credit for a course. Students who are absent more than 10 class periods for a semester course and more than 20 for a year course **WILL NOT** receive academic credit. Through an appeal process, however, Students who have **DOCUMENTED**, long term medical reason excuses may be granted additional absences before being denied academic credit. This is not to be interpreted that a student has 10 or 20 absences plus absences due to a medical reason.

High School students' absences due to school sponsored activities are not counted as absences from school or classes. Time spent with guidance counselors or with administrators will not be counted toward the total number of absences if the student had a scheduled appointment or was called out of class. Time spent in nurse's office; however will count toward the number of absences. All other absences will count toward the total number of absences.

### **Special Circumstances for High School Students** *(continued)*

Principals shall establish procedures for informing teachers of students absent from class but not absent from school because the student is engaged in a school activity. Principals and teachers shall establish procedures for such students to follow to make up missed school work.

When an 18 year-old declares independence, the high school principal shall forward a copy of the declaration to the parent/guardian or person who was in control of the student prior to reaching age 18 and provide an explanation as to why the adult will no longer be provided information about the student.

### **Tardiness**

The term “tardy” will be defined as being late to school, class or an activity, with or without permission of parent/guardian or school personnel. The principal, in consultation with staff, will establish a specific building definition of what constitutes “being late to school, class or activity.” All teachers will inform their respective classes of the building’s definition of “being late to school, class or an activity.” The teacher will counsel with those students who are developing a pattern of being tardy. The teacher will refer those students to the principal, who in the teacher’s judgment, are not making progress toward correcting the problem.

Excessive tardiness, specifically lateness to school, shall be referred to the attention of the Superintendent just as excessive absence is reported.

### **Truancy**

- A student will be considered truant if the student:
- Fails to arrive at school when directed to attend by the person in control of the student;
- Leaves school property without permission of the principal or designee; or
- is present on the school property but not present at the place of class assigned.

A student who is truant will be disciplined by the principal as appropriate to the circumstance associated with the truancy.

A student with more than three (3) days of absence due to truancy in a given school year (*which includes any mandatory summer school*) will be considered a chronic truant. Students who leave school property without permission or who do not report to assigned areas or class three times in a given school year shall also be considered a chronic truant.

A student who is a chronic truant may be referred to the Superintendent or designee. Students who reach the age of 16 may be recommended for expulsion from school. A student expelled for truancy may re-enter school the following school year, but re-entry will be on a probationary basis. If such a student again is classified a chronic truant, per the description of the policy, the student shall be dropped from the attendance roll of the school.

In combating truancy, school officials shall attempt to involve other state agencies as they work to eliminate truancy as a cause for a student being absent from school.

*Note: In addition to school disciplinary action for truancy, students may be referred to truancy court. Students may be referred to truancy court after (4) four unexcused absences from school.*

### **Acceptable Use Policy for Student**

The Caesar Rodney School District recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. We are committed to helping students develop 21<sup>st</sup> century technology and communication skills. To that end, we provide access to technologies for student and staff use.

**Access to the system is given to students, who are expected to comply with the Caesar Rodney School District (CRSD) Acceptable Use Policy and the State of Delaware Acceptable Use Policy. The CRSD Acceptable Use Policy complies with the State of Delaware Acceptable Use Policy and complete copies of the District Policy and the State of Delaware Acceptable Use Policy are available at school offices, school libraries, and on the District Website located at [www.crk12.org](http://www.crk12.org).**

The District makes no warranties of any kind, whether expressed or implied, for the services being provided. The Caesar Rodney School district will not be responsible for any damages, including loss of data or service interruptions. The use of any information obtained via the system is at the user’s own risk and the District denies any responsibility for the accuracy or quality of information obtained through the system.

In order to ensure the safety of all users and the system, all students are expected to report any messages they receive that are threatening, inappropriate, make them feel uncomfortable, or are otherwise questionable to their teacher(s) as soon as possible. In addition, students will not post personal contact information about themselves unless such posting involves valid application for college or employment and is approved by an appropriate staff member. Personal contact information includes addresses, telephone numbers, school addressees, work addresses, photographs, etc. Students will not agree to meet with anyone they have met online without their parents’/guardians’ approval and participation.

Students may not use the District’s system for commercial purposes, defined as offering or providing goods or services or purchasing goods or services for personal use, political lobbying, or any other unacceptable purposes. Such unacceptable purposes include, but are not limited to, the following:

## Acceptable Use Policy for Student *(continued)*

### Illegal Activities

- Students will not attempt to gain unauthorized access to the District system or to any other computer system through the District system, or go beyond their authorized access. This includes attempting to log on through another person's account or access another person's files. These actions are illegal, even if only for the purpose of "browsing."
- Students will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means.
- Students will not use the District system to engage in any other illegal acts such as, but not limited to, arranging for drug sales or the purchase of alcohol, engaging in criminal gang activities, threatening the safety of another person, gambling, etc.

### System Security

- Students are responsible for the use of their individual accounts (when assigned) and should take all reasonable precautions to prevent others from being able to use their accounts. Under no conditions should users provide their passwords to another person, and no users should remain logged on to a workstation when not in a position to supervise the use of that workstation.
- Students will immediately notify their teachers(s) if they have identified a possible security problem. Students will not look for security problems as this may not be construed as an illegal attempt to gain access.

