Early College High School and Delaware State University Core Values

Community

Integrity

Diversity

Scholarship

Outreach
# Table of Contents

CHAPTER I  ECHS@DSU 2014 – 2015 ACADEMIC CALENDAR ................................................................. 1

THE POSITIVE BEHAVIOR SUPPORT MODEL IN THE ECHS@DSU ......................................................... 2
WHAT IS THE STUDENT CODE OF CONDUCT? ......................................................................................... 2
WHEN IS THE STUDENT CODE OF CONDUCT IN FORCE? ........................................................................ 2
HOW IS THE STUDENT CODE OF CONDUCT ADMINISTERED? .............................................................. 3
PROACTIVE STRATEGIES .......................................................................................................................... 3
ESTABLISHING A POSITIVE SCHOOL ENVIRONMENT .............................................................................. 3

CHAPTER II  STUDENT RESPONSIBILITIES AND RIGHTS ........................................................................... 5

ATTENDANCE ............................................................................................................................................. 5
Excused Absence ....................................................................................................................................... 6
Unexcused Absence ................................................................................................................................... 6
Tardiness to Class ....................................................................................................................................... 6
Tardiness to School ................................................................................................................................... 6
Early Dismissal ........................................................................................................................................... 6
Prearranged Absence ................................................................................................................................. 6
Extended Absences ................................................................................................................................... 7
BUS PRIVILEGES ....................................................................................................................................... 7
COMPUTER USAGE .................................................................................................................................... 7
STUDENT IDENTIFICATION CARDS (Issued by Delaware State University) .............................................. 7
FREE SPEECH/EXPRESSION (Including all spoken, written, artistic) ........................................................ 8
HARASSMENT/BULLYING .......................................................................................................................... 8
MARRIAGE, PREGNANCY, AND PARENTHOOD ..................................................................................... 8
SAFETY ....................................................................................................................................................... 8
SEARCH AND SEIZURE ............................................................................................................................. 9
STUDENT DRESS ....................................................................................................................................... 9
STUDENT GOVERNMENT ........................................................................................................................... 10
STUDENT MOTOR VEHICLES .................................................................................................................... 10
STUDENT PUBLICATIONS ........................................................................................................................ 10
STUDENT RECORDS .................................................................................................................................. 11
DISCLOSURE OF CERTAIN STUDENT INFORMATION ......................................................................... 11
FAMILY EDUCATION RIGHTS & PRIVACY ACT (FERPA RIGHTS) ........................................................... 11
RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) ...................................... 12
GRIEVANCES ............................................................................................................................................ 13
The mission of Early College High School at Delaware State University (ECHS@DSU) is to provide highly motivated students with a curriculum concentrating on science, technology, engineering, and math that is integrated with the relevant curriculum at DSU such that all students graduate with one to two years of college credits, preparing them for completion of a four-year college program.

**NONDISCRIMINATION POLICY:** The ECHS@DSU is an equal opportunity employer. It does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, disability, age or Vietnam Era veteran’s status in employment or its programs and activities. The Early College High School will not discriminate against any student in the admissions process because of race, creed, color, sex, disability, national origin or because a student’s school district of residence has a per student local expenditure lower than another student seeking admission.

Inquiries regarding compliance with this policy may be directed to the Director of the Early College High School at 302-678-ECHS (3247).

ECHS fully supports the principles of the Title IX law as applied to athletics and therefore no ECHS student shall on the basis of sex, be excluded from participation in, or denied the benefits of, be treated differently from another student or otherwise be discriminated against.
ECHS@DSU acknowledges that excerpts of this Student Code of Conduct/Student Rights and Responsibilities were adopted from a variety of sources including several school districts and/or schools.
CHAPTER I  ECHS@DSU 2014 – 2015 ACADEMIC CALENDAR

Summer Session (Mon-Thur)
June 30, 2014  Student and Parent Orientation
July 1, 2014  First Day of School: Summer Session begins
July 4, 2014  Holiday: Independence Day- No School, Offices Closed

