

### **ELEMENTARY SCHOOL PHILOSOPHY**

The Smyrna School District exists for the development, improvement, and general welfare of the children of the community.

Therefore, we must endeavor to:

1. Establish a positive motivational climate for learning and intellectual development.
2. Create a school environment that provides for levels of success with respect to individual abilities.
3. Develop the child physically, socially, intellectually, and emotionally.
4. Create opportunities to encourage independence and cooperation through varied educational experiences.

### **WHAT SHALL I DO IF I HAVE A PROBLEM CONCERNING MY CHILD?**

Step 1 - Make an appointment to see the teacher.

Step 2 - If the parent and the teacher cannot solve the problem, make an appointment with the principal and a conference will be arranged.

Step 3 - If the parent and the principal cannot solve the problem, make an appointment with the Superintendent and a conference will be arranged.

### **ENTERING AND LEAVING THE SCHOOL**

**ALL PARENTS, VOLUNTEERS, AND OTHER VISITORS MUST REGISTER IN THE OFFICE UPON ENTERING THE BUILDING AND RECEIVE A VISITOR'S PASS.**

**NO ONE IS TO SMOKE ON SCHOOL PROPERTY.**

There are two pick-up and drop-off areas: Main Street and Entrance by Staff Parking Lot. Please note designated parking on Main Street, remember to discharge students on the sidewalk and have them use the crosswalk when crossing the street. The crossing guard is there for the safety of your children. Please be careful and observe his/her directions.

### **VISITING THE SCHOOL AND OBSERVING CLASSES**

- a) Conferences may not be held with the teacher during instructional hours. Please call the office to arrange a conference with your child's teacher.
- b) Please check in at the office upon arrival for your teacher conference.
- c) Pre-school children or infants may not visit the classroom with the parent, as younger children often distract the attention of both the visitor and the students.
- d) When requesting a classroom observation visit, please call the teacher in advance to arrange a mutually agreeable time. Parents may sit and observe quietly in a space designated by the classroom teacher.



**Report Card Dates**

November 6, 2015  
 January 29, 2016  
 April 15, 2016  
 June 7, 2016 (grades K-8)

**Progress Report Dates**

October 6, 2015  
 December 14, 2015  
 March 4, 2016  
 May 13, 2016

**EMERGENCY SCHOOL CLOSING**

If the weather is bad, school may be delayed either one hour, two hours, or closed all day for the safety of the children. Please insure your child has an alternative after-school plan for supervision. The Smyrna School District will notify all students' families of the above mentioned emergencies by phone through the School Messenger.

**In addition to the Alert Now System, you may listen to any of the following TV and radio stations beginning at 6:30 a.m.:**

TV - WBOC Channel 16  
 WDEL 1150 AM  
 WDOV 1410 AM  
 WDSB 94.7 FM  
 WILM 1450 AM

If you do not hear delay or closing announcements, you may presume that the district is in regular operation.

**OR: check our web site at: [www.smyrna.k12.de.us](http://www.smyrna.k12.de.us)**

Please be certain that arrangements are made for your child(ren) in the event of an unscheduled early dismissal due to inclement weather conditions. Children will be dismissed as per normal routine/or as per previously arranged parent request. Children will be released to legal guardian only. Our goal is for your child to return home safely.

**2015 – 16 BOARD OF EDUCATION MEETINGS**

Regular Meeting - 7:00 p.m.

<b>Date</b>	<b>Location</b>
September 16	Smyrna High School
October 21	Smyrna Middle School
November 18	Sunnyside Elementary School
December 14	Smyrna Elementary School
January 11	North Smyrna Elementary School
February 17	John Bassett Moore Intermediate School
March 16	Clayton Intermediate School
April 20	Clayton Elementary School
May 11	Central Office
June 15	Central Office

All meetings except executive sessions are open to the public.

**BOARD OF EDUCATION MEMBERS**

Mr. Ronald B. Eby, President  
Mrs. Vetra Evans-Gunter, Vice President  
Mrs. Kristi Lloyd, Member  
Rev. Scot McClymont, Member  
Mrs. Christine Malec, Member

**DISTRICT ADMINISTRATORS**

Mrs. Deborah D. Wicks, Superintendent  
Mr. Patrik Williams, Assistant Superintendent  
Mr. Jerry Gallagher, Business Manager  
Dr. Alexander Shalk, Supervisor of Curriculum & Instruction  
Mrs. Rachael Rudinoff, Supervisor of Special Education  
Mrs. Sharon Almondo, Supervisor of Transportation  
Mr. Roger Holt, Supervisor of Child Nutrition Programs  
Mr. Scott Holmes, Supervisor of Buildings & Grounds  
Mr. George Wicks IV, Supervisor of Facilities Operations

**DAILY SCHEDULES**

**Grades K- 4**

8:15 a.m.	Teacher Day Begins
8:15 a.m.	Breakfast (walkers & bus students)
8:20 a.m.	Students Report
8:30 a.m.	Instruction Time Begins
8:35 a.m.	Tardy Bell
3:25 p.m.	Classes End/Walkers Dismissed
3:30 p.m.	Bus Dismissal

**On half days walkers will be dismissed at 12:25 p.m**  
**Bus students will be dismissed at 12:30 p.m.**

**ARRIVAL TIME**

Students should not be on the school grounds before 8:15 a.m. (unless they are enrolled in the breakfast club). Potential problems could develop when students are unsupervised.

**TARDINESS**

Students enter at 8:20 a.m. Tardy bell is at 8:35 a.m. Students reporting to school after 8:35 a.m. should report to the office and receive a late pass. A child will not be counted late if the bus is late.

**EARLY DISMISSAL**

Instructional time takes place from 8:35 a.m. to 3:25 p.m. Please refrain from early dismissal for purposes other than medical or emergencies.

**ENROLLMENT & RELEASE OF STUDENTS AND STUDENT INFORMATION BOARD POLICY 5101**

In the interest of the safety of students in the Smyrna School District, we will adhere to the following guidelines for enrollment, releasing of students, and correspondence.

Enrollment: A parent or guardian must enroll a child. To be designated a guardian, an adult must have legal documentation such as guardianship papers from the Family Court of Delaware. A ten-day grace period for procurement of the documents will be granted.

Parents or guardians must reside in the Smyrna School District, and the residence declared must be the home in which the child resides most of the time. In cases where residence is split between two parents/guardians, bus transportation will only be allowed for one of the established residences. Once a child is assigned to a bus route, he/she will remain on that bus route for the year unless his/her residence changes.

Releasing Students: A child may be picked up from the school office by one of two means, i.e., a note signed by the parent/guardian, or in the person of a parent/guardian. Parents who have not sent in a note are required to report to the office in person and identify themselves to pick up a child; this right will not be denied a parent unless there is a legal document on non-visitation within the child's folder. A written request of denial from one parent against another will not be honored. In cases where the principal has sound reason to believe that the child may be placed in some imminent danger or that such a release may not be in the child's best interest, he/she may deny the release until the matter is resolved.

Children will not be released by a phone call nor will changes of buses be made unless the principal deems it an emergency.

Correspondence: Report cards, test scores and other correspondence regarding the child or the school will be sent to the custodial parent(s)/guardian with whom the child primarily resides. Either parent has the right to set up an appointment to come into the school for the purpose of reviewing the child's permanent record unless there is a court order in the child's folder that is contradictory to this practice.

Also, in all formal documentation, the child will be referred to by the name indicated on the birth certificate. Name changes will only be granted with appropriate court documentation.

Approved by Board of Education, July 21, 1999

### **GETTING TO AND FROM SCHOOL**

1. Walkers are to use the sidewalks and crosswalk, and to walk in a safe manner.
2. Parents bringing or picking up car riders must choose one of the following areas: Main Street or Staff Parking Area by second grade wing.
3. Bus students are expected to ride in a safe and orderly manner. When children misbehave on the school bus, parents will be notified by the bus driver. If the behavior problem persists, a conduct report will be turned into the office, one copy sent home to the parents, one copy is returned to the bus driver, and one copy is forwarded to the District's Transportation Supervisor. It is desired that all children who ride buses will not do anything to distract the driver. Failure to comply with these regulations may result in the guilty person being denied permission to ride the bus (see page 32-34).
4. If your child rides his/her bicycle to school, certain rules are to be followed. All bicycles are to be placed in the racks provided. Bicycles are not to be ridden on the school grounds. The child should have a lock for the bicycle and students are required by law to wear bicycle helmets.
5. If your child is to return home by means other than the way he/she arrived at school, a note is required. This note must be approved by the school office.

### **SCHOOL ATTENDANCE LAW**

*According to 14 Delaware C, 2729 and 2730, "Truancy" or "Truant" shall refer to a pupil enrolled in grades K through 12 inclusive who has been absent from school without a valid excuse for more than three (3) days or the equivalent thereof, without a valid excuse during a given school year.*

### **COMPREHENSIVE ATTENDANCE PROCEDURES**

1. Each school in the district will establish a "Student Attendance Review Board". The purpose of the Attendance Review Board will be to determine the cause of the student's excessive absence and evaluate possible alternative educational services. The Review Board will consist of a minimum of three (3) persons: one building administrator, one guidance counselor (if available), one staff person, and the school nurse. Other staff may be added at the discretion of the Review Board. This board may meet when deemed necessary.
2. Each school shall implement a positive program encouraging regular school attendance. An age appropriate system of reward and merit should be a major component of such a program.

3. The designated staff person will retain all notes from parent/guardian(s) for student absences for the current school year.
4. The school will make a reasonable attempt to contact parent/guardian(s) of students who are absent from school. This will be the responsibility of Clayton Elementary's attendance person.
5. Students' attendance will be recorded daily in compliance with state regulations.  
\*(It is highly recommended that notes from the doctor be submitted when applicable to accurately document absences.)

- a. Upon accumulation of eight (8), twelve (12), sixteen (16), twenty (20), twenty-four (24) absences (excused or unexcused), parents will be contacted by the school. The school's contact with the parents will determine the cause of the student's excessive absence and possible evaluation of auxiliary educational services.
- b. Following the 8<sup>th</sup> absence the student's parents/guardians will be notified of the attendance problem and its imminent consequences. Students in grades K-12 will be retained or receive no credit in their courses/subjects (24 days per one year course, 12 days per semester course).
- c. When a student accumulates three (3) **UNEXCUSED** absences, he/she is considered in violation of the district policy and Delaware state law on attendance. The school will notify the visiting teacher and a truancy letter will be sent. Upon continued truancy, the following actions will be taken by the visiting teacher:
  - 8 unexcused days-certified letter sent to the home and home visit
  - 11 unexcused days – letter sent home and charges filed in truancy court
  - 24 unexcused days – The Department of Services for Children, Youth, and Their Families (DSCYF) will be notified.
- d. Parents of students deemed truant will be prosecuted to the fullest extent of the law. Parents found guilty of violating Delaware's compulsory attendance requirements will be subject to fines and/or imprisonment.