### Inappropriate Language

- The following restrictions against the use of inappropriate language by students apply to public messages, private messages, and material posted on Web pages and applies to both text and visual representations.
- Students will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, unacceptable or disrespectful language.
- Students will not post information that, if acted upon, could cause damage or a danger of disruption to the educational process.
- Students will not engage in personal attacks including, but not limited to, prejudicial or discriminatory attacks.

- Students will not engage in the harassment of another person. Harassment is defined as persistently acting in a manner that distresses or annoys another person. If a student is told by an individual to stop sending them messages, the student must honor the request immediately. Students will not knowingly or recklessly post false or defamatory information about a person or organization.

### Respect for Privacy

Email messages and Internet visits are not guaranteed to be private. As electronic records of all email are maintained at the state level and an electronic record of Internet site visits may be maintained at the state or District level. Furthermore, messages relating to or in support of illegal activities may be reported and/or provided to appropriate law enforcement authorities. Nonetheless, with respect to privacy on the system:

- Students will not re-post a message that was sent to them privately whenever the sender designates that the message is confidential and should not be shared with others.
- Students will not reveal personal contact information, as defined earlier, of others at any time.

### Respecting Resources Limits

- Students will be respectful of the limited system storage resources and will actively manage their files.
- Students will use the system only for educational or career development activities.
- Students will not install applications to local hard drives or the network.
- Students will not download electronic information to the local hard drive or the network.
- Students will not post chain letters or engage in "spamming." Spamming is defined as sending an annoying or unnecessary message to a large number of people.

### Plagiarism and Copyright Infringement

- Students will not plagiarize electronic works. Plagiarism is defined as taking the ideas or works of others and presenting them as if they were original to the user.
- Students will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work, or portions of a work, including electronic media. If a work contains language that specifies acceptable use of that work, the user should follow the expressed requirements. If the user is unsure whether or not they can use the work, they should request permission from the copyright owner.

### **Inappropriate Access Material**

The District provides filtering of Internet access through filtering software provided by the State of Delaware. Nonetheless, Internet filtering is not infallible and inappropriate sites may fail to be blocked at times. As a result, the District expects that:

- Students will not use the District system to access material that is profane. Obscene, pornographic, or is of a sexual nature, that advocates illegal acts, or that advocate violence or discrimination towards other people (hate literature).
- If students inadvertently access such information, they should immediately disclose the inadvertent access to their teacher(s) in order to protect themselves against allegations that they intentionally violated this Acceptable Use Policy.

Violations of this Acceptable Use Policy may result in the restriction or loss of access to the District's system, disciplinary action in accordance with the District's Student Rights and Responsibilities regulations, and/or possible legal action.

### **Children's Internet Protection Act (CIPA) and Internet Safety Policy**

The Children's Internet Protection Act (CIPA), enacted December 21, 2000 requires recipients of federal technology funds to comply with certain Internet filtering and policy requirements. Schools and libraries receiving funds for Internet access and/or internal connection services must also meet the Internet safety policies of the Neighborhood Children's Internet Protection Act ("NCIPA") which addresses the broader issues of electronic messaging, disclosure of personal information of minors, and unlawful online activities. The Protecting Children in the 21<sup>st</sup> Century Act, enacted October 10, 2008, adds an additional Internet Safety Policy requirement covering the education of minors about appropriate online behavior. It is the policy of Caesar Rodney School District to (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic, mail or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act.

### **Bus Information**

Safety is of prime importance as students are transported to and from school or to school-sponsored activities. Safety requires the cooperation of students, parents/guardians and school personnel. Parents/guardians should review and discuss the school bus rules with their children in an effort to help them understand and assume responsibility for good school bus conduct.

Students are charged with the responsibility of conduct which will result in safe transportation, respect for school personnel and respect for other students. Failure to abide by the school bus rules, show proper respect to others, and comply with request of school personnel may result in a student being issued a School Bus Report and

subsequent suspension or denial of bus transportation. Incidents of a serious nature will be sufficient grounds for a principal to suspend a student from school and refer the student to the Superintendent for consideration for expulsion.

The Superintendent is responsible for the establishment and publication of regulations for Student Conduct on Buses. These rules are intended to help students become aware of their responsibility and guide discussion. The list is not intended to be an all-inclusive list but representative of the types of behavior that will be expected.

The Superintendent or designee shall establish procedures for bus drivers to follow to report inappropriate student behavior to the principal.

Transportation is provided for all students who:

1. Are residing one (1) mile or more from school if elementary (K-6)
2. Are residing two (2) miles or more from school if secondary (7-12)
3. Are in grades 9 through 12 and residing in Eagle Heights, these students will be provided transportation to Caesar Rodney High School.

**All students are to ride their assigned bus to and from school. Students are assigned to a bus based on their home address. Parent/guardians must submit a written request to the school for any bus changes. (forms are available at each school) Requests must be updated each school year. Exceptions are limited to prearranged emergency situations approved by the principal. Any question related to school buses will be answered by the school principal or Supervisor of Transportation. (697-4171)**

### **Bus Regulations for Conduct of Students**

1. Students must obey the driver cheerfully and promptly, be courteous to the driver, and to fellow students. The driver is in full charge of the bus and students, and has the authority of a classroom teacher.
2. Students must be on time; the bus has to run on schedule and cannot wait for those who are tardy.
3. Students should never stand or play on the road 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 enter the bus without crowding or disturbing others and occupy their seats immediately.
6. Students must not try to get on or off the bus when it is in motion. When on the bus they must remain seated until the bus has come to a complete stop.
7. Students must keep out of the driver's seat and remember that unnecessary conversation with the driver is prohibited while the bus is in motion.
8. In approaching the bus or a bus stop along the highway, a student should always walk on the left side of the road facing traffic. Students should be sure 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 as directed by the driver and stop before crossing. Students must make sure that the road is either clear of all traffic or that all traffic has come to a complete stop before crossing.