Fall Semester (Mon-Fri)
August 25, 2014  DSU classes begin/ First day of fall classes @ ECHS
August 29, 2014  No school, teacher professional development day
September 1, 2014  Holiday: Labor Day- No School, Offices Closed
September 29- October 3, 2014  DSU Fall Mid-term Evaluations
October 17, 2014  Marking Period Ends
October 20, 2014  Marking Period Begins
November 4, 2014  Election Day: No school, Offices closed
November 26-28, 2014  Holiday: Thanksgiving- No School, Offices Closed
December 8-12, 2014  DSU Final Exam
December 15-19  ECHS Exams
December 19, 2014  Marking Period Ends
December 20, 2014  Winter Break through January 4, 2015

Spring Semester (Mon-Fri)
January 5, 2015  Marking Period Begins
January 12, 2015  DSU Spring Term Begins
January 19, 2015  Holiday: ML King- No School, Offices Closed
February 16-20, 2015  DSU Mid-term Evaluations
March 9, 2015  Marking Period Ends
March 9, 2015 through March 20, 2015  Spring Recess
March 13, 2015  Marking Period Begins
March 16, 2015  Marking Period Begins
April 3, 2015  Holiday: Good Friday- School closed, Offices Closed
April 6, 2015  School closed, Offices Closed
May 4-8, 2015  DSU Final Exams
May 25, 2015  Holiday: Memorial Day- No School, Offices Closed
May 26-29, 2015  ECHS Exams
May 29, 2015  Marking Period Ends

Class Schedule:

<table>
<thead>
<tr>
<th>Monday - Wednesday – Friday</th>
<th>Tuesday - Thursday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Period 1  9:00 – 9:50</td>
<td>Period 1  9:00 – 9:30</td>
</tr>
<tr>
<td>Period 2  10:00 – 10:50</td>
<td>Period 2  9:30-11:00</td>
</tr>
<tr>
<td>Period 3a 11:00 – 11:30</td>
<td>Period 3a 11:00-11:30</td>
</tr>
<tr>
<td>Period 3b 11:30 – 12:00</td>
<td>Period 3b 11:30-12:00</td>
</tr>
<tr>
<td>Period 4  12:00-12:50</td>
<td>Period 4  12:00-1:15</td>
</tr>
<tr>
<td>Period 5  1:00-1:50</td>
<td>Period 5  1:30-2:45</td>
</tr>
<tr>
<td>Period 6  2:00-2:50</td>
<td>Period 6  3:00-4:15</td>
</tr>
<tr>
<td>Period 7  3:00-3:50</td>
<td>Activity Period  4:15-4:50</td>
</tr>
<tr>
<td>Activity Period 3:50 – 4:50</td>
<td></td>
</tr>
</tbody>
</table>
THE POSITIVE BEHAVIOR SUPPORT MODEL IN THE ECHS@DSU

What is PBS?
PBS is a system approach for establishing the social culture and individualized behavioral supports needed for schools to achieve both social and academic success for all students. School-wide PBS requires total staff commitment to building strong teacher-student, student-student, and home-school relationships. Schools that have been successful in building school-wide systems develop procedures to accomplish the following:

1. Behavioral expectations are defined. A small number of clearly defined behavioral expectations are defined in positive, simple rules.
   - **Positive Attitude:** approach situations with optimism and confidence
   - **Respect:** treat others the way you want to be treated
   - **Integrity:** act according to the values, beliefs and principles you claim to hold
   - **Determination:** the power or ability to make decisions for oneself without influence from outside sources
   - **Excellence:** going above and beyond ordinary standards in your daily actions

2. Behavioral expectations are taught. The behavioral expectations are taught to all students in the building in real contexts. At ECHS @ DSU **ALL** adults are responsible for teaching students appropriate behaviors. Teaching appropriate behavior involves much more than simply telling students what behavior they should avoid. The goal of teaching the students is to present the specific behavior, discuss the rationale for the rule, and provide positive examples of the rule in actions. During PBS classroom lessons, students will be given the opportunity to practice the “right way” until they demonstrate fluent performance.

3. Appropriate behaviors are acknowledged. Once appropriate behavior has been defined and taught, they need to be acknowledged on a regular basis.