\*School Note

- e. Upon accumulation of twelve (12) instances of tardiness per year, the visiting teacher will be notified and a truancy notice will be sent home to the parents or guardian, if applicable. The Attendance Review Boards' contact with the parents will determine the cause of the student's excessive tardiness and possibly offer solutions to the problem.

- f. A student who is receiving homebound instruction in accordance with district procedures will be regarded as present and will not be penalized under any provision of this policy.
  - g. A student who is absent during regular school hours because of school-directed or district-approved activities (class trips, field trips, early dismissals for athletic participation, etc.) shall be marked as present for attendance purposes.
  - h. Exceptions to the Smyrna School District Attendance Policy may be made in cases of severe family hardship or student illness by an appeal to the Attendance Review Board in each school within 10 days of written notice.
6. For the purpose of this policy, the state guidelines governing excusable absences will be used. The following conditions are recognized by the Smyrna School Board as being legal and necessary absences:
- a. Illness of the child, attested to by a physician, if necessary.
  - b. The presence of contagious disease at the child's home subject to regulations of the Department of Health and Social Services.
  - c. Death in the immediate family or in the home of grandparents. Excused time will not exceed one week. Excused time allowed for funeral of other relatives will not exceed one day. Additional time may be allowed when services are held at long distances from the student's home.
  - d. Legal business
  - e. Suspensions or expulsion from school for misconduct
  - f. Remedial health treatment (includes student pregnancy)
  - g. Prearranged absences with documented parental knowledge:
    - College visit
    - Participation in other educational experience
    - Absences of one day for personal reasons
  - h. Emergency situations as determined by the school principal
  - i. Religious holidays

\*Note: No absence will be allowed during state testing or semester exams unless approved in advance by the school principal.

## **DEFINITIONS**

### Absence:

A student must attend school a minimum of five (5) hours to be credited for a full day of attendance. A student must attend a minimum of two and one-half hours to be credited for one-half of a day. Two half days will equal a whole.

### Early Dismissal:

All early dismissals will require a written request from the parent or guardian. Requests will not be granted over the telephone. In an emergency, persons having



legal custody of the student may present themselves at the student's school office to sign an early dismissal.

Excused Absence:

An excused absence is an absence covered under the nine (9) necessary and legal absences. A signed note from the parent or guardian stating the reason for the absence and the date will be required. The note must be submitted to the school office no later than two days following the student's return to the school or the absence will be considered unexcused. Students who are eighteen years of age or older and who are legally independent may sign their own notes. Parents, guardians and students must understand that writing a note does not excuse a student for an absence unless it can be classified as a necessary and legal absence. The Smyrna School District adheres to the following guideline: No more than ten (10) individual instances of absence may be deemed 'excused' by use of a parent note.

Homebound:

Instruction furnished by the school district at the student's place of residence. Such instruction is normally furnished when a student's medical condition prevents her/him from attending regularly or for an extended period of time, as deemed necessary by a physician in writing.

Make-Up Work:

Any student who has an excused absence from school can make up classwork and assignments missed, if the request is made within a reasonable length of time of the student's return but not to exceed three (3) days. The time allowed to complete make-up work will equal the time missed and will begin the day of the student's request. It is the student's responsibility to take advantage of this opportunity. The student's grade should reflect a failure to comply.

School Suspension:

In-school suspension (ISS) is considered excused, but work must be made up in ISS that day.

Out-of-school suspension is considered excused, but students may not make up schoolwork missed while on out-of-school suspension. However, tests during suspensions must be made up within two school days after the suspension is fulfilled, with the exception of academic violations. Arrangements to complete any make-up tests are the responsibility of the student.

Tardy:

A late arrival after school's official starting time.

Truancy:

Any unexcused absence will be regarded as an incident of truancy.

### Unexcused Absence:

An absence for a reason other than the nine valid reasons listed above, or an absence with no note. Unexcused absences result in no credit awarded for the missed schoolwork. Three such unexcused absences could result in truancy charges being placed against parent/guardian(s) as provided for in the Delaware Code.

### **HEALTH**

We are always concerned with the health of students. For the protection of all school children, immunizations are required. A policy has also been established requiring physical examinations. Children will not be allowed to attend school if these are not completed.

Parent/guardian(s) are encouraged to keep their children at home when illness warrants. No children are permitted in school with contagious diseases. Children who have chicken pox will not be allowed to re-enter school until all blisters are dried completely.

**If your child is not in attendance by 10:00 a.m., you will receive an automated telephone call from the principal stating that your child is absent.**

In case of illness or emergency in school, parent/guardian(s) will be notified by telephone. If the parent/guardian(s) cannot be reached, we will call the person(s) you listed on the registration and/or emergency card. Please complete and return the emergency card immediately. Inform the school if you have contact changes, such as a new phone number. If your child has been prescribed a medication to be taken during school attendance, **all medication must be in the bottle from the Doctor or pharmacy from which it was dispensed.**

### **TRANSFERS**

If you are going to move, please notify the school office to complete a withdrawal form. Prompt attention will avoid delay in forwarding records.

### **CHILD CUSTODY INFORMATION**

During the past few years there has been an increase in single-parent families and numerous child custody litigations have occurred. This is a very serious matter and the school is concerned for the welfare of the children involved; however, parent/guardian(s) are to be advised that unless the school has received a legal document stating that custody has been granted to an individual, the school may release the child to either parent upon request.

### **GRADING POLICY**

**Definition**

### **POLICY 6110**

Grading is a process by which individual students are assessed to determine the extent to which each has achieved the instructional goals and objectives (learning targets and standards) of a course or area of study.

### **Philosophy**

1. The Smyrna School District Board of Education expects that grades assigned to students, based upon a professional evaluation of student performance in a particular course or area of study, are to be based solely upon predetermined student learning targets which are communicated in advance to students and parents.
2. A key purpose of grading is to assess student understanding in order to inform future learning and instruction.
3. The Board of Education believes that a grade should never be construed as an end in itself.
4. The Board of Education believes that evaluation of student progress in the form of grades must be objective, understandable to students and to parents, and communicate strengths and weaknesses of student performance.
5. Final course grades will communicate the level of competency a student has achieved related to the knowledge and skills expected within a course or academic discipline.

### **Implementation**

Regulations shall insure that grading is consistent with this policy.

### **General Guidelines**

1. The intent of the reporting systems is to communicate academic achievement, effort, and behavior on a regular basis to students and parents. Grades must be an accurate reflection of the skill or concept being assessed and clearly tied to predetermined learning goals.
2. Each teacher shall communicate their grading system to students/parents at the beginning of each school year or semester as appropriate. Principals shall ensure that each grading system so distributed is consistent with:
  - a. the district's grading policy and regulation
  - b. sound educational practice
  - c. other teachers in the same grade or department  
or who are teaching the same course/subject

3. Teachers shall have the responsibility for determining student grades consistent with the district's policy and regulation.
4. For grades K through 12, student report cards shall be distributed every nine weeks to students/parents.
5. Mid-marking period progress reports will be issued to all students K-12. This guideline does not discourage a teacher from sending progress reports home with the student on a more frequent or as needed basis.
6. Parent conferences relating to student progress shall be scheduled as needed. The approved school calendar shall provide for parent conferences on or about the end of the first quarter for K-8. High school conferences will be scheduled upon parent or teacher request. Whenever possible, such conferences are to be arranged in order to accommodate parents' schedules.
7. All teachers teaching the same subjects or grade level will establish a standard grading policy. (Example: course biology - homework \_\_\_%, tests \_\_\_%, lab, etc.) and submit to the building principal.
8. Attitudes and work habits will be noted, when deficient, in a separate area of the report card.
9. The grading scale for all students shall be as follows:

A+	=	(97-100%)
A	=	(93-96%)
A-	=	(90-92%)
B+	=	(87-89%)
B	=	(83-86%)
B-	=	(80-82%)
C+	=	(77-79%)
C	=	(73-76%)
C-	=	(70-72%)
D+	=	(67-69%)
D	=	(63-66%)
D-	=	(60-62%)
F	=	59 and below-
10. Negative or positive classroom behavior should not affect a student's grades.
11. A teacher's grades may not be changed by a school administrator without permission of the teacher.

12. Letter grades shall be defined as follows:

S for Satisfactory  
I for Improving  
N for Needs Improvement  
U for Unsatisfactory

### **Kindergarten Guidelines**

1. Conferences are held as needed throughout the year.
2. All kindergarten students are evaluated through a comprehensive testing program (Reading and Math Benchmark Assessments) for the January and June report cards.

### **Grades 1 - 6 Guidelines**

1. Grades 1-6 reading and math will receive number grades. Skills listed under these subjects will receive S, I, N, U.
2. Writing - students will receive a rubric grade marking periods 2, 3, and 4 based on the Common Core writing rubric.
3. Grammar - a number grade each marking period.
4. Science and social studies will be a number grade all four marking periods.
5. Distribution of grades on the elementary level - copy of report card is placed in an envelope which has the student's name, school name, grade, year, teacher, and parents' signature. Parents will keep a copy of the report card and return the signed envelope.
6. Art, library science, music and physical education will be recorded using S, I, N, U.

### **Middle School Guidelines - Grades 7, 8**

All courses, including major subject areas and related arts areas, will receive a numerical grade.

Each course will be given a factor as determined by the value of course, determined by length of class, number of meetings per semester and based on semester or year length. This is done for the purposes of determining honor roll.

Major Subject Areas/Year Long Courses	Factor of 1
Semester Courses	Factor of .5

Example: To determine a grade point average multiply the class grade by the factor:

x 1 = 86	English	86	8 6
x 1 = 80	Science	80	8 0
x 1 = 90	Social Studies	90	9 0
x 1 = 75	Math	75	7 5
x .5 = 42.5	Physical Education	85	8 5
<u>x .5 = 46.5</u>	Agriscience	93	<u>9 3</u>

$$420 \div 5 = 84$$

### **High School Guidelines**

1. Students are to be informed at the beginning of each marking period of the method to be used for determining the marking period, semester and final grades. A written copy of the teacher's grading method is to be distributed at the beginning of the first marking period and reviewed at the beginning of each subsequent quarter.
2. The semester grade will be computed by weighing the first quarter and second quarter grades twice and averaging them with the semester exam (SG = Q1 + Q1 + Q2 + Q2 + SE divided by 5). Second semester grade will be averaged the same way. The final grade will be the average of the first and second semester grade.
3. Rank in class is computed at the end of the 9th, 10th, 11th and 12th grades. College Preparatory courses are assigned 1.03 quality points; Honors courses are assigned 1.05 quality points; and Advanced Placement courses are assigned 1.07 quality points for the purpose of relative ranking. All other courses are assigned 1.0 quality points. The 100 – point scale is used for class rank purposes.