### **Bus Regulations for Conduct of Students** *(continued)*

9. In crossing the street or highway at any time, students should look both to the right and to the left, then WALK – not run.
10. Outside of ordinary conversation in normal tone, classroom conduct is to be observed when on the bus.
11. Students must not call out to passers-by. They should not open the bus windows without permission from the driver nor extend head or arms out of the windows.
12. Students shall not leave the bus without the driver’s consent, except on arrival at their regular bus stop or at school.
13. Students should help to keep the bus clean, sanitary and orderly. They must not damage or abuse the equipment.
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 article of any kind in, out or around the bus.
17. Students are not to eat or drink while on the bus.
18. Students are to conduct themselves while on the bus in such a way that it will not distract the driver from the job of driving.
19. Students are to ride only the bus to which they are assigned.

### **Bus Video Camera**

Buses are equipped to use video camera to help enforce discipline. The Principal and other school officials may review the films to help them with disciplinary decisions.

### **Classroom Parties**

Elementary classroom teachers may make plans for a maximum of three (3) parties during the course of the school year. Any school party will be held just prior to dismissal and will last no longer than an hour.

### **Communicable Diseases**

Communicable disease control is vested by law in public health officials. The District will comply with regulations established by the State Board of Health to exclude students from school. General protection against communicable diseases is based on the exclusion of any student with suspicious signs pending a diagnosis. The readmission to school of a student having had a communicable disease varies with the nature of the disease, its communicability, and its seriousness. Any student who is absent from school because of a communicable disease must report to the school nurse before being readmitted to the classroom teacher.

### **Discipline**

Discipline is intended to foster student growth while assuring each student as acceptable environment in which to learn. In keeping with the philosophy that discipline is a means of teaching and that most effective teaching is done in a positive manner, disciplinary efforts are to be as positive as possible. Positive means of

working with students include individual discussion and counseling; involvement of student in defining acceptable behavioral standards; involvement of the parent in cases where a student has repeatedly exhibited lack of responsibility or self-discipline.

When positive efforts have not succeeded in correcting a student whose behavior interferes with the learning environment, the following corrective measures are authorized:

- Suspension of the pupil in accordance with the Board regulations
- Exclusion of the pupil in accordance with the Board regulations
- Other disciplinary actions to include, but not limited to probation, detention, fees and fines.

The student has the right to be informed of the reasons for corrective measures taken. Corrective measures should always be based on the need to assist the student to understand that modification of behavior is necessary for the student to be successful at school.

### **Corporal Punishment**

No teacher, administrator, official employee, or agent of the Board of Education may subject a student to corporal punishment. Corporal punishment means the intentional infliction of physical pain which is used as a means of discipline. Corporal punishment includes, but is not limited to, paddling and slapping, when used as a means of discipline. This policy does not prohibit a teacher, administration, official employee, or agent of the Board of Education from; (1) using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person; (2) using reasonable and necessary force to obtain possession of a weapon, or other dangerous object within a pupil’s control; (3) using reasonable and necessary force for the purpose of self-defense or the defense of others; (4) using reasonable and necessary force for the protection of property; (5) using reasonable and necessary force to prevent a pupil from inflicting harm on himself or herself; (6) using reasonable and necessary force to protect the safety of other; or (7) using reasonable and necessary force to maintain order and control (14 DE Code, Ch. 7; 74 Del. Laws, c. 17, § 4; 70 Del. Laws, c. 186, § 1).

### **Detention of Students**

Detention is an extension, modification or additional day(s) added to the student’s schedule for disciplinary purposes. The Board of Education is of the opinion that detention is an important disciplinary action which can be effective and supports the use of detention as one way to hold students accountable for inappropriate behavior. For minor infractions of the Code of Conduct or other policies and regulations, teachers or administrators may use detention. There are several types of detention which may be used. While in detention, a student may be expected to:

- be engaged in meaningful academic activities;
- be engaged in school/community service activities;
- assigned to specified area for a period of time.

### **Detention of Students** *(continued)*

Except for recess and lunch time detention, detention will not be scheduled on the day it is assigned unless parent agrees to the scheduling.

Detention shall be under the supervision of an administrator, teacher, or instructional aide. **Notice to Parents:** When detention is assigned which will affect transportation, the principal or teacher assigning the detention shall notify the parent:

- For grades K-5: by telephone or memo sent home with the student;
- For grades 6-12: by verbal message delivered by the student, telephone, or memo mailed to the parent so alternative transportation can be arranged by the parent.