4. Behavioral errors are corrected proactively. When students violate behavioral expectations, **CLEAR** procedures are needed for providing information to students that their behavior was unacceptable, and preventing that unacceptable behavior from resulting in inadvertent rewards.

WHAT IS THE STUDENT CODE OF CONDUCT?
The Student Code of Conduct is an official declaration of the Board of Directors which:
- Specifies the responsibilities and rights of students
- Defines attendance responsibilities
- Defines conduct that disrupts a positive environment
- Standardizes procedures for disciplinary action
- Defines grievance procedures
- Incorporates excerpts from State and Federal laws and regulations.

A copy of the Student Code of Conduct is given to each student upon school entry. Orientation to the Student Code of Conduct is held at the beginning of the school year.

WHEN IS THE STUDENT CODE OF CONDUCT IN FORCE?
The Student Code of Conduct is in force:
- On school property prior to, during and following regular school hours including but not limited to when school is in session or when school activities are in operation
- When students are at a bus stop
- At all school sponsored events and other activities where school administrators have jurisdiction over students
- When a student’s out-of-school conduct indicates that the student presents a threat to the health, safety, or welfare of other students and staff. This includes behavior exhibited in the community, at other schools, or in other states. Students who attempt to register with outstanding discipline issues are subject to the consequences outlined in this document. That portion of the Student Code of Conduct which protects school buildings and grounds is always in force.

2
The Student Code of Conduct is not all-inclusive, and a student committing an act of misconduct not listed may be subject to the authority of the Director/designee. Serious or excessive behavior that necessitates a more severe disciplinary action than that which is listed shall be subject to the discretionary authority of the Director and the Board of Directors. This may include a recommendation for expulsion.

The Student Code of Conduct may also apply to conduct out-of-school and off-school property by a student if the School believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out-of-school conduct shall include, but is not limited to: Acts of violence which are punishable by law, acts of violence that originate on school property but continue off of school property, and acts of violence that occur in a close proximity to school grounds. Students are on notice that out-of-school behavior can result in expulsion from school, placement in an alternative program, or other discipline.

The ECHS @ DSU will view criminal charges as a piece of evidence. School discipline action is not dependent upon the outcome of a student’s adjudication in conjunction with criminal charges resulting from in or out of school behavior. Student behavior, regardless of adjudication, will be the determining factor in considering violations of the Student Code of Conduct, and consequences.

Any student who hinders an investigation or any student who aids, is involved with the planning, or helps another student in any way in an act which violates the Student Code of Conduct may be subject to the same disciplinary action as the individual who committed the violation.

**HOW IS THE STUDENT CODE OF CONDUCT ADMINISTERED?**

**Procedures for making disciplinary referrals**
All teachers are expected to use reasonable behavior management techniques in the classroom prior to referring a student to a building administrator for disciplinary action, except in cases of severe or emergency circumstances. An administrator or designee administers the Student Code of Conduct when a student has been referred for disciplinary action and has identified that appropriate discipline action is required. Identifying the specific Student Code of Conduct violation and corresponding disciplinary action is the responsibility of the administrator or designee.

**Possession of items in a locker, motor vehicle, or book bag/purse lockers:**
The School presumes a student possesses, and is responsible for, all items found in the student's locker, motor vehicle and/or book bag/purse. Students should regularly check the contents of lockers, motor vehicle and/or book bag/purse. If students fail to lock lockers, motor vehicle and/or book bag/purse or provide others access to personal lockers, motor vehicle and/or book bag/purse, students remain responsible for items found in personal lockers, motor vehicle and/or book bag/purse. Student lockers are the property of the school and may be subject to search by an administrator at any time with or without reasonable suspicion to protect the health, safety, and welfare of others.

**PROACTIVE STRATEGIES**
It is the philosophy of the School that students and staff shall be proactive in their approach to behavior management. Proactive strategies will be used to assist students and staff in addressing conflict and discipline issues. The School supports implementation of Positive Behavior Support which promotes healthy character development for all students as well as proactive strategies at the building, classroom, and individual level to prevent problematic behaviors.