4. Colleges report GPA on a 4.0 scale. For conversion, the high school uses the following scale:

Letter	100 point scale	4.0 scale
A+	97 – 100%	4.0
A	93 – 96%	4.0
A-	90 – 92%	3.7
B+	87 – 89%	3.3
B	83 – 86%	3.0
B-	80 – 82%	2.7
C+	77 – 79%	2.3
C	73 – 76%	2.0
C-	70 – 72%	1.7
D+	67 – 69%	1.3
D	63 – 66%	1.0
D-	60 – 62%	1.0
F	59% and below	0.0

5. For excused absences, students will have the opportunity for the same number of classes they were absent to make-up the work (i.e., students absent 2 days from math class will have 2 math classes to make up the work). In the case of a long illness, an extension on the number of make-up days may be granted by the teacher when appropriate.
6. Course level changes (e.g., Honors to College Preparatory) may be made up to 6 school days after issuance of the first report card. These changes will only be considered at the written request of the parent and if there is room available in the requested course level. Level changes after that period will be limited to cases with extenuating circumstances at the discretion of the administration. If a student transfers between levels of the same course, the grade will transfer as is. A student cannot withdraw from a course after the schedule change period the first 2 weeks of school. If, with teacher/

counselor/principal/parent permission, they are given approval to do so, they receive a W/F & a final grade of 45.

7. To be eligible for summer school, students must have a 50-59% final average in a course. Upon the successful completion of all summer school requirements, students will receive a maximum of 75 on their permanent record for the summer school course.
8. Students will receive one credit for each ESOL class (elective). These credits will not count as an English credit. In addition to ESOL classes, ESOL students will take an English class each year.

Approved by Board of Education 06/18/87

Revision Approved by Board of Education 2/15/89

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Revision Approved by Board of Education 05/17/95

Revision Approved by Board of Education 11/19/97

Revision Approved by Board of Education 09/20/00

Revision Approved by Board of Education 08/17/05

Revision Approved by Board of Education 8/18/10

Revision Approved by Board of Education 8/20/14

Revision Approved by Board of Education 5/13/15

### **PROMOTION/RETENTION/ACCLERATION/GRADUATION 6115**

The basic criterion for promotion is the probability that the student will succeed at the next higher-grade level. While children are unique because each child grows at his/her own rate according to individual ability, environment, and life experiences, high academic standards have been established for all children. However, flexibility to provide for individual differences must be planned for within the boundaries of the promotion standards.

#### **Retention:**

Basic guidelines for retention include:

1. K-8 ..... The student must meet the performance level requirements for both reading and mathematics.



2. K-8..... Parents of students in danger of being retained must be notified no earlier than the end of the second marking period but no later than the end of the third marking period. Reasons for possible retention and suggestions for increasing the child's achievement level(s) will be provided.
3. K-8..... Poor work habits and/or poor attitude are not grounds by themselves for retention, unless they are major contributors to academic failure.
4. K-8..... Retained students will be assigned to a new classroom and teacher unless the teacher, student, and parents request identical placement or unless no other placement is available.
5. K-8..... For students with disabilities, including students who participate in a functional life skills curriculum, the Individual Education Plan (IEP) team will determine promotion and placement according to the provisions of the student's IEP using all available data and in consultation with the student's parent(s) or guardian(s).
6. K-8..... For LEP students, during their first three years in Delaware schools, decisions for promotion and placement shall be made by the school principal in consultation with the ESOL teacher, the student's regular teacher(s) and parent(s) or guardian. After three years, except in extenuating circumstances, promotion decisions for LEP students shall be determined as for other students.
7. K-12..... The student must meet district attendance policy guidelines (Smyrna School District Policy 5113: "Comprehensive Attendance Procedures").
8. 3, 5, 8..... Based upon the promotion policy requirements and appropriate consideration of input from the Case Study Team [parents, principal, counselor, and teacher(s)], the teacher will make the final decision with regard to retention.
9. .... Family vacations do not qualify students for a special exemption from the state testing.

**Retention, Grade K:**

A student will be considered for retention if it can be clearly demonstrated that the student is not academically ready for a comprehensive first-grade curriculum when he/she has not reached satisfactory levels of performance as defined below:

Satisfactory Reading Performance Levels:

- Obtain a score of 70% or better on Benchmark 2
- Name upper and lower case letters (44 out of 52 presented in random order)
- Identify sight words (28 out of 40)
- Make letter/sound correspondence (18 out of 26)

Satisfactory Mathematics Performance Levels:

- Obtain a score of 70% or better on end of year Benchmark
- Satisfy Common Core fluencies:
  - Counts from 1 to 100 by ones and tens
  - Add and subtract within 5
  - Compose/decompose numbers 11 - 19

**Retention, Grades 1-4:**

A student will be considered for retention if it can be clearly demonstrated that the student is not academically ready for the comprehensive curriculum at the next higher level when he/she has not reached satisfactory levels of performance as defined below:

Satisfactory Reading Performance Levels Grades 1 - 4

A student's year-end grade will be obtained by averaging the four (4) marking periods. A year-end average of 70% must be attained for promotion:

Each marking period will be averaged across two areas: 33% assessments and 67% completed reading classwork.

Satisfactory Mathematics Performance Levels

A student's year-end grade will be obtained by averaging the four (4) marking periods. A year-end average of 70% must be attained for promotion:

Each marking period will be averaged across two areas: 50% assessments and 50% completed mathematics classwork.

### **Acceleration, Grades 1-4:**

Acceleration is the placement of a student in a higher grade level which is more academically appropriate.

Basic guidelines for acceleration include:

1. Acceleration will be beneficial to the student socially, emotionally, physically and academically.
2. For children who appear to be performing above grade level in reading and/or mathematics but do not meet the performance levels stated below, the curriculum will be enriched with meaningful and challenging activities.
3. When acceleration is considered, the Case Study Team will use the criteria stated below to make the final determination.

To be considered for acceleration, the child must satisfy all of the following criteria for both reading and mathematics:

#### Reading

- In grades 2 and 4, score at the 90<sup>th</sup> percentile or better on STAR Reading. For grade 1, achieve mastery level on the DIBELS. Obtain teacher/principal recommendations.

Attained at least a 98% average during the previous year, determined by averaging the child's performance on the appropriate Skill(s) Tests, Benchmark Assessments, and *independently* completed reading classwork and test out of the appropriate end-of-grade Skill(s) Tests and Benchmark Assessments for the next higher grade level with a 98% average.

- All grades should obtain teacher/principal recommendations.

#### Mathematics

- In grades 2 and 4 score at the 90<sup>th</sup> percentile or better STAR Math, attain at least a 98% average during the previous year, (determined by averaging the child's performance on all unit assessments and *independently* completed classwork), and test out of the appropriate end-of-year Benchmark unit assessment for the next higher grade level with a 98% average.
- All grades should obtain teacher/principal recommendations.

### **Retention, Grades 5-8:**

A student will be considered for retention if it can be clearly demonstrated that the student is not academically ready for the comprehensive curriculum at the next higher level when he/she has not reached satisfactory levels of performance as defined below:

- Students are expected to meet performance and achievement standards before promotion to the next higher grade.
- Fifth and sixth grade students must pass four of the five major subject areas, three of which must be reading, grammar/language arts, and mathematics. The fourth major subject must be science or social studies.
- Seventh and eighth grade students must pass all four core subjects (language arts, mathematics, science, social studies)
- Students who fail a core subject and are ineligible for summer school may file a retention appeal to the middle school principal.
- For students grades 5 - 8 who fail a major subject, a score of 50 – 59% is required for summer school attendance.
- Students who have a final grade of 47-49% in social studies or science in grades 7 and 8 may be granted permission to attend summer school by the school principal. The principal will review additional indicators, class work, and attendance prior to a final determination of the appropriateness of summer school placement.

### **Acceleration (5-8)**

Acceleration is the placement of students in a grade level which is more academically appropriate.

A student will be considered for acceleration based upon the following factors:

1. Acceleration will be beneficial to the student socially, emotionally, physically, and academically.
2. Written evaluations, observation scales and charts, and teacher judgment indicate that the student's skills and performance are substantially above grade level.
3. Physical and social development must be sufficiently accelerated to allow the student to function comfortably at the grade level considered.

The final decision regarding acceleration will be made by the Case Study Team consisting of appropriate staff and parents.

**Promotion/Graduation: (Class of 2016 and beyond)**

Credits required for promotion:

1. From eighth to ninth grade - A student must pass English, Math, Science, and Social Studies.
2. From ninth to tenth grade - A student must have earned one credit in English, one credit in Math, and four additional credits for a total of six credits.
3. From tenth to eleventh grade - A student must have earned two credits in English, two credits in Math, and nine additional credits for a total of thirteen credits.
4. From eleventh to twelfth grade - A student must have earned three credits in English, three credits in Math, and twelve additional credits for a total of eighteen credits.
5. Students must accumulate a minimum of 26 credits in grades nine through 12 in order to receive a diploma. Of these, the following are required: English - 4; Social Studies – 3 (one must be US History); Mathematics - 4; Science – 3 (one must be Biology); Physical Education - 1; Health - .5;

Career Pathways – 3; World Language - 2. The additional 5.5 credits are to be selected from elective offerings.

6. During the senior year the student shall maintain a credit load each semester that earns the student at least a majority of credits that could be taken that semester including one credit of mathematics. Senior credits shall include regular high school offerings and independent study options as outlined in Policy 6116, with permission from the principal.
7. Students shall complete mathematics course work that includes no less than the equivalent of the traditional requirements of Geometry, Algebra I, and Algebra II.

Approved By Board of Education on 7/24/91

Revision approved by the Board of Education on 3/16/94

Revision approved by the Board of Education on 8/17/94

Revision approved by the Board of Education, 09/15/99

Revision approved by the Board of Education, 09/19/01

Revision approved by the Board of Education, 08/20/03

Revision approved by the Board of Education, 5/11/05

Revision approved by the Board of Education, 8/17/05

Revision approved by the Board of Education, 2/22/07

Revision approved by the Board of Education, 1/17/08

Revision approved by the Board of Education, 1/21/09

Revision approved by the Board of Education, 5/11/2011

Revision approved by the Board of Education, 2/18/2015

Revision approved by the Board of Education , 5/13/2015

### **PARENT-TEACHER CONFERENCES**

To assist you in meeting with your child's teacher, parent conference days and evenings have been scheduled for November 23 & 24 2015. You are welcome to request a conference at any time.

If you, as the legal guardian, wish to have a conference with your child's teacher(s) and/or principal, please call the school or send in a note and we will arrange a convenient time for the conference. If a conference has been arranged and, for some reason you cannot come or you may be a little late, please inform the school by phone or note.

### **HOMEWORK**

Homework will generally be given four nights a week, usually Monday through Thursday. Homework is not busy work but an extension of the class work which

was not completed during the day and/or remedial, reinforcing, or enriching while testing the understanding of the student.