### **Suspension of Students**

The Code of Delaware gives the School Board the power to suspend students and the authority to confer this power on members of the professional staff. In the Caesar Rodney School District, the Superintendent, principals, and those teachers identified by the principal and approved by the Superintendent are authorized to temporarily suspend students from school, school-related activities, or transportation. The following are examples (not an all-inclusive list) of unacceptable behaviors that, depending upon circumstances, could result in the student being temporarily suspended or expelled from school;

- fighting, assaults, threats, acts of harassment, or verbal abuse directed toward a student, school employee or visitor to the school
- use of profanity, obscenities, or immoral acts
- use of tobacco
- creating a false emergency
- terroristic threatening/bomb threat
- theft
- truancy and excessive tardiness
- refusal to follow the directions of school staff or those in authority
- failure or refusal to follow District policy or school regulations
- intentional or malicious destruction of property
- possession or use of alcohol, narcotics, or other controlled substances
- possession of weapons
- acts which endanger the safety of oneself or others
- acts which disrupt the educational environment
- misuse of electronic equipment
- plagiarism
- violation of the District's Acceptable Use Policy

Parents and students should be aware of the fact that, under certain circumstances, school officials are obligated to inform law enforcement agencies of some of the behavior described above. In addition, legal action may be instituted by school officials or by the State's attorney.

*Note: 1) There is specific limitation on the use of suspension for students identified as eligible for special education services. 2) The infractions listed above are examples of unacceptable behavior. Severe infractions could result in expulsion.*

### **Probation of Students**

Students who have been involved in an infraction of school rules may be placed on behavioral probation.

The Board of Education or Superintendent may place a student on probationary status as part of a disciplinary action for dealing with student disciplinary matters. The conditions of the probationary status will be presented to the student and parents in written form. Principals may place a student on probation in addition to, or in lieu of, other disciplinary action.

Probation will be for a definite time period during which critical examination and evaluation of the student's progress will take place. During the probation period, the student may be denied the privilege of participation in or attendance at some or all extra-curricular activities. At the close of the probationary period, the individual case will be reviewed and the student may regain all privileges.

The parent will be notified by the principal that a student is being placed on behavioral probation, including the length of the period, the terms of probation and the possibility of suspension if the student is found in further violation of school rules during probation.

### **Expulsion/Exclusion of Students**

The Code of Delaware gives the Board of Education the power to expel students from school. A student whose misbehavior or misconduct is considered to be "grossly inappropriate" in the area of morality, violation of school policy/regulations, or whose continued attendance is considered to be detrimental to the best interest of the school, may be expelled from school. Such action shall be by the majority vote of the members of the Board of Education following a hearing to determine the severity of alleged misbehavior or misconduct.

The expulsion of the student shall be considered only after a thorough examination of the facts in the matter at a disciplinary hearing. Disciplinary hearings shall be scheduled by the Superintendent when, in the Superintendent's opinion, the expulsion of the student is one of viable alternatives for the case under consideration.

Students expelled from school shall be considered for readmission only by the Board of Education. The procedures for readmission shall be forwarded to the parents of the student in the letter of expulsion.

*Note: (1) Students expelled from the regular programming may be eligible for an alternative program. In some instances, placement in an alternative program is a state mandate.*

*(2) Expelled students or students attending alternative school are prohibited from being on Caesar Rodney School District property at any time during the duration of the expulsion without written consent of the Superintendent.*

### **Dismissal**

Students are not permitted to leave the school grounds with any individual except their own parent/guardians. The only time an exception will be made to this rule is when the office has on file a written request by the parent stating that the student is permitted to leave school with some other-named authorized person.

Early dismissal from school is discouraged. However, requests for early dismissal will be handled on an individual basis through the school office.

Students may not remain in the school building or on school property beyond a reasonable length of time after dismissal unless engaged in or attending an approved school function under the supervision of a school employee.

### **SBAC Testing/Security**

It will be considered a testing security violation for a student to fail to follow SBAC test administration procedures established by the school, District and state. Students may not provide answers to or coach another student orally, in writing, or by any other means. Students must follow security regulations and procedures for handling test material and testing environments.

A student who violates these regulations shall be subjected to such disciplinary action as deemed appropriate by the school District. Also, at the discretion of DOE, the student's test score may be invalidated and the student may be declared ineligible to retake the test.

### **Electronic Surveillance and Recording**

The Caesar Rodney School District Board of Education authorizes the use of electronic surveillance and the recording of video and/or audio data in order to monitor student behavior and to help protect students and staff from breaches of security. Such electronic surveillance and recording may take place on school property that includes, but is not limited to, classrooms, hallways and stairs, auditoriums, cafeterias, gymnasiums, parking area, athletic fields, and buses (both District owned and those owned by subcontractors). However, in no event shall video cameras be used at any time or in any location which would violate an individual's reasonable expectation for privacy including, but not limited to, locker rooms, rest rooms or other areas where individuals would be expected to disrobe. The decision to utilize electronic surveillance and/or recording devices on buses shall be made by the Superintendent or his/her designee. The decision to utilize electronic surveillance and/or recording devices on District owned property other than buses or individual schools shall be made by the Directors of Business and Finance or his/her designee. The decision to utilize electronics surveillance and/or recording devices in individual schools or on individual school sites shall be made by the building principal.

However, in no event shall such means be used for classroom surveillance unless the principal of the school and the teacher of the classroom agree in writing to the surveillance. Electronic surveillance and/or recording devices may be used without prior notification to the general public, including students, as determined by the authorized decision maker listed above. Authorization to view and/or listen to

electronic surveillance and or recording will also be determined by those same authorized decision makers.

### **Excusal form Physical Education and Health**

State Board policy makes provisions for parents to request excusal of students from physical education for physical reasons as well as excusal from physical education and health education for religious objections. Parents with concerns in either of these subjects are urged to call the principal of the school the student attends requesting the opportunity to review objectionable material and/or requesting excusal in accordance with State Board rules and regulations. Alternative assignments may be made.