**ESTABLISHING A POSITIVE SCHOOL ENVIRONMENT**
Students, parents/guardians, and school personnel establish a good school environment.

**Students should:**
- Attend all classes daily and on time
- Prepare for class assignments and activities
- Come to class with appropriate working materials
- Respect all persons and property
- Refrain from using profanity, abusive language or inflammatory actions in personal interactions
• Conduct themselves in a safe and responsible manner while in the school or on school property
• Be clean, and neat
• Be responsible for their own work and behavior
• Abide by the rules and regulations set forth in the Student Code of Conduct and set forth by the school and individual classroom teacher
• Seek changes in an orderly and approved manner
• Ask for help from administrators, counselors, teachers and other staff members for problems, concerns or other issues that you are unable to resolve or get answers to yourself.

Parents/Guardians should:
• Participate in all areas of academic and behavior progress
• Keep in contact with the school concerning their child’s progress and conduct
• Maintain up-to-date home, work, and emergency numbers at the school
• Ensure that their child is in daily attendance and promptly report and explain an absence or tardiness to the school
• Provide their child with resources needed to complete class work and homework
• Assist their child in being clean and neat
• Refrain from using profanity, abusive language or inflammatory actions in personal interactions
• Bring to the attention of school authorities any problem or condition which affects their child or other children of the school community
• Discuss report cards, work assignments, test scores and the Student Code of Conduct with their child
• Seek changes in an orderly and approved manner
• Ask for help from administrators, counselors, teachers and other staff members for problems, concerns or other issues that you are unable to resolve or get answers to yourself.

School Personnel should:
• Be in regular attendance and on time
• Be prepared to perform their duties with appropriate working materials
• Respect all persons and property
• Dialogue with parents, students, and other employees in a manner that reflects professionalism
• Refrain from using profanity, abusive language or inflammatory actions in personal interactions
• Conduct themselves in a safe and responsible manner
• Be clean and neat
• Abide by the rules and regulations set forth by the school and the Board
• Seek changes in an orderly and approved manner
• Maintain an atmosphere which encourages good behavior and active learning
• Implement a diversified curriculum to meet the needs of all students
• Develop good working relationships among staff and with students
• Encourage the school staff, parents, and students to use the services of community agencies
• Utilize good guidance procedures and practices
• Encourage parents to maintain regular communication with the school
• Provide opportunities for parent participation in affairs of the school
• Encourage and maintain the involvement of students in the operation of the school
• Involve the community in order to improve the quality of life within the school.
• Ask for assistance from administrators for problems, concerns or other issues related to classroom management, student conflict or behavioral concerns.
CHAPTER II STUDENT RESPONSIBILITIES AND RIGHTS

ADULT STUDENTS
State law provides that a student reaches legal majority at age 18. The attainment of adult status provides that the student may assume responsibility for signing attendance notes and other matters pertaining to school activities and related services. All students, including students over the age of 18, are expected to follow the Student Code of Conduct and school expectations for behavior.

ATTENDANCE
School attendance is mandated by state law and regulations of the State Board of Education. The Student Attendance Policy of the Board of Directors establishes specific regulations related to attendance. Students are required by law to attend school 95% of the school year to be eligible for promotion. Responsibilities
The School is responsible for reporting violations of the attendance laws of the State. The School may excuse a child for necessary and legal absence, subject to the provisions of the Delaware Code. (Title 14, Chapter 27; Delaware Code can be found online at: www.delcode.state.de.us)

The following are considered necessary and legal excused absences and may not be used to file truancy charges:
- Illness of the student
- Medical diagnosis and/or treatment
- Death in the immediate family, up to but not to exceed five days; funerals of other relatives or close friends, not to exceed one day if in the locality or three days if outside the state.
- Contagious disease in the home of the child subject to regulations of the Division of Public Health, Department of Health and Social Services
- Legal business requiring the student’s presence
- Suspension or expulsion from school
- Observance of religious holidays
- Approved college visits
- Authorized school-sponsored activities

Absences for other reasons are classified as “unexcused.” The School may request a doctor’s note after 5 days of student absences. Parents are informed through a letter regarding student absences at 3, 5 and 10 day intervals. Once notified, parents have up to three (3) days to provide proper documentation for these absences. Any notes provided beyond the three (3) day period will not be accepted.