Parents should see that their child has a homework assignment book, if needed in grades 1 and 2; provide a time and quiet place to do his/her homework each day; check for correctness when assignment is completed; and help organize things for the next school day. Students in grades 3 and 4 will be provided an agenda book to record homework and be used as a communication device between home and school.

**Parents are asked to call the school office before 10:30 a.m. when requesting class assignments for students who are absent due to illness. Teachers cannot interrupt class instruction to prepare homework assignments as this is usually done during teacher preparation time. If your child will only be out one day, homework can be taken home upon the child's return. Your cooperation is appreciated.**

### **SPECIAL SERVICES**

The Smyrna School District provides a variety of educational programs. Included are the following: Gifted/Talented, Speech, HHPD, ESL, Pre-School, Pre-K, Homebound, Home schooling and any student identified as needing Special Education under IDEA. Special Services also handles all requests to school psychologists, the visiting teacher, and any concerns with Section 504 of IDEA.

### **TITLE 1 PROGRAM**

Supplementary instruction in reading and/or mathematics is provided for children in greatest need. Title 1 is a federally funded program that provides services in grades K-4.

### **BREAKFAST CLUB**

In order to accommodate parent work schedules, the Smyrna School District is providing a program, "The Breakfast Club." Beginning at 7:15 a.m. each school day for grades K-6, breakfast and before school supervision will be available in the Clayton Elementary Cafeteria for \$3.00 a day.

### **SCHOOL-AGE CHILD CARE PROGRAM**

The after-school care program is operated by the Boys & Girls Club of Delaware located in Wilmington, Delaware. The goal of the program is to provide a comprehensive childcare program after school hours for children in grades K-6 to

meet the needs of working parents. The program is designed to broaden the development of all involved. Development through activities such as recreational games, socialization, arts and crafts and homework assistance is provided.

The Boys & Girls Club after-school care program will be held at some of the elementary schools. The Boys & Girls Club accepts purchase of care through the State of Delaware. Third child rates are also available. For more information call Sheila Calhoun at 302-893-9317.

### **PLAYGROUND POLICY**

The Clayton Elementary School playground is for the sole use of Clayton Elementary School students during school hours. No one else should be on the playground between the hours of 8:00 a.m. and 4:00 p.m.

### **DISCIPLINE CODE**

Parents, teachers and principals have created this program in order to maintain a safe, educational environment for your child. We are confident that this clearly stated and thorough school-wide program and plan will teach children to be responsible for their actions and make this school year a positive and motivating experience.

One of the most important lessons education should teach is discipline. Discipline is the key to good conduct and proper consideration of other people. It is the training that develops self-control, character, orderliness, and efficiency. Good discipline is maintained by recognizing and praising good behavior and taking corrective action when necessary. It is the shared responsibility of the home and the school to accomplish this goal.

Students are expected to put forth their best effort and to conduct themselves in a manner that will promote a safe, orderly, learning environment. School and classroom rules and expected behavior are explained to all students. Any behavior or inappropriate language which causes the learning atmosphere to deteriorate or be disruptive or which infringes upon the rights of others in the school will not be tolerated and may subject the student to corrective measures. On the other hand, appropriate behavior will be rewarded through a number of positive measures by the classroom teacher.

Discipline is not a means of punishing children—controlling them, making them “obedient” but rather it really means:

1. Teaching children to live and work with others
2. Teaching children self-controlled, responsible behavior
3. Teaching children to become independent, well-adjusted, young adults



The following is a list of general school rules that reflect good manners. These rules are posted in prominent areas throughout the building.

#### **School Rules**

1. Respect and honor requests of all adults
2. Walk in an orderly fashion on right side
3. Keep foreign objects and gum out of mouth
4. Keep hands, feet and objects to yourself
5. Use restroom properly
6. Use appropriate language at all times

#### **Playground Rules**

1. Play in designated areas
2. Enter/leave play area properly
3. No pushing, shoving or wrestling
4. Obey person in charge
5. Use equipment properly
6. Safety should be stressed at all times
7. Do not leave play area without permission

#### **Bus Rules**

1. Stay seated
2. Keep body parts & objects inside bus
3. Obey bus driver
4. No eating on the bus
5. No pushing, shoving or fighting
6. Keep hands, feet, & objects to yourself

#### **Cafeteria Rules**

1. Students are to be escorted to the cafeteria by their assigned teacher.
2. Students must remain in their assigned line to purchase lunch.
3. Students are to get in a line – no cutting or allowing others to cut into the line by saving a place for them.
4. Students are to remain seated except to take up trays.
5. Students must remain in the cafeteria during their lunch period. They must obtain permission from adult monitors to go elsewhere, including the restroom.
6. Quiet conversation is expected with no foul or unacceptable language and with no calling from table to table or across the room. Continued unacceptable levels of sound will cause students to lose social privileges during lunch. Additional consequences for inappropriate behavior may be assigned to students by cafeteria monitors.
7. Students may not tamper with, ask for, or take without permission food or money from others.

8. Proper respect and courtesy towards one another and mutual respect with the cafeteria monitors is expected. Students are reminded that the cafeteria monitors are in charge of the cafeteria and should be listened to at all times.
9. When leaving the cafeteria, students are reminded to keep their hands to themselves and to walk quietly.
10. Failure to abide by cafeteria rules will result in appropriate disciplinary action. Students may receive warnings, be assigned to specific seats, lose cafeteria privileges for a specified number of days or be referred to the office.

### **Classroom Management Plans**

Plans are used by teachers to enhance, maintain, and reward students for good behavior. Good behavior is rewarded by allowing students the privilege of participating in designated activities within the classroom and school. Negative behavior can cause students to lose that privilege.

Below is the listing of 3 levels of disciplinary actions that will be initiated to maintain an orderly environment and a level of respect within the school. These consequences are not negotiable or interchangeable. Each is on its own level of seriousness.

<b>Level I (Office)</b>	<b>Level II (Office)</b>	<b>Level III (Classroom/ Cafeteria)</b>
Police Notification Superintendent Hearing Police Agency Alternative Student Placement ILC Social Service Agency Out of School Suspension	School Conduct Form Police Notification (Possible) Student/Teacher/Parent/ Administrator Conference Removal from Class In School Suspension/ Out of School Suspension Parent Contact	Reprimand/Warning Loss of recess Time-out After school detention Repeated level III will result in ISS/OSS

<p><b>Infractions:</b> Offensive Touching (Employee Victim) Terroristic Threat (Employee Victim) Possession of Weapon Unlawful Sexual Contact <b>Infractions Cont'd.</b> Prohibited Substance Violent Felony</p>	<p><b>Infractions:</b> Pornographic Possession Bomb Threat Vandalism Felony Theft Bullying Sexual Harassment <b>Infractions Cont'd.</b> Offensive Touching (Student Victim) Terroristic Threat (Student Victim) Fighting/Disorderly Conduct</p>	<p><b>Infractions:</b> Inappropriate Behavior a) profanity b) name calling c) classroom distraction d) rough play e) disobeying school <b>Infractions Cont'd.</b> rules in school areas Defiance of School Authority Disruption of Educational Process a) Fire Alarm b) Repeated inappropriate behavior Academic Cheating Minor Bus Violations Dress Code Violation</p>
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**Time Out**

Students may be assigned to the Intervention Room when behaviors become disruptive to the educational process. Students will be expected to complete classwork during this time. Time Out may be one to three hours in duration and may be assigned for a morning or afternoon session. An attempt to contact parents/guardians by phone will be made, and a copy of the referral will be mailed home.

**In School Suspension/Alternative Classroom/Removal From the Classroom**

Students may be assigned an In-School Suspension for recurring or serious infractions and indicates that the students' behavior has reached an unacceptable level. Students will be expected to complete classwork during this time. Failure to comply with expectations may result in additional time in In-School Suspension, After School Detention, or Suspension. An attempt to contact parents/guardians by phone will be made, and a copy of the referral will be mailed home.

**Out-of-School Suspension**

This means that a student's behavior is **intolerable**. When a student has been suspended by the Principal or Associate Principal, the parent will receive a referral and/or phone call stating the dates and reasons for the suspension. While on suspension, the pupil is not to be on school property and may not participate in any school related functions such as practices, athletics, rehearsals, concerts, field trips, etc. The pupil may not be able to return to school until a conference has been held with parents, teachers, or administrators.

### **Expulsion**

State regulations define expulsion as "...The exclusion of a pupil from school on a permanent basis or for an indefinite period of time". This is the most serious disciplinary measure that can be applied as it deprives a student of his/her educational opportunities. The principal, following an investigation of the violation, will recommend expulsion of the student to the superintendent, if appropriate. The superintendent, if supportive, will schedule a hearing before the school board. A decision on expulsion or alternative educational placement will be made at the hearing.

### **Mandatory Reports to Police and Superintendent**

The Principal by law, via the passage of House Bill No. 85/student code of conduct report, must report to the local police and the District's Superintendent "any instance where a pupil or parent or guardian of any pupil is found to have committed an *assault* or an *extortion against a pupil* or found to have committed an *assault, offensive touching, terrorist threatening or an extortion against a school employee...*" and "any instance where a pupil is found to have on his person, or concealed among his possessions, or placed elsewhere on the school premises, any *controlled substance* (unlawful drugs) or any *dangerous instrument* or *deadly weapon*." The law also states that the student shall be suspended and that a parent conference will be held. The subsequent passage of House Bill No. 322 directs the principal to report to the local police a situation where a student or school volunteer or school employee has been the victim of a violent felony or an unlawful sexual contact III. Again the law states that the student will be suspended and a parent conference will be held to review the student's educational placement. The parent conference could take the form of an expulsion hearing.

### **Use and/or Possession of Alcohol, Illegal Drugs or Drug Paraphernalia**

The Clayton Elementary School will follow the disciplinary actions as set forth in the Smyrna School District's "Student Drug and Alcohol Policy", #5145, approved March 20, 1991, by the Board of Education. A part of that policy indicates that a student found guilty of use or possession can be suspended for a maximum of 10 days, can be referred to the police, and can be recommended for expulsion from school on the first offense. (See pages 19-23 for the entire "Student Drug and Alcohol Policy")

**DE Code Title 14 Regulation 614: Uniform Definitions for Student Conduct Which May Result in Alternative Placement or Expulsion.**

*Section 1:* Purpose

Pursuant to 14 Del.C. §122(b) (26). This regulation provides uniform definitions for student conduct which may result in alternative placement or expulsion. This regulation shall apply to all school districts and charter schools. Nothing contained here shall be interpreted to require the alternative placement or expulsion of a student, nor shall this regulation be interpreted to restrict the ability of school districts and charter schools to determine which student conduct shall result in expulsion or an alternative placement.