### **Federal Programs General Complaint Procedures**

A copy of the state education agency's complaint procedure is available to parents by accessing the district instruction websites at <http://crk12.org/domain/560>. A copy of the procedure may also be obtained by contacting the district's Title I coordinator at 302-698-4800.

### **Fire and Emergency Preparedness Drills**

Fire drills are held monthly in accordance with Delaware fire code. In addition, emergency preparedness drills are planned and conducted throughout the year. Students are provided instruction concerning the procedures that will be used during these drills.

### **Enrichment Programs**

Students may participate in enrichment programs offered in elementary and middle school. Eligibility requirements for each program may be obtained from the student's school of attendance. Students in grades 9-12 may enroll in Advanced, Advanced Placement and Independent Study options as available. Although there is no formal gifted program students have the opportunity to study various areas of interest; as well as participate in many extra-curricular activities, including, but not limited to academic competitions, drama, band, music, and interest-specific clubs.

### **Health Services**

The school nurse is always on call to administer first aid and care for students who become ill while at school. They are not permitted, however, to diagnose an illness; therefore, students should not be sent to school if the parent is aware of a student's illness. School nurses are the only school employees who are permitted to administer medication at school during the day. Other trained school employees may assist students with the self-administration of medication on field trips. When any medication is sent to school, it must be in the original container. A written order from the child's physician is required to administer prescription medication and the original container constitutes such authorization.



### **Health Services** *(continued)*

Parent permission is required to administer non-prescription medication. Students who are required to use prescriptive inhalers during the school day must inform the school nurse of this need. Inhalers must be used in accordance with the school's guidelines.

School nurses will not administer non-FDA approved medications or products. Such products include, but are not limited to, homeopathic, herbal or non-traditional remedies and dietary supplements.

As per Delaware Code Title 24 § 1931 treatment or examination of minors: A parent, guardian or other caretaker, or an adult staff member, shall be present when the school nurse provides outpatient treatment to a minor patient who is disrobed or partially disrobed or during an outpatient physical examination involving the breast, genitalia or rectum, regardless of sex of the licensed person and patient, except when rendering care during an emergency. When using an adult staff member to observe the treatment or examination, the adult staff member shall be of the same gender as the patient when practicable. The minor patient may decline the presence of a third person with consent of a parent, guardian or caretaker. The minor patient may request private consultation with the licensee without presence of a third person after the physical examination.

### **Homework**

Homework is assigned in limited amounts in grades K-2 with larger assignments beginning in the third grade and increasing as the student advances. It is frequently individualized as student's needs and speed of work differ. In general, it will be work that has been started in school and requires further practice at home to improve skills. Reading of supplementary material and research projects is assigned to help enrich the regular class program. Parents can help by providing adequate space and regular times for such work at home.

### **Immunizations**

All students must show proof that they have been immunized before entering or continuing school unless they have presented an affidavit for exemption in accordance with the State Board policy. State Board policy makes provisions for parent's to request excusal of students from immunization for physical and/or religious beliefs. For additional information, parents wishing to excuse students from immunizations for either of these reasons should call the principal of the school(s) attended. The school nurse will verify immunizations for diphtheria, pertussis, tetanus, measles, mumps, rubella, polio, hepatitis B and varicella. Immunizations can be obtained through a family doctor or by contacting Delaware Public Health at (302-857-5130).

### **Instrumental Music**

An orientation to instrumental music and group instrumental music instruction begins in Grade 5 for students who elect the program. Each year, a district-wide beginning band parent meeting is held in September. At this meeting information about instrument purchase or rental is given.

### **Intervention Programs**

Intervention programs such as Title I and Limited English Proficiency (LEP) are available to eligible students. Eligibility requirements are available from each school. For more information, call the Director of Instruction at 698-4800.

### **Parent Involvement**

A strong partnership between the school and home is essential if a quality educational program is to be provided to all students. The Caesar Rodney School District is dedicated to the philosophy that parent involvement is integral to the success of each child. The District believes that:

- each school will work with parents/guardians to establish regular, two-way meaningful communication;
- parents/guardians play an integral role in assisting their child's learning;
- parent/guardians are encouraged to be actively involved in their child's education at school;
- parents/guardians are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- parents/guardians involvement may be defined as, but is not limited to: parenting, communication, learning and home, volunteering, decision-making, and collaborating with the community.

The Caesar Rodney School District will continue to build its capacity for strong parental involvement. The District will support a partnership between its schools, parents/guardians, and the community to improve student academic achievement and school performance.

The Caesar Rodney School District will also provide assistance to parents/guardians of children served by the school District or school, as appropriate, in understanding topics such as the following:

- the state's academic content standards,
- the district curriculum that aligns with the content standards,
- the state and local academic assessments, and
- monitoring their child's progress (the district will provide Home Access Center information to assist parents with progress monitoring)

### **Parent Telephone Messages and Email Content**

Unless there is an emergency, teachers will not be called from their classrooms during the school day. Parents who would like to speak with a teacher by phone are requested to do so at time that will not interfere with instruction. Teachers will make an effort to respond to email communications with 24 hours or at their earliest convenience.

### **Parents' Right to Know**

Under the **Elementary and Secondary Education Act**, a parent has the right to know the following information:

- The qualification of the school staff providing instruction to their child.
- Their child's level of achievement in each state academic assessment.
- Whether their child has been assigned to or has been taught for four or more consecutive weeks by a teacher of a core academic subject who is not highly qualified.