A student enrolled in grades K through 12 inclusive is considered truant if such a student has been absent from school without valid excuse, as defined in Rules and Regulations of the State Board of Education, for more than three (3) cumulative or consecutive school days during a given school year. Schools will take action regarding unexcused absences including, but not limited to, written communications, home visits, required parent/guardian conferences, and referral of the parent for prosecution. A parent/guardian who is determined to violate the State’s compulsory school attendance laws is subject to penalties as described by State law.

Non-attending students over the age of 16 will be withdrawn after 30 consecutive absences and repeated attempts by the building administration to contact parent/guardian have been made and a certified Non-Attendance letter has been sent to the parent/guardian. The date of withdrawal will be stated in the body of the letter. Parents/Guardians not wanting their son/daughter to be withdrawn must contact the school within three business days of receipt of the letter and meet with the school administrator/designee. An attendance contract must be signed before the student can resume attending classes. The letter shall be deemed to be received on the third calendar day following the day of mailing. Penalties may include community service, counseling, curfew, suspension or revocation of driver’s permit or hunting license, prohibition of participation in extracurricular activities or school social events or recommendation that the student enroll in an alternative school. Students may be subjected to substance abuse or mental health evaluation 14 Del. C §2730 (c)(3)(4).
Excused Absence
An excused absence from school or class is an absence for one of the reasons listed above and for which the required parental note of explanation has been presented on the first or second day of the student’s return to school or class. **Any notes provided beyond the two (2) day period will not be accepted.** Providing documentation of a valid excused absence, the student will be allowed to make up all work missed, to take tests which were missed, and to submit any assignments which became due during the absence.

Following an excused absence from school or class, the time allowance for taking tests or turning in assignments shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend the time allowance for making up work missed if the specific circumstances of the situation merit such action. The responsibility for initiating make-up work and turning in assignments rests with the student.

Unexcused Absence
An unexcused absence from school or class is an absence:
1. Which is for a reason not listed as excused or
2. About which the parent/guardian has no knowledge or
3. For which the parental note of explanation was not provided on the student’s first or second day of return to school following the absence

A student whose absence is unexcused shall receive no credit for assignments missed or tests given during the period of the unexcused absence unless otherwise permitted by the teacher. While an unexcused absence may result in no credit for assignments or tests missed, students may request assignments from their teacher at the initiation of the student. If the teacher provides assignments after an unexcused absence, the time allowance for requesting the instructional materials or assignments from the teacher shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend this time allowance if the specific circumstances of the situation merit such action.

Tardiness to Class
Late to class may have a detrimental effect on student learning. Students shall be subject to a consequence after every third documented late to class. Excessive lateness (15 minutes or longer) shall constitute a class cut.

Tardiness to School
All students are expected to be punctual to school. A student who arrives to school more than halfway through the school day or leaves early before completing half of the school day will be counted absent. Students who arrive at their first class assignment are tardy. A student who is late to school should present a written explanation for the tardiness on the first or second day following the tardiness.

Students should recognize that a written explanation from home does not automatically cause the tardiness to be excused. Such reasons as car trouble, personal business, heavy traffic, home obligations, etc., while understandable, are not acceptable excuses and will be listed as unexcused. Reasons such as personal illness, medical appointments, and appearances in court will be considered as excused tardiness when verified by a note from doctor or court. Students who are absent for more than fifteen (15) minutes of a class will be referred to the Director/designee for cutting class unless excused by proper authority.

Early Dismissal
Students who request to be dismissed from school and will not complete a minimum of half a school day will be considered absent. All Early College High School @ DSU students must enter and depart through the high school office with a parent/guardian.

Prearranged Absence
A prearranged absence is a student’s absence from school for one or more days to visit a college or university, other educational activities, or medical reason approved by the Director. The absence should be prearranged by writing the Director, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least one (1) week prior to the date on which the absence is to occur. Upon the development of a plan by student and teacher for making up the assignments to be missed, the plan should be submitted to the Director for review. Students who must leave the building due to an emergency or some other
reason which did not permit a prearranged absence must receive approval from the Director/designee. The student is then responsible for completing the sign-out procedure before leaving the building and must present the required parental note of explanation upon his/her return to school.