*Section 2:* Definitions

Please review DDOE Regulation 614 – Uniform Definitions for Student Conduct Which May Result in Alternative Placement or Expulsion. <http://regulations.delaware.gov/AdminCode/title14/600/614.shtml#TopOfPage>

*Section 3:* Uniform Definitions for Student Conduct

The following definitions shall be used whenever a school district or charter school uses such conduct as a basis for alternative placement or expulsion of a student:

"Arson" shall mean a person recklessly or intentionally damages a building by intentionally starting a fire or causing an explosion.

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

"Attorney General's Report (Juvenile Arrest Warrant and Complaint)" shall mean the Department of Justice's report of out-of-school criminal conduct, regardless of jurisdiction, which shows disregard for the health, safety and welfare of others, including, but not limited to acts of violence, weapons offenses, and Drug offenses.

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

"Bullying" shall mean any intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of: (1) Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or (2) Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or (3) Interfering

with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or (4) Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee.

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

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

"Criminal Mischief (Vandalism)" shall mean a student, in the School Environment, intentionally or recklessly: (1) Damages tangible property of another person or entity; or (2) Tamper with tangible property of another person so as to endanger person or property.

"Criminal Sexual Offense, Commission of" shall mean the Commission by a student of an offense prohibited by 11 **Del.C.** §§763 through 780, inclusive, or §§1108 through 1112A, inclusive, or §1352(2) or §1353.

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

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

"Dangerous Instrument(s) Possession/Concealment/Sale" shall mean the unauthorized Possession/concealment/sale by a student in the School Environment of any instrument, article or substance which is readily capable of causing serious physical injury or death.

"Deadly Weapon(s) Possession/Concealment/Sale" shall mean the Possession, concealment, or sale of a Deadly Weapon in the School Environment.

"Defiance of School Authority" shall mean: (1) A verbal or non-verbal refusal to immediately comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action; or (2) A verbal or non-verbal display of disrespect and/or uncivil

behavior toward school personnel which either causes a substantial disruption or material interference with school activities.

"Disorderly Conduct" shall mean conduct in the School Environment which causes public inconvenience, annoyance or alarm or creates a risk thereof by: engaging in fighting or violent tumultuous or threatening behavior

or making an unreasonable noise or an offensively coarse utterance or gesture or display or addressing, abusive language to any person present.

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

"Extortion" shall mean to obtain or attempt to obtain money, goods, services, or information from another by force or the threat of force.

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

"Fighting" shall mean any aggressive physical altercation between two or more individuals.

"Gambling" shall mean participation in games of chance for money or other things of value.

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

"Harassment" shall mean any actions or statements made with the intent to harass, annoy, or alarm another person which: A) insults, taunts, or challenges the other person or; B) is a cause of alarming or distressing conduct which serves no legitimate purpose and is done in a manner which the actor knows is likely to provoke a violent or disorderly response or cause a reasonable person to suffer fear, alarm, or distress.

"Inhalant Abuse" shall mean chemical vapors that are inhaled for their mind-altering effects.

"Medications: Inappropriate Use or Possession" shall mean Possessing or using Nonprescription Medication or Prescription Drugs of any type in the School Environment in violation of 14 **DE Admin. Code** 612.

"Misuse of Technology" shall mean:

The use of school technology equipment in:

Soliciting, using, receiving or sending pornographic or obscene material; or

Accessing unauthorized email; or

The unauthorized downloading and/or installing of files; or

Intentionally damaging technology equipment in the School Environment; or

A situation in which a student deliberately:

Tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system in the School Environment resulting in the loss or corruption of information or the ability of the system to operate; or

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

"Offensive Touching" shall mean intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or Intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.

"Pornography" shall mean the Possession, sharing, or production of any known obscene material in the School Environment.

"Rape or Attempted Rape" shall respectively mean sexual intercourse and attempted Sexual Intercourse without consent of the victim in both cases.

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

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

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

"Sexual Misconduct" shall mean a consensual sexual act(s) between two individuals within the School Environment.

"Stealing" means taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.



"Steroids Possession and/or Use" shall mean the unlawful Use or Possession of steroids.

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

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

"Terroristic Threatening" shall mean when: (1) A person threatens to commit any Crime likely to result in death or in serious injury to person or property; or (2) A person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.

"Terroristic Threatening - Security Threat" shall mean when a person makes a false statement or statements: (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment; (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment.

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

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

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

### **School Field Trip Policy**

The Smyrna School District considers field trips to be a privilege for students to extend their knowledge beyond the classroom. Students who abuse rules and policies may be denied the right to participate in these events. All school rules apply when students are on field trips. There will be times when parents and community volunteers are needed as chaperones, but the principal must approve them. No student will be permitted to go on any trip without the written permission of his/her parent/guardian.

## **Recess**

Recess is an integral part of an elementary school day. **Recess is an earned privilege, and rules have been established to guide recess behaviors.** Students need to be mindful at all times of these rules, which are posted throughout the building.

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

### **(Compliance Violation Grievance Procedure)**

Any student or employee of the Smyrna School District shall have the right to file a formal complaint alleging noncompliance with regulations outlined in Title I 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 with 21 days after receipt of the complaint.

### **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 received the report from the compliance officer. A decision will be rendered and conveyed to the grievant by the Superintendent or his/her designee within 15 days after receipt of written appeal.

### **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. Note: 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, and Section 504.

**REGARDING TITLE 14 SECTION 4112**

**5126**

“Legal definitions may be found at the following link:

<http://delcode.delaware.gov/title14/c041/index.shtml>

**DISTRICT NONDISCRIMINATION POLICY**

**TITLE VII, TITLE IX, and Section 504 Compliance Notification**

The Smyrna School District does not discriminate in employment or educational programs, services or activities based on race, color, religion, national origin, sex, age or disability in accordance with state and federal laws, as required by Title VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, and the Federal Occupational Rehabilitation Act of 1973. Inquiries should be directed to the Smyrna School District Superintendent, Administrative Office, 22 South Main Street, Smyrna, DE 19977. Phone: (302) 653-8585.

El distrito escolar Smyrna no discrimina en empleo o programas educationales, servicios o actividades, basados en raza, color, religion, nacionalidad, sexo, edad o discapacidad en conformidad con las leyes estatales y federales

It is also the policy of the this District to ensure that curriculum content and instructional materials used by our school 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 multi cultural, nonsexist society.

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

**COMPLIANCE COORDINATORS**

The following individuals have been appointed to serve as the District's compliance coordinators. These coordinators can be contacted at the following locations.

**TITLE VII: CIVIL RIGHTS ACT OF 1974**

(Nondiscrimination in employment practices)

**TITLE IX: CIVIL RIGHTS ACT OF 1972**

(Nondiscrimination on the basis of sex, educational programs)

**Compliance Coordinator**

Patrik Williams, Assistant Superintendent

82 Monrovia Ave

Smyrna, DE 19977

(302)653-8585

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

**Compliance Coordinator**

Dr. Rachael Rudinoff, Supervisor of Special Services

22 S. Main Street  
Smyrna, DE 19977  
(303)653-3135

## **AMERICANS WITH DISABILITIES ACT (ADA) OF 1982**

### **Compliance Coordinator**

Scott Holmes, Supervisor of Buildings and Grounds  
Thomas D. Clayton School  
80 Monrovia Avenue  
Smyrna, DE 19977  
(302)653-3132

## **SCHOOL EXPECTATIONS OF THE STUDENT**

The major purpose of the teachers and staff of Clayton Elementary School is to educate students. To accomplish this, students must be cooperative, well mannered, and demonstrate respect for school property. Students must exercise self-control at all times and honor the rights and properties of other students. Failure to honor these requests will require disciplinary action from the teachers and/or administration, which may vary according to the nature of the offense and to prior actions of the student(s) involved. To make Clayton Elementary a positive environment for learning, a total commitment from our student body is required.

### **Computer Use**

#### ***Unlawful and Inappropriate Use***

Students should use computers in a manner that they:

- Never damage or alter equipment.
- Always have permission and a teacher's supervision.
- Never logon using someone else's password.
- Never be disruptive, or hurt somebody's feelings.
- Never bully or create a hostile school environment.
- (Student groups or organizations) seek principal's approval to send announcements, other wise post electronic messages.

#### ***Protection and Integrity of Data***

Students must:

- Only create files for educational purposes.
- Only create, edit, change, delete or hand-in their own computer work or quizzes.
- Never fiddle around with the computer settings or network.
- Never share personal information with anyone on-line.

#### ***Personal Use***

School computers are only to be used for school work, personal use is only allowed when supervised by your teacher and it does not:

- Interfere with your school work or other's learning.
- Involve buying things on-line.
- Violate any of the rules contained in the student code of conduct or other State of Delaware Laws.
- Using streaming services such as listening to music or watching video, and downloading of music and video files or printing non-educational documents.

### ***Virus Protection***

Smyrna School District and the Delaware Center for Educational Technology has purchased anti-virus software for all schools. All electronic media, such as software, diskettes, CD-ROMs and files are automatically checked for viruses when accessed.

Students should **NEVER** download or install software on any school machine.

If students find a virus, they must not use the computer until it is fixed. They should report the matter to their teacher right away. Teachers should immediately post a TechFix request.

### ***Properly Licensed Software***

Students will only use software that is installed on district systems. They will not bring in programs/games from outside, **nor will they ever install software.**

### ***State of Delaware Monitoring***

State communications and computers may be monitored by the State to ensure the integrity of the technology, protect against fraud and abuse, detect unauthorized access or use, and other purposes. Although the State does not randomly monitor message or network transactions, it may without notification or approval, monitor, access and review any and all communications originating from the State of Delaware or delivered to the State of Delaware – students should have no expectation of privacy.

### ***Use of Email and the Internet***

Inappropriate use of e-mail can cause many problems. Here are some tips:

- You are responsible for what you send in your messages.
- Alert your teacher if you find inappropriate pictures or words in a message; and never send a message with this content.
- Ignore all chain letters.
- Use of email for fundraising must be approved by the principal.
- Honor copyright laws when sending attachments via email.
- Ask your teacher to send messages that have attachments.
- Do Not sell anything on-line.
- Sending an email to a large list of recipients should only be performed by instructional staff.

- The same rules of good behavior in school apply to email and the internet.

***Inappropriate use of the Internet includes, but is not limited to, accessing, sending or forwarding information about, or downloading (from):***

- Alert your teacher if you find inappropriate pictures or words on a web site.
- Also alert your teacher if you find a web page that is offensive or insensitive, or that bullies or hurts other's feelings.
- All student use of chat sites should be under direct supervision of a teacher.
- Games, software, audio, video or other on-line activities are for instruction only.
- Any other materials that would be improper under the student code of conduct or other State of Delaware Law.

**STUDENT DRESS CODE POLICY 5102**

Philosophy

In September 2012, the Smyrna School District Board of Education approved a new universal school dress code.