Upon the parents' request, the school is to provide the following information:

- Whether the teacher has met state qualification and licensing criteria for the grade level and subject area in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which state qualifications or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any graduate certification or degree held by the teacher and the field of discipline of the certification or degree.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

The following letter will provide details on how parents may easily access information regarding their child's teacher(s).

Dear Parent:

As a parent of a student in the Caesar Rodney School District, you have the right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child's classroom, teachers, and requires us to give you the information in a timely manner if you ask for it. Specifically, you have the right to ask for the following information about each of your child's classroom teachers.

- Whether the Delaware Department of Education has licensed or qualified the teacher for the grades and subject he or she teaches.
- Whether the Delaware Department of Education has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances.
- The teacher's college major – whether the teacher has any advanced degrees and, if so the subject of the degrees.
- Whether any teachers' aides or similar paraprofessionals provide Title I services to your child and, if they do, their qualifications.

A website has been set up for you to obtain this information at <http://deeds/does.k12.de.us>. You may access this information by going to the website and click "Parents/General Public" on the left-hand side of your computer screen. Click "search" for an employed Delaware public/charter school educator. Enter the last name of your child's teacher and click "search". Click the "profile" link after your child's teacher's name. You will find the teacher's certification under "credentials" and college major under "qualification". If you are unable to obtain the necessary

information, you may call your child's principal for this information, or our office of Human Resources at 698-4800.

### **Physical Examinations**

All students, upon entrance to the Delaware school system, must have a physical examination. A second examination is required for all students entering 9<sup>th</sup> grade. Examinations can be obtained at a private physician's office or a health clinic. For more information call Delaware Public Health at (302) 857-5730 or your school nurse.

### **School Attendance Areas**

Attendance areas for the schools will be established by the Board of Education and changes in attendance area will be approved by the Board of Education. Parents/guardians are expected to enroll their child in the school assigned to serve the area in which the student resides.

Except for those exceptions authorized in the contract for services between the Department of Defense and the Caesar Rodney School Districts, students residing on Dover Air Force Base housing shall attend schools located at Dover Air Force Base and students residing in areas of the District outside the property of Dover Air Force Base shall not attend a school located on Dover Air Force Base, unless approved for School Choice. Questions about school attendance areas should be directed to the District Office (698-4800).

### **School Choice**

All applications for School Choice must be completed and returned to the Paul L. Dunbar Administration Building (District Office) according to established timelines. Whenever a Caesar Rodney School District residence student moves from the District, it is the responsibility of the parent to immediately notify the school principal and file a School Choice application in order to be considered for continuing enrollment. Otherwise, the parent is obligated to immediately transfer the student to the school that serves the student's new residence. All questions regarding School Choice should be directed to the District's School Choice Coordinator at 698-4800.

### **School Crime and Bullying Contact Information**

Delaware Department of Justice School Ombudsperson, 1-800-220-5414

### **School Meals**

Breakfast and lunch are served in all schools every day. A large variety of foods is offered for student choice. Students are encouraged to participate in both the breakfast and lunch programs. All students can pre-pay for meals by placing money in their cafeteria account. Free and reduced price meals are available to those families who are eligible. Meal benefits forms are available from the school office.

### **Sex Offender Community Notification**

Any student who is a registered sex offender is required by law to notify the principal of the school the student is attending. At the time of notification, the principal will take appropriate action to assure the maintenance of a safe and orderly environment for all students.

All notification of sex offenders received by the school or the District Office are maintained in a binder and kept in the main office of the school and District Office. These binders may be viewed upon request by any adult or juvenile with adult supervision. Inquiries about the Sex Offender Registry can be made by calling the Delaware State Police at (302) 739-5882 or viewing the State Police website at <http://dsp.delaware.gov>

### **Special Instruction for Students with Disabilities**

Students who have disabling conditions as defined by the Individuals with Disabilities Education Act (IDEA) are provided individualized educational programs specifically designed to meet their needs. Such programs of instruction are supervised by trained professionals. For more information please contact the Director of Student Services at 698-4800.

### **Student Accident Insurance**

Information and application forms regarding student accident insurance are available to parents at <https://www.crk12.org/Page/2423>. The cost of this insurance is minimal and covers students while attending school, going to and from school, and all school-sponsored activities. Parents are advised to review the coverage and exclusions as outlined in the application form. This insurance will provide full coverage where parents are not covered by other group insurance.

### **Students Records/Directory Information –Annual Notice of Rights**

State and Federal law gives parents (and students over 18 years of age) certain rights concerning the student's school record. These rights include the rights listed below:

1. You have the right to look at your school record. To look at your school records you should give the Principal a written request listing the records that you want to see. The Principal must allow you to see the records within 45 days from receiving your request.
2. You have the right to request changes in your school records if you believe the records are inaccurate or misleading. If you want to change your records, you should tell the Principal in writing what you want changed and why you think it ought to be changed. If the Principal agrees with you, your records will be changed. If the Principal disagrees with you, you may request a hearing.
3. You have the right to let other people see your records; however, the law allows some people to see your records without your consent. For example, a school official, which includes an instructor, support staff member, administrator, a health or medical staff and law enforcement unit personnel; a

School Board member; an attorney, auditor, medical consultant or therapist with whom the school has contracted to perform a special task; or adult volunteer may see your records if they need information or records to do their job as employees or volunteers. In addition, the Caesar Rodney School District discloses school records, including disciplinary records, with or without consent to officials of another school District in which a student seeks or intends to enroll.