Extended Absences
Students who will be out for an extended period of time and do not meet the criteria for excused absences are marked unexcused. Students may request school work for a period up to two weeks. Students who are excessively absent may have truancy charges filed against them and/or their parent/guardian.

BUS PRIVILEGES
The Student Code of Conduct will apply to all violations to and from school, at the bus stop, and while boarding, riding, or exiting buses. While on the school bus, drivers will have the same authority as teachers. Violation of these rules may result in behavioral consequences and/or suspension of bus-riding privileges.

Students must follow bus safety regulations as follows:
- Students must follow the driver’s directions and obey the driver promptly.
- Students must be courteous to the driver and to other students.
- Students must be on time; the bus has to run on schedule and cannot wait for those who are late.
- Students should never stand in, or play in, the roadway while waiting for the bus.
- While at the bus stop students waiting to board the bus must keep a safe distance (of 10) feet from the bus. Students must wait for the bus to come to a complete stop before attempting to board.
- Students must not get on or off the bus while it is in motion.
- Students must enter the bus without crowding or disturbing others and occupy their seat immediately.
- Students must keep out of the driver’s seat.
- When crossing the street at any time, students should look both to the right and to the left, and then walk across the street when it is safe to do so.
- Students are permitted to talk quietly on the bus and classroom conduct is to be observed while on the bus.
- Students must not call out to passers-by. They should not open the bus window without permission from the driver or extend head or arms out of the window.
- Students should not leave the bus without the driver’s consent, except on arrival at their regular bus stop or at school.
- Students should help to keep the bus clean, sanitary and orderly. They must not damage or abuse the equipment.
- Students are not permitted to smoke while on the bus.
- Students must not use profanity while on the bus.
- Students must not throw articles of any kind in, out of or around the bus.
- Students are not permitted to harass, intimidate or fight on the bus.
- Other forms of misconduct that will not be tolerated are acts such as, but not limited to, indecent exposure, obscene gestures, or spitting.
- Students must remain in their seat and keep aisle clear.
- Students are not permitted to tamper with emergency doors, controls, or windows.

COMPUTER USAGE
ECHS@DSU students will be taking college courses in grades 9 through 12 and will have access to the same post-secondary resources that are available to all students in the college course, including internet access to material through the Delaware State University network that may be unavailable through the state K-12 network. Students must adhere to the School's Acceptable Use of Technology Policy, which incorporates the State policy, before they may make use of technology, including Internet access. (See Appendix III)

STUDENT IDENTIFICATION CARDS (Issued by Delaware State University)
All Early College High School @ DSU students will be issued a Delaware State University ID card. This card is used
to access services at ECHS and DSU. Students are required to have this card in their possession at all times while at school. The initial issue of the Student ID Card is provided at no cost to the student. Replacement costs:
Damaged Card - $5.00
Lost Card - $10.00

FREE SPEECH/EXPRESSION (Including all spoken, written, artistic)
One of the basic purposes of schools is to prepare students for responsible self-expression in our society. Self-expression is guaranteed or protected under the First and Fourteenth Amendments to the United States Constitution. Students may inquire, question, and exchange ideas. Self-expression must not interrupt the orderly educational process of the school or be in violation of the Student Code of Conduct. Free expression must not mock, demean, or ridicule other persons or groups or be obscene, libelous, or disruptive or promote illegal substances or activities.

Responsibilities
Students have the responsibility:
- To act in a quiet, dignified manner during patriotic activities
- To inform the school in writing of activities/policies which are in conflict with their religious beliefs and request alternative accommodations

Rights
Students have the right:
- To respectfully express their own opinions on issues
- To assemble peaceably on school property at a time and place designated by the Director (This right will be denied if it endangers the health or safety of others, damages property, disrupts the activities of others, or disrupts the educational process.)