The new code was the result of a dress code committee studying the issues of uniforms and/or a stricter dress code.

In June 2012, the committee sent out a dress code survey to each parent. Once again, there was no clear mandate for uniforms but from the many comments a universal dress code policy for the district continues to be an important goal.

Studies have shown a positive relationship between students' concern for their appearance and their concern for their education. The same is true in regard to good appearance and manners. Students have the responsibility to wear clothing that is non-provocative and clean. In June 1995, Delaware Governor Carper signed House Bill 76 that allows school districts to enforce dress codes.

The following clothing is acceptable:

Acceptable Pants/Shorts & Skirts

- Worn such that skin at the waistline is not visible
- Any garment worn underneath the pants is not visible whether the student is standing or sitting
- No rips or holes that expose the students' skin
- No pajamas
- No shorter than two inches above the top of the knee cap

Acceptable Tops:

- Do not display profane or vulgar message

- Do not promote sex, drugs, or alcohol
- Fully covers the midriff area front and back at all times
- Fully covers the shoulders with no exaggerated necklines or arm opening
- Are not see-through or versions of mesh see-through shirts/tops

#### Hats and Headgear

- Are not to be worn in school with the exception of documented religious or medical reasons
- Hoods attached to tops may not be worn on one's head

#### Coats and Outer Wear

- Coats, jackets, windbreakers, and any garment designed for outside use shall not be worn in the school building during the school day.

#### Other

- Visual body piercings of any kind, except for earrings on ears, is prohibited
- Spiked jewelry and chains are prohibited for safety reasons
- Gang logos, emblems, or other items that identify a student as a part of a gang are prohibited.
- Tights worn alone are unacceptable and must be covered by a skirt, pants, or shorts of an acceptable length. A long t-shirt worn over the tights is unacceptable.
- Versions of clothing such as see-through pants, jeggings (skin tight pants), yoga pants, tights/yoga pants, and "loungewear" such as pajamas, flannel, sleepwear, or slippers are unacceptable.

#### Disregard of the Smyrna School District Dress Code will result in the following action:

Students who choose not to comply with this dress code will be sent home for the day and marked absent. The absence will be included in the total absences for the school year. Any repeat offenses may be considered defiance of authority.

We appreciate your continuing support in this effort to enforce the universal Smyrna School District Dress Code.

Approved by the Board of Education, March 17, 2004

Revision Approved by the Board of Education, September 10, 2012

Revision Approved by the Board of Education, June 18, 2014

#### **PERSONAL ITEMS**

*The school is not responsible for personal items that are lost, stolen or damaged at school or in travel on the bus. This includes band instruments, articles of clothing, and jewelry. Radios, tape recorders, tapes, CD players, Nintendo games, toys, water guns, animals, baseball card collections, etc. are not allowed in school without permission of the main office. We suggest pupils leave items such as*

expensive jewelry at home. Avoid bringing a large sum of money to school - bring only what is needed.

**STUDENTS ARE NOT TO BRING ITEMS FOR SALE TO SCHOOL.**

No outside fundraising items may be sold during the school day without permission of an administrator. Students may not sell any goods or merchandise, including candy and sodas.

**REPLACEMENT CHARGES FOR LOST OR DAMAGED BOOKS - BOARD POLICY 5135**

All textbooks and library materials are provided by the Smyrna School District and students are expected to give them reasonable care, including the use of textbook covers.

Teachers will be responsible for assessing the condition of all books and other equipment that is loaned to students for their use during the school year. This assessment shall be made prior to the items being loaned to the students. Textbooks and library materials that are lost or damaged beyond continued usability must be replaced; consequently, students will be charged the replacement costs of those items. Payments for damaged but still usable books and materials will be determined based upon the extent of those damages and will not exceed 50% of the replacement costs. All funds received as a result of fines and assessments shall be forwarded to the Smyrna School District Central Office for deposit. In addition, appropriate disciplinary actions may occur when disciplinary codes have been broken.

All student obligations` must be met before report cards are issued.

**BUS DISCIPLINE PROCEDURE**

The following is an attempt to clarify certain items of State and Smyrna School District policies concerned with school bus discipline and especially the suspension of riding privileges.

The position of the Board of Education is that all students should remain seated, be reasonably quiet, and be obedient to the driver while being transported to and from school. Any student who deviates from this desired behavior is creating a safety hazard for themselves and the other students and should be disciplined.

The bus driver has the same authority over the student as the classroom teacher. This means that the driver may use reasonable forms of disciplinary action.



School bus rules of conduct are clearly displayed in the driver's compartment of each bus contracted for pupil transportation in the district.

The following procedure is recommended for dealing with discipline problems and should be initiated as soon as a student displays signs of misbehavior:

1. Take the student aside and explain that his/her misbehavior, in addition to imposing on the other students, is creating a safety hazard by distracting the driver's attention.
2. If the problem continues, either call or write the parents of the offending student and explain to them, courteously, the nature of the problem and ask their assistance in correcting it. Drivers should have specific information about what the student is doing wrong, times that the misbehavior has been observed, and reaction of the student to any disciplinary measures when contacting any parent(s).
3. If, after using the above techniques, the problem still persists it should be brought to the attention of the particular school administrator of that student by bringing a Bus Conduct report to his/her office and discussing the situation.

**Student may lose bus riding privileges for the remainder of the school year for multiple minor violations.**

- Major Violations - 1st written report - 1-3 days
- Major Violations - 2nd written report - 2-5 days
- Major Violations - 3rd written report - suspension of riding privileges until parent/driver/Transportation Supervisor/student conference is held.

The conference may result in a five day suspension, a ten day suspension, or suspension for the remainder of the school year of bus riding privileges. This last action needs approval of the Superintendent with appeal rights to the Board of Education.

Minor/Major Violations are, but are not limited to:

Minor Violations

1. Shouting in or out of the bus
2. Not staying in seat
3. Throwing objects
4. Talking back to driver
5. Littering
6. Horseplay, annoying other student
7. Putting arms or head out windows
8. Disobeying driver's instructions
9. Boarding or debarking from bus in unsafe manner.

Major Violations

1. Fighting
2. Physical actions resulting injury to self or others
3. Carrying weapons
4. Smoking, lighting of matches or cigarette lighter
5. Possession of alcoholic beverages or drugs
6. Property destruction
7. Threatening or abusive

- behavior towards bus driver
- 8. Endangering students on bus
- 9. Repeated acts of minor violations

No pupil may be excluded from the bus for disciplinary reasons except at the home or school. The principal shall be notified of such action at the earliest possible moment after such exclusion, and any change to the action taken by the driver, or any further disciplinary action to be taken, is the responsibility of the designated school official.

In the event a student becomes so unruly as to be a hazard to the other students, the driver, or the further progress of the bus run, the driver should pull to the side of the road and stop. If the student cannot be brought under control the driver should send someone for help. This should only be an older high school student or a passer-by. Under no circumstances should the driver leave the students.

**Basic Policy**

1. Driver to work with student and parent(s) and make principal aware of the problem.
2. If problem persists, driver shall report student to school principal using district forms.
3. If parent has been informed and incident investigated, the school principal can suspend student's bus riding privilege.
4. If problems continue, student can be suspended until a conference is held or put off for a longer period of time.

**SCHOOL FIELD TRIP POLICY**

The Smyrna School District considers field trips to be a privilege as well as a right of students. Field trips are for Clayton Elementary students only. Only staff approved chaperones may attend, siblings may not attend. Students are to obey all rules and policies of the school district while on field trips. Students who abuse the rules and policies will be denied the right to participate in field trips.

1. Field trips will be classified in four categories:
  - Curricular (required)                      Reward (voluntary)
  - Instructionally Related (required)        Recreational (voluntary)

Funding sources for each of the classifications are designated as district, school, club/activity, school organization (PTO), and parent/student. (See Administrative Guidelines.)

2. Field trips which are required (curricular or instructionally related) must be budgeted in the school and/or district budget. The original submission of the budget must include the cost of curricular/instructionally related field trips.
3. No student will be denied participation in field trips except for disciplinary actions resulting from problems in school or previous field trips.
4. There shall be an appropriate ratio of adults per students based upon the characteristics of the field trip. Parents and community volunteers are encouraged as chaperones in order that teachers may continue teaching in classrooms. Chaperones must be approved by the principal.
5. Students will not be permitted to go on any school trips without a permission slip signed by a parent/guardian. Students not participating in a field trip shall be provided with an educationally sound alternative planned by their teachers.
6. Field trip request forms must be submitted to the building principal for approval/denial approximately one month before the planned trip or as soon as possible. Once approved by the principal, the request is forwarded to the Superintendent or designee for approval. Arrangements for buses and the trip are to be made at the building.
7. The intent of this policy is to fund curricular field trips through the district or school budgets but not to limit alternative funding sources or the number of field trips.
8. Any request which deviates from this policy requires approval by the Board of Education.
9. Due to safety issues, each class attending a field trip must have their regular teacher or a staff member in attendance who can identify the students, otherwise the class will not be able to participate.
10. Students must ride the bus to the field trip and must return on the same bus or they will not be able to participate.

#### **SMOKING POLICY**

Tobacco Regulation 877 prohibits the use and distribution of tobacco products by all staff, students, visitors, and parents in school buildings, on school grounds, in school-leased or owned vehicles and property and all school affiliated functions on and off school grounds. Tobacco regulation 877 means a healthier, safer school environment for everyone.

#### **STUDENT DRUG AND ALCOHOL POLICY**

*INTRODUCTION:*

The Smyrna School District is interested in helping those students who may have a drug and/or alcohol problem. The end result of this program is not to expel students but, also, not to allow this problem to destroy the schools. It is deemed necessary by the School Board, for the protection of all, to support the staff in the implementation of this Drug and Alcohol Policy.

**POLICY:**

*STUDENT DRUG USE*

The Smyrna Board of Education believes that the school environment should promote learning, physical and emotional growth, socialization, and individual development.

It also believes that alcohol and/or drugs adversely affect such objectives. Therefore, possession, use, and/or distribution of alcohol and/or unauthorized drugs, drug paraphernalia or look-alike substances shall be prohibited within the school environment.

**Regulations, procedures, and programs will be developed:**

1. To prevent drug and alcohol use in the Smyrna school environment.
2. To encourage students with drug and alcohol use problems to seek voluntary assistance, counseling, and rehabilitation.
3. To meet problems of alcohol and drug use in the Smyrna school environment in a forthright and positive manner through progressive and corrective disciplinary actions.
4. To provide the school staff with the necessary training so that they can effectively administer and enforce this policy.

The Board believes that the above programs will also have a significant and positive impact on student drug and alcohol use in the non-school environment. However, the Board also believes that drug and alcohol use is society's problem and, therefore, it cannot be responsible for students' actions in the non-school environment.