4. You have the right to file a complaint with the U.S. Department of Education if you believe the school has violated any of your rights with respect to school records. If you have a complaint, send it in writing to:  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

The Family Education Rights and Privacy Act requires that the Caesar Rodney School District, with certain exception, obtain your written consent prior to disclosure of personally identifiable information from the student's educational records. However, some of the information in student records is not confidential and may be released without your consent. This information is known as "Directory Information".

Directory information includes the following:

- Student's name,
- Address,
- Telephone listing,
- Date and place of birth.
- Parent or lawful custodian's name and address,
- Participation in officially recognized activities and sports,
- Weight and height of members of athletic teams,
- Image or likeness in pictures, videotapes, film or other medium,
- Degrees, honors, and awards received,
- Major Field of study,
- Dates of attendance, dates of enrollment, withdrawal, re-entry,
- Grade level,
- The most recent educational agency or institution attended,
- Other educational institution(s) attended,
- Academic work intended for publication or display.

The primary purpose of Directory Information is to allow the Caesar Rodney School District to include this type of information from the school records in certain school publications. Examples of those publications include:

- A playbill, showing student's role in a drama production,
- The annual yearbook,
- Honor Roll and other recognition lists,
- Graduation programs.

### **Students Records/Directory Information –Annual Notice of Rights**

(continued)

- Sports activities sheet, showing weight and height of team members.
- Newspapers.

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

If you do not want Directory Information released, you must tell the Principal in writing what types of Directory Information you do not want released. That written notice to the Principal must be received not later than September 15<sup>th</sup> of each school year or within 15 days of receiving this annual notice.

Military recruiters and institutions of higher education are entitled under Federal law to a list of names, addresses, and phone numbers of high school students unless you object to such release. If you notify your Principal in writing that you do not wish your child's name, address, and phone number released without your written consent the District will honor that request.

Both parents have the right to see the school records of their child unless there is a certified copy of a court order on file at the school that specifically denies the right to access the school records. Copies of school records are available for a minimal copying charge. If you have any questions about these rights, please contact your school Principal.

### **Student Travel**

Student travel is categorized into the following categories:

#### 1. Field Trips:

Type I: Trips by students in a course or class that take place entirely during the time of the regular school day. Individual parent permission slips are not required providing the notice of the trip has been communicated to parents via school newsletter or other usual school communication procedures.

Type II: Trips by students in a course or class that take place on a regular school day and part of the trip includes time before or after the regular school day. Individual parent permission slips authorizing student participation are required.

2. Educational Travel: Trips by students, individually or in a group under the sponsorship of the school to participate in a competition, exhibit, study activity or student conference and overnight lodging is often necessary. Individual parent permission slip authorizing student participation are required.
3. Staff Promoted Non-School Trips: Trips promoted by staff that are personally and privately being planned, and in no way reflective, supported by, or authorized by the District or specific school. Since staff-promoted

non-school trips are personally and privately planned, and are in no way reflective, supported by, or authorized by the District or specific school. The staff promoting such trips must adhere to the following requirements:

- No school or District stationary is to be used in relation to planning or organizing or promoting such trips.
- No statement or implication is to be made that such trips, are reflective, supported by or authorized by the District or specific school.
- Collection of money associated with such trips cannot be conducted during school hours or on school property.
- Promotion, recruitment, and planning associated with such trips cannot be held during school hours or on school property at any time.
- The District and Board of Education assume no liability for such trips.

Field trip cost may be partially or fully funded by student fees; however, no student may be denied participation in a school day field trip that did not provide the requested fee to cover cost of the field trip. Basic Building Budget funds or donations shall be used to cover the costs of field trip participation for a student who did not pay the fee.

*Eighteen year old students: Only students who have declared independence may sign their own permission slips.*

### **Student Use of Telephone**

Office phones may be used by students for incoming and outgoing calls if there is an emergency and if permission is granted.

### **Supportive Instruction (Homebound Instruction)**

Supportive instruction (homebound instruction) is provided for students who are temporarily unable to attend school in accordance with the rules and regulations as prescribed by the Department of Education in 14 DE Admin. Code 930. If this service is needed, contact the school office.

### **Testing Services**

The Caesar Rodney Schools are serviced by qualified school psychologists. Individual testing and study of any student may be undertaken if deemed advisable by the school and parent. Parents will be notified of individual testing and may consult with appropriate school personnel. The psychologist is available for consultation with the parent. Also, group tests of achievement are administered as per District or state guidelines.

### **Visiting Schools**

Parents are welcome to visit schools. All visitors should report to the main office immediately upon arriving at any school. If a parent wishes to speak to a teacher, it should be done by arrangement before school begins or at the end of the day. Visitors are not permitted to interrupt classroom activities. Conference with teachers and principals can be arranged by calling the school office.

### **Weather Emergencies**

When weather conditions necessitate all schools in the Caesar Rodney School District will be closed or have a delayed opening. Notice of such closing or delay will be given frequently between 6:30 & 8:00 a.m. on WDOV (AM 1410), Eagle 97 (FM 97.7), WDSB (FM 92.9), WXPZ (FM 101.3), WBOC-TV (CH.16) and WMDT-TV (Ch.47). You may also call the toll-free State Voice Activated System at (877) 831-7215. In addition, school closing and/or early dismissal information is available on the Department of Education web site at [www.doe.state.de.us](http://www.doe.state.de.us) ([click on the School Closing icon](#)).