HARASSMENT/BULLYING
The School’s intent is to foster human dignity in our schools. Harassment of any type contradicts that ideal. No student shall be subject to any type of harassment/bullying (see Appendix IV).

Responsibilities
Students have the responsibility:
- To communicate directly to the person that their behavior is unacceptable and they want him/her to stop
- To inform and seek the advice of a teacher, counselor, or school administrator
- To report the information to the Director or designee if the situation is not resolved

Rights
Students have the right:
- To learn in an environment free from bullying and/or harassment/sexual harassment

MARRIAGE, PREGNANCY, AND PARENTHOOD
Students who are married, expectant parents or parents do not lose their right to a free public education. Students are encouraged to continue their education through appropriate programs designed to meet their special needs and circumstances. Students have the responsibility and right to attend school regularly or to take advantage of special programs designed to meet their needs as married students, expectant parents, or parents. (Students who are pregnant should seek professional medical advice regarding school attendance and extra-curricular activities.)

SAFETY
All students who attend the School have the right to attend school in a safe and orderly environment where they are encouraged to learn.

Responsibilities
Students have the responsibility:
- To show respect for other people’s ideas, values, beliefs and heritage
- To resolve conflicts in an appropriate manner and notify school personnel of any known, or potential altercations.
- To notify school personnel if they have knowledge of any weapon(s) or drugs on school property
Rights
Students have the right:

- To learn in an environment free from the threat or act of psychological or physical violence

SEARCH AND SEIZURE
Students shall be free from unreasonable search and seizure of property as guaranteed by the Fourth Amendment to the U.S. Constitution. This individual right is balanced by the school’s responsibility to protect the health, safety, and welfare of others. Student lockers and desks are the property of the school and may be subject to search by an administrator at any time with or without reasonable suspicion to protect the health, safety, and welfare of others. Searches of a student’s person or personal property (book bags, motor vehicles, etc) shall be based upon reasonable suspicion that the student’s person or property contains prohibited substances, items, or material detrimental to the health, safety and welfare of other students or staff, or in violation of the law or rules of the Student Code of Conduct. Students are responsible and accountable for the contents of all items found in their lockers, book bags, purses, motor vehicles, and any bags or containers used to carry personal property.

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 Director/designee and be made available, in case of a medical emergency, for identification.

All substances shall be sealed and documented and, in the case of substances covered by 16 Del. C. Ch. 47, turned over to the police as potential evidence. A request for analysis shall be made where appropriate. (In case of medical emergency, substances should be made available for identification purposes.) All weapons and/or dangerous instruments found in a student’s possession shall be turned over to the Director/designee and turned over to the police as potential evidence.

Responsibilities
Students have the responsibility:

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

Rights
Students have the right:

- To privacy in their personal possessions unless the Director or designee has reasonable suspicion to believe that prohibited substances/objects are possessed or being concealed by the student.

STUDENT DRESS
Student dress may vary with instructional activity, and physical conditions in the school. The dress and grooming of students shall contribute to the health and safety of the individual and shall not disrupt the orderly educational process. Student clothing and accessories shall not endorse products and practices, which are prohibited by law, ECHS@DSU or Delaware State University policies.

All clothing shall be neat, clean, and acceptable in repair and appearance and shall be worn within the bounds according to the manufacturers’ intent. Articles of clothing which display profanity, products, or slogans which promote tobacco, alcohol, drugs, sex or are in any other way distracting, are prohibited. Excessively baggy or tight clothing, and clothing which advertises gang symbols or affiliation is prohibited. Items of clothing which expose bare midriffs, bare chests, undergarments, or that is transparent (see through) are prohibited. Please be advised that spaghetti straps, shirts which expose a bare back, halter tops, and tube tops are prohibited. Tank tops with straps wider than one inch are permitted. Shorts/Skirts are permitted and MUST be no shorter than fingertip length with hands held at your sides.

Responsibilities
Students have the responsibility:

- To follow guidelines for dressing and grooming in a manner which shows cleanliness, promotes safety, and demonstrates respect for themselves and others.
**Rights**

Students have the right:

- To dress and groom as they choose as long as they do not disrupt the educational process or endanger the health and safety of themselves or others as outlined in established school guidelines.