**STUDENT DRUG ABUSE**

In accordance with the Smyrna School District policy on drug use by students, the principal of each school (or his/her designee) shall comply with the intent of the policy through the following:

**A. DEFINITIONS** - The following definitions shall apply to this policy and will be used in all district policies:

1. 'Alcohol' shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, spirits, wine and beer.

2. 'Drug' shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin, cocaine, amphetamines, anabolic steroids, marijuana, and shall include any prescription substance which has been given to or prescribed for a person other than the student in whose possession it is found.

3. 'Drug Paraphernalia' shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the Delaware Code, including, for example, roach clips, miniature cocaine spoons and containers for packaging drugs.

4. 'Prescription Drugs' shall mean any substance obtained directly from or pursuant to a valid prescription or order of a practitioner, as defined in 16 Delaware Code, Section 4701 (24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.

5. 'Drug-Like Substance' shall mean any noncontrolled and/or nonprescription substance capable of producing a change in behavior or altering state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, and caffeine pills.

6. 'Nonprescription Medication' shall mean any over-the-counter medication; some of these medications may be drug-like substance.

7. 'Look-Alike Substance' shall mean any non-controlled substance that is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See 16 Delaware Code, Section 4752A.

8. 'Possess', 'Possessing', or 'Possession' shall mean that a student has on the student's person, in the student's belongings, or under the student's reasonable control by placement of and knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or drug paraphernalia.

9. 'Use' shall mean that a student is reasonably known to have ingested, smoked or otherwise assimilated alcohol, a drug or a drug-like substance, or is reasonably found to be under the influence of such a substance.

10. 'Distribute', 'Distributing', or 'Distribution' shall mean the transfer or attempted transfer of alcohol, a drug, a look-alike substance, a drug-like substance,

or drug paraphernalia to any other person with or without the exchange of money or other valuable consideration.

11. 'School Environment' shall mean within or on school property, and/or at school sanctioned or supervised activities, including, for example, on school grounds, on school buses, at functions held on school grounds, at extracurricular activities held on and off school grounds, on field trips and at functions held at the school in the evening.

12. 'Expulsion' state regulations define expulsion as '...The exclusion of a pupil from school on a permanent basis or for an indefinite period of time.'

13. 'Communications Devices' such as, but not limited to, mobile phones and electronic beepers, ordinarily have no place in the school environment. The unauthorized possession of such communication devices is prohibited.

14. 'Zero Tolerance' It is against the law for anyone to possess illegal substances. All cases must be reported to the police.

## **B. PREVENTION**

Programs and curriculum in each school shall address the issue of drug abuse through established instruction, counseling resources, printed materials, community resources, police services, etc. Included in the curriculum should be opportunities for students to clarify their values, cope with their feelings, make sound decisions, and develop a positive self-image.

## **C. PRESCRIPTION AND NON-PRESCRIPTION DRUGS**

1. All prescription and non-prescription drugs must be stored in the nurse's office and will be dispensed by a state licensed nurse.
2. All medication must be kept in its original container (Chapter 47, Uniform Controlled Substances Act, Subchapter 4, Section 4758).
3. All medication must be accompanied by a written note from the parents or guardian.
4. Any medication not stored in the nurse's office may be considered an illegal substance unless prior permission is given.
5. Long term use of O.T.C. (over the counter) medications must be accompanied by an approval note from the child's doctor or clinic if this differs from the directions on the package.

6. At the end of the year, parents or a responsible adult of their choosing, are requested to pick up leftover prescriptions and O.T.C. medications that were used during the school year and kept at school.

**D. SYSTEM OF NOTIFICATION OF EACH STUDENT AND PARENT**

Each student and parent at the beginning of each school year, and when a student enters or re-enters the school during the school year, will be given copies of the State and the Smyrna School District policies and procedures on drug and alcohol use, possession and distribution.

**E. HANDICAPPED STUDENTS**

It is anticipated that the State and the Smyrna School District's policies shall apply to all students, except with respect to handicapped students. The federal law will be followed and a determination as to whether the violation of the alcohol and drug policy was due to the student's handicap will be made prior to any disciplinary action or change of placement in connection with the policy.

**F. PROCEDURE FOR STORAGE AND DOCUMENTATION OF EVIDENCE**

State policy will be followed: 'All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's possession shall be turned over to the principal or designee, and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented, and, in the case of substances covered by 16 Delaware Code, Chapter 47, turned over to police as potential evidence. A request for analysis shall be made where appropriate. All unauthorized communication devices shall be confiscated and turned over to the principal or designee who will bag, seal and document the device as potential evidence for the police. If the police do not want to keep it as evidence, the principal shall either donate the device to the State or local police or destroy the device within 45 days. In rare instances, donation or destruction may not be warranted; in such cases, the Superintendent of the district shall notify the State Board of Education in writing of the circumstances of the disposition of the device.' (Passed by the State Board of Education on July 19, 1990.)

**G. PROCEDURE FOR SEARCH AND SEIZURE**

State policy will be followed: 'Student lockers are the property of the school and may be subjected to search with or without reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance of drug paraphernalia, or of a student's possession of an unauthorized electronic beeper or other mechanism of communication in the school environment may result in the student's locker being opened to look for such items.' (Passed by the State Board of Education on July 19, 1990.)

‘Student motor vehicle use to and in the school environment is a privilege which may be extended by the school district to students in exchange for their cooperation in the maintenance of a safe school atmosphere. Reasonable suspicion of a student’s use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance or drug paraphernalia, or of a student’s possession of an unauthorized electronic beeper or other communication device in the school environment, may result in the student being asked to open an automobile in the school environment to permit school authorities to look for such items. Failure to open any part of the motor vehicle on the request of school authorities may result in the police being called to conduct a search, and will result in loss of the privilege to bring the vehicle on campus.’ (Passed by the State Board of Education on July 19, 1990.)

#### **H. INTERVENTION AND ASSISTANCE FOR STUDENTS AND PARENTS**

1. Each school shall have at least one designated person to whom staff can refer students to receive initial counseling and to obtain information on counseling/treatment services available to the student, on student rights, if any, to those services, and on the confidentiality which the student can expect.
2. A resource list of what is available in the school district and the community for counseling and for drug and/or alcohol treatment will be distributed to the students and their parents.
3. Drug and alcohol counseling cost will be at the student’s and parents’ expense.

#### **I. STUDENTS OF MAJORITY AGE, I.E. AGE 18 OR OLDER**

Students of majority age, i.e. age 18 or older, are responsible for their own actions. All such students will be treated as adults for purposes of reporting violations of this policy and of the law to the police. Such students shall also be on notice that their parents and/or guardians will be notified (if their address and/or telephone number is known to the school) of the student’s actions in accordance with this policy.

#### **J. PROCEDURES FOR REPORTING INCIDENTS**

Each principal shall designate the person to whom suspected students will be referred for observation or school action and shall insure that such referral procedure does not openly incriminate the student and is effected with the greatest discretion and confidentiality possible.

If a student is suspected of being under the influence of drugs, but evidence is not sufficient to warrant disciplinary action, the student shall immediately be remanded to his/her parent or guardian for observation and counseling. If reasonable suspicion exists, the administrator (or designee) shall take disciplinary action.

#### **BOOKS AND SUPPLIES**



Books are provided by the School District without charge. They remain the property of the school and pupils are expected to give them reasonable care. Payment must be made for any school property that is lost, damaged, or destroyed.

#### **NEWSLETTERS AND NOTICES**

From time to time, notices and bulletins will be sent home with your child. Please show your child that you are interested by reviewing this information with him/her.

#### **TELEPHONE**

Students may use the telephone for emergency purposes only after receiving permission from their teacher and the office staff.

#### **PARTY INVITATIONS**

Invitations for parties are not permitted to be handed out in school unless all students in the classroom are invited.

#### **CAFETERIA CREDIT POLICY 5146**

Students may charge lunch one time. They will not be allowed to charge again until the first charge is paid. Any student requesting a charge beyond the first charge will be served a peanut butter and jelly sandwich or cheese with white milk. At the end of each week the student's parents will be notified as to the amount of the charge. There will be no charges for 9<sup>th</sup> through 12<sup>th</sup> grades or adults.

#### **DEMA ALERT**

To the parent of students who attend Clayton Elementary School, please be aware that a portion of the county where your children reside may be affected in the event of a problem at the Salem/Hope Creek Nuclear Generating Stations. While it is highly unlikely that a plant condition would warrant protective actions, it is wise that our residents be trained and prepared.

The state, county and your municipality have combined resources to prepare a detailed plan for any emergency. This information is part of a public education program to acquaint you with details, which affect your children who reside within the 10-mile Emergency Planning Zone (EPZ).

In the event of an emergency, the first action would be to retain your children at our school until your arrival to pick them up. If the plan conditions are projected to worsen, your children would still be instructed to remain at school as they would not be permitted to enter back into the EPZ. Clayton Elementary School will notify you in the event of such an incident.

## **BULLYING PREVENTION**

### POLICY 5013

- **Delaware’s Model Policy for Bully Prevention & Cyberbullying**

The Smyrna School District/Charter School (hereinafter referred to as “The District/Charter School”) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District/Charter School strives to provide safe learning environments for all students and all employees.

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

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

"School function" includes any field trip or any officially sponsored public or charter school event.

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

#### **Definition of Bullying & Cyberbullying**

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

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

- 1. Whether speech constitutes cyberbullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.*
- 2. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school 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 reasonably foreseeable effect:

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

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

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

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

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 reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other district/charter school policies or building, classroom or program rules.

### School-wide Bully Prevention Program

The District/Charter School is committed to support each school in their adoption of a 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:
  - 1. Reduce existing bullying problems among students
  - 2. Prevent development of new bullying problems
  - 3. Achieve better peer relations and staff-student connections at school
  
- B. In order to be a school-wide program, the program must contain:
  - 1. School-level components
    - a. All school staff will to strive to:
      - i. Treat others with warmth, positive interest and involvement
      - ii. Set firm limits for unacceptable behavior
      - iii. Apply nonphysical, non-hostile negative consequences when rules are broken.
      - iv. Act as authorities and positive role models
      - v. Solve bullying problems in a consistent manner across all grade levels and all school locations.
    - b. *A Coordinating Committee will be created, as described in Section IV of this policy.*
    - c. *The school's supervisory system in non-classroom areas will be reviewed as set forth in Section IV of this policy.*
    - d. The following principles will apply to everyone on school property or at a school function:
      - i. I will not bully others
      - ii. I will try to help anyone that I suspect is being bullied
      - iii. I will try to include students who are left out.
      - iv. If someone is being bullied, I will tell an adult
    - e. School-wide programs may also include a school kick-off event, committee and staff trainings, school-wide questionnaires, staff discussion group meetings, and programs to involve parents, as determined by the Coordinating Committee.