Parents and students are requested NOT to call the school office, the District Office or a radio station for further information concerning the emergency closing of schools. In the event the weather conditions necessitate an early dismissal, students should have a specific, prearranged place to go should their parents not be home.

### **Asbestos Notification**

All school districts are required to have a detailed inspection of each building to determine the existence, location and condition of asbestos containing materials. As per Environmental Protection Agency (EPA) guidelines, every Local Education Agency (LEA) must notify all workers, building occupants and legal guardian of all inspections, re-inspections, and activities being conducted to control asbestos exposure, including periodic surveillance and asbestos removal. That are planned or in progress.

In accordance with the EPA regulations pertaining to the management of asbestos in school, the Caesar Rodney School District has had the required inspections. The last three year re-inspection was completed June 9, 2017 by Harvard Environmental, Inc. and six month surveillance inspections are scheduled every June & December of each year. All records are filed and maintained in the Caesar Rodney School District's Asbestos Hazardous Emergency Response Act (AHERA) management plan. This plan is available for all to review and is located in the district office and in the main office of each school building.

The next AHERA three-year re-inspection is scheduled to be performed in June 2020. Any asbestos abatement work within the facilities will be performed in a compliant manner by professionally licensed asbestos contractors and consultants. If you have any questions regarding these subjects, please contact the Supervisor of Facilities Management at - 302-697-4048.

## **DISTRICT NONDISCRIMINATION POLICY**

Caesar Rodney School District is an Equal Opportunity Employer and does not discriminate in employment or educational programs, services or activities based on race, color, religion, national origin, gender, veteran or marital status, age, disability, sexual orientation gender identification or genetic information in accordance with state and federal laws. Inquiries should be made to the Title IX, District 504 and ADA Compliance Officers: Paul L. Dunbar Administrative Office, 7 Front Street, Wyoming, DE 19934. Phone: (302) 698-4800.

It is also the policy of this District to ensure that curriculum content and instructional materials used by our schools reflect the cultural and racial diversity found in our country, and to create an awareness of the rights, duties, and responsibilities of each individual as a member of the multicultural, nonsexist society.

Inquiries about compliance with Title IX, Title VI, or VII may be directed to the compliance coordinators appointed in the District.

*The District appoints compliance coordinators for Title IX, Title VII and for Section 504 of the Rehabilitation Act of 1973, as required by law. These compliance coordinators serve as grievance officers and are responsible for the District's efforts to comply with nondiscrimination requirements under Title IX, Title VII, & Section 504.*

### **Nondiscrimination on the Basis of Sex**

(Compliance Violation Grievance Procedure)

Any student or employee of the Caesar Rodney School District shall have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX of the Education Amendments of 1972 or in Title VII of the Civil Rights Act of 1974.

**Level One** - Principal or Immediate Supervisor (informal)

A student with a complaint of sex discrimination shall discuss it with the teacher, counselor, or principal.

**Level Two** - Title IX Compliance Officer

If the grievance is not resolved at level one and the student wishes to pursue the grievance, the student may formalize the grievance by filing a complaint in writing on a Compliance Violation Form, which can be obtained from the Title IX compliance officer. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal written complaint at Level Two must be within 21 days from the date of the event giving rise to the grievance, or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting about the complaint be held with the Title IX compliance officer. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX compliance officer shall investigate the complaint and attempt to resolve it. A written report from the compliance officer about action taken will be sent to the grievant within 21 days after receipt of the complaint receipt of the written appeal.

## **NONDISCRIMINATION ON THE BASIS OF SEX**

**Level Three** – Superintendent

If the complaint is not resolved at Level Two, the grievant may proceed to Level Three by presenting a written appeal to the Superintendent within 15 days after the grievant receives the report from the compliance officer. A decision will be rendered and conveyed to the grievant by the Superintendent or his designee within 15 days after.

**Level Four** - Other Agencies

The grievant may file formal complaints with the Delaware Civil Rights Commission or other agencies available for mediation or rectification of affirmative action grievances, or may seek private counsel for complaints alleging discrimination.

## **COMPLIANCE COORDINATORS AND GRIEVANCE OFFICERS**

The following have been appointed to serve as the District's compliance coordinators and grievance officers. These coordinators can be contacted at the Paul L. Dunbar Administration Building at 7 Front Street, Wyoming, DE 19934 or at (302) 698-4800.

**TITLE IX:**

**CIVIL RIGHTS ACT OF 1972**

(nondiscrimination on the basis of sex, educational programs)

**Compliance Coordinator:** Dr. Tamara Toles Torain, Assistant to the Superintendent

**Grievance Officer:** Amanda Mazzola, Supervisor of Human Resources

**TITLE VII:**

**CIVIL RIGHTS ACT OF 1974**

(nondiscrimination in employment practices)

**Compliance Coordinator:** Dr. Tamara Toles Torain, Assistant to the Superintendent

**Grievance Officer:** Dr. Jessilene Corbett, Supervisor of Instruction

**SECTION 504 OF THE REHABILITATION ACT OF 1973**

**District Coordinator:** Kevin Thompson, Director of Student Services

**Compliance Officers:** Building Principals

**Building Access Issue Officer:** Scott Kessel, Director of Business and Finance

**Hearing Officer:** Tara Faircloth, Director of Curriculum and Instruction

**AMERICANS WITH DISABILITIES ACT (ADA) OF 1992**

**District Coordinator:** Ken Starke, Supervisor of Facilities Management

**GENDER-EQUITY COORDINATOR**

Tara Faircloth, Director of Curriculum and Instruction