2. Classroom level components
  - a. Post and enforce principles against bullying
  - b. Regular, ongoing class meetings, discussions, or role playing activities
  - c. Involve parents in bullying prevention
  - d. Find creative ways to incorporate issues involving bullying into the regular curriculum.
3. Individual Level Components
  - a. Supervise students' activities
  - b. Ensure that all staff intervene appropriately on the spot when suspected bullying occurs
  - c. Discuss bullying behavior with students who bully and (separately) with targets of bullying, and with their parents.
  - e. Develop Behavioral Intervention Plans for involved students, with a graduated response.
  - f. Address bystander involvement.
4. Community Level Components
  - a. Develop partnerships with community members to support your school's program
  - b. Help spread anti-bullying message in the community
  - c. Involve community members in the Bully Prevention Coordinating Committee.

**C. Resources and Curricula**

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

**D. When setting up their school wide bully prevention program, each school should avoid the following:**

1. Relying on quick fixes. A one-time speaker may be one component of the program but by itself does not meet the requirements of a school wide program.
2. Providing group treatment or self-esteem programs for students who bully is inappropriate as research shows that these methods are counterproductive.
3. Focusing on anger control management for those who bully. Bullying is not a result of uncontrolled anger

toward the target, but rather proactive aggressive behavior. Anger management may be more appropriate for participants in mutual conflicts or for those who are being bullied.

4. Providing Mediation/Conflict Resolution for bullying. The power imbalance involved in bullying may make the process intimidating for the victim and therefore inappropriate. These methods are useful only where the peers involved in conflict were formerly friends, or in situations of normal peer conflict that is not based on a power imbalance.
5. Exposing a specific victim's feelings to the bully or class.

#### *Coordinating Committee*

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

- A. When setting up the Committee the principal may wish to consider including other persons in addition to those required, such as a school counselor, school psychologist or other school-based mental health professional, a school resource officer, a nurse, a librarian, or a representative from the medical, business or faith-based community who might have a stake in the results of the program. The principal should also decide on an appropriate award system for the committee, within available resources.
- B. The Committee shall:
  1. Hold regular meetings
  2. Select a coordinator of the program
  3. Consider, decide upon and coordinate any staff training sessions (beyond the 1 hour gang and bully prevention training required in 14 Del. C. 4123A), as needed.

4. Create and maintain a training log (either paper or electronic) to keep a record of the school staff which have been trained, and what training they have received. Decide upon the need for and provide short, concise training updates in writing or at staff meetings.
5. Consider, decide upon and oversee formal or informal evaluation techniques and materials (such as questionnaires), as needed
6. Consider, decide upon and order materials, as needed
7. Consider, decide upon and lead staff discussion groups as needed
8. Consider and decide upon additional guidelines for consistent positive consequences for those who follow the rules and consistent negative consequences for students who break them.
9. Review and refine the school supervisory system.
10. Plan a school kick-off event
11. Establish subcommittees, as needed
12. Decide upon and implement methods of notification to students, parents and the community concerning the school-wide program.

### Reporting Requirements

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

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

1. Initial Concerns
  - a. Staff members are encouraged to watch for early signs of bullying and stop them before they worsen.
  - b. Even though there has been no report of bullying to a staff member, each staff member is encouraged to be vigilant and look for students who appear to be isolated from other students, about whom inappropriate comments are made by other students, or who show signs of peer victimization.
  - c. To confirm their concerns the staff member may choose to take the following steps:



- i. Intensify observations of student in question
  - ii. Confer with colleagues about that student
  - iii. Consult the school's bullying database.
  - iv. Take an informal survey of students about class climate
  - v. Engage in short personal interviews with some students
  - vi. Conduct a brief sociometric survey
  - vii. Contact the parent to see how student likes school
  - viii. Speak privately with the victim
2. Written Report
- a. If measures confirm the staff member's concerns that a student is being bullied, if a staff member receives a report of a bullying matter, or if a staff member observes a bullying incident, they must inform the principal or designated person immediately and in writing within 24 hours. The written report shall be reasonably specific as to actions giving rise to the suspicion of bullying and shall include:
    - i. Persons involved, designating bully, target, and bystanders roles.
    - ii. Time and place of the conduct and alleged, number of incidents
    - iii. Potential student or staff witnesses.
    - iv. Any actions taken.
  - b. Short, easy to use forms can be obtained from the school administration or district/charter school office.

### 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 include investigation of such instances, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target's race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, or national origin. This does not preclude schools from identifying other reasons or criteria why a person is a target of bullying.*

1. All complaints must be appropriately investigated and handled consistent with due process requirements.
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. This prevents the bully, when confronted, from assuming that the victim is the complainant. Student victims may have a parent or trusted adult with them, if requested, during any investigatory activities.
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. The principal or designated person will avoid forewarning the student suspects, and will interview suspects separately and in rapid succession.
6. After identifying those who committed the act or acts of bullying, the principal or designated person will apply disciplinary action, consistent with due process rights, and the range of consequences identified herein. The bully will be informed that graduating consequences will occur if the bullying continues.
7. The principal or designated person will keep a written record of the bullying incident, and any disciplinary actions taken. The principal or designated person will keep any written statements of those committing the bullying, victims and witnesses. Discussions with all

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

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

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

**C.** *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.*

#### ***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.***

- A.** The Coordinating Committee will review and refine the supervisory system specifically to make bullying less likely to happen using the following techniques:
  1. Determine the “hot spots” for bullying in the building, and why those hot spots exist.
  2. Consider ways of either keeping certain groups apart during transition, or building positive collaborations between older and younger students.
  3. Consider adult density in hot spots, if necessary.
  4. Consider the attitude and behaviors of supervising adults in hot spots, and determine a way to increase their competence in recognizing and intervening in bullying situations.
  5. Determine and disseminate a consistent graduated method by which all staff will recognize and respond to bullying.

6. Develop and provide a method for communication of staff so that staff who observe bullying can intervene and notify other staff involved in supervising the same students during the day.
7. Develop a consistent and user-friendly school-wide method of logging bullying incidents or observations about students at risk for bullying or being bullied.
8. Develop or review the policy for hallway supervision before and after school and during the time when students are moving between classes

### 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. Degrees of harm
  3. Student's age, size 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 stimuli:
    - a. Rebuke or verbal reprimand clearly specifying what is not acceptable and consequences if repeated.
    - b. Notice to parent (required by law)
    - c. Serious talk with school staff member.
    - d. Serious talk with school staff member with parents present.
    - e. Supervised break times.
    - f. Behavioral report cards sent home.

- g. Creation of a behavior contract.
- h. In-school suspension.
- i. Detention.
- j. A period of inclusion in the Learning Support Unit.
- k. Reassignment of seats in class, lunch or on bus.
- l. Forbidden to enter certain areas of school.
- m. Reassignment of classes.
- n. A referral to an external agency
- o. Reassignment to another school, or another mode of transportation.
- p. Expulsion.
- q. Report to Law Enforcement officials

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

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

C. *The District/Charter School 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/Charter School believes that victims should be given support. If bullying is suspected, staff members 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. Record the event and follow through with actions.
5. Provide the victim with opportunities to gain peer support.
6. Refer the victim to available help in-school.
7. Provide the victim with an opportunity to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face to face, if the victim chooses to do so.
8. Make referrals to external agencies if necessary.
9. Provide the victim with information for mental health or medical treatment needs.

## Training

- A.** The District/Charter School will provide a combined training each year totaling at least one (1) hour in the identification and reporting of criminal youth gang activity *pursuant to § 617, Title 11 of the Delaware Code and bullying prevention pursuant to § 4112D, Title 14 of the Delaware Code.* The training materials shall be prepared by the Department of Justice and the Department of Education in collaboration with law enforcement agencies, the Delaware State Education Association, the Delaware School Boards Association and the Delaware Association of School Administrators. Any in-service training required by this section shall be provided within the contracted school year as provided in *14 Del. C. § 1305(e).*
- B.** All school employees must either attend the provided training session live or watch the official training materials provided by the district/charter school in lieu of attendance, with written proof in the form of signing in an out of the live session, or signing the film in and out, and providing adequate written answers to questions about the training materials.

## 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 on bullying activity will be as follows:*
1. If a child complains of bullying while it is happening, the staff member will respond quickly and firmly to intervene, if safety permits, if the situation appears to that staff member to involve bullying or real fighting.
  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. A letter box will be placed in a place or places selected by the committee, so that students who feel unable to talk to any staff can have a point of contact. Information found in the box must be treated with care and a staff-member or members will be designated to be responsible for this information. Blank “Bullying – request for support forms” will be available to all students, but are not required for a report.
  4. Written complaints shall be reasonably specific as to actions giving rise to the complaint and should include information as to:
    - a. Conduct involved
    - b. Persons involved, designated bully, target, and bystanders’ roles
    - c. Time and place of the conduct alleged, number of incidents
    - d. Names of potential student or staff witnesses.
    - e. Any actions taken in response
  5. Short, easy to use complaint forms can be obtained from the school administration or district/charter school office.
  6. An electronic system will be established whereby a person can email anonymous complaints of bullying that only designated persons will have access to.
  7. Anyone may report bullying. A report may be made to any staff member. Reports should be made in writing.
  8. Each principal will designate a person or persons responsible for responding to bullying complaints.
  9. Every identified complainant who files a written complaint with a staff member will receive a written explanation of results to the extent that it is legally allowed and be given an opportunity to inform the

designated person as to whether or not the outcome was satisfactory. Easy to use follow-up forms will be made available.

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

#### **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.*

#### **Notification of Parents, Guardian or Relative Caregiver**

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

#### **Retaliation**

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

#### **Procedure to Communicate with Medical and Mental Health Professionals**

*A. The following procedures for communication between school staff members and medical professionals who are 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 14 Del. C. § 202(f) or legal guardian in order for the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both at school and at the physician or mental health professional's office before communication may take place according to HIPAA and FERPA guidelines.



2. If a parent refuses to sign a release form at school the school will review this policy with them, explaining the reasons the release would be advantageous to their child.
3. 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 recommendations and treatment plan if identified as appropriate.
  - b. Require that student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
4. 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 the general population.

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

### **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.**

### **Accountability**

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

### **Awards**

In any year when the Delaware Department of Education provides an awards system for exemplary bullying prevention programs, the District/Charter School shall

submit a nomination of one exemplary school and the reasons why it believes that school should receive an award for its Bully Prevention Program, with supporting documentation.

### Immunity

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

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

### Relationship to School Crime Reporting Law

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

### 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.

### Informing Students of Electronic Mediums

Upon implementation of this policy, and again at the beginning of each academic year, each school district and charter school shall inform students in writing of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other

limitations on those postings. From implementation of this policy through the end of 2013-14 school year, postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at minimum, be included in each district's and charter's school list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings.

#### Policy Notification

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

#### Rules and Regulations

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

Approved by the Board of Education, December 19, 2007  
Revision Approved by the Board of Education, June 19, 2013