**STUDENT GOVERNMENT**

The student government is a means of providing students with an opportunity to express themselves on school matters through the democratic process. All members of the school community share the responsibility for helping the student government. Students should be given the opportunity to participate in those decisions that affect the learning climate of the school. So that the student government can function as an informed organization, the Board of Directors policies should be made available.

**Responsibilities**

Students have the responsibility:

- To work, in conjunction with the student government, on the needs and concerns expressed by the student body;
- To seek prior consent of any faculty member recommended as an advisor; and
- To participate in an appropriate manner, demonstrate positive leadership, and operate within school regulations.

**Rights**

Students have the right:

- To form and operate a student government under the direction of a faculty advisor (This right shall be carried out within the guidelines and practices recommended by the National and State Student Government Association and within the rules and regulations of the School.)
- To recommend members of the faculty to serve as sponsors for their school’s government organization;
- To seek office in student government regardless of race, color, religion, national origin, sex, sexual orientation, marital status, disability, age or Vietnam Era veteran’s status; and
- To attend official student government meetings as student government officers and representatives in accordance with school regulations.

**STUDENT MOTOR VEHICLES**

Driving to school is a privilege granted by school administration.

**Responsibilities**

Students have the responsibility:

- To operate their motor vehicles in a safe manner at all times while driving on school property; and
- To refrain from carrying or concealing any substance or objects in a motor vehicle which may disrupt the educational process or which are forbidden by the Student Code of Conduct or State/Federal law.

**Rights**

Students have the right:

- To privacy of the contents of their motor vehicles unless the Director or designee has reasonable suspicion to believe that the student is concealing a prohibited substance or objects and other items that may be disruptive to the educational process.

**STUDENT PUBLICATIONS**

One of the important roles of the school is to provide effective ways in which students may express themselves on a wide range of subjects. Official school publications such as newspapers should reflect the policy and judgment of the student editors and should include viewpoints representative of the entire school community.

**Responsibilities**

Students have the responsibility:

- To produce, post, publish, or distribute materials approved by the administration, which follow the school’s guidelines for responsible journalism including the identification of the author(s); and
- To post or display these materials only on those bulletin boards or wall areas designated for use by students and student organizations;
• To refrain from publishing and/or distributing obscene, inflammatory, or libelous materials and to observe acceptable standards of good taste and responsible journalism; and
• To confirm that the information published is factual.

Rights
Students have the right:
• To possess, post, and distribute literature, which expresses opinions and offers information on a wide range of subjects; and
• To be free from censorship of their publications and productions within the guidelines previously agreed upon by students and administrators have the right to disallow or recall literature or media which they consider primarily commercial in nature or materials which could disrupt the orderly operation of the school

STUDENT RECORDS
Care must be exercised by the school staff to make sure that student records are treated confidentially and that the information contained therein is accurate and appropriate. The student Cumulative Record File shall contain the Emergency Treatment Card, Identifying Data, School Health Record, Progress Report, Student Transcript and Discipline Record. Expulsions will be recorded on the student’s cumulative record folder. Records (all information) included in student cumulative files will be provided upon request to the parent/guardian and/or forwarded to other schools for students moving into or applying to other schools.

Responsibilities
Students have the responsibility:
• To give school personnel ample notice that they want to inspect and review their records; and
• To release information to those individuals or agencies who are working in a positive manner for the benefit of the student (The permission to release information, where required, must be in writing.)

Rights
Students have the right:
• To release, inspect, review, and challenge the information contained in their school records within the School guidelines and legal age requirements (School personnel shall provide assistance to students and parents/guardians to help them understand information in student records.);
• To sign for a release of information contained in their records to authorized agencies (The student must be 18 years of age or older to sign this release.); and
• To be protected from the release of personally identifiable information to unauthorized persons.

DISCLOSURE OF CERTAIN STUDENT INFORMATION
The School may disclose certain information, known as directory information, in its discretion without consent, provided that parents/guardians, or students 18 years of age or over, may refuse to permit the release of any or all directory information. If a parent/guardian or emancipated student does not want directory information released, he or she must send written notice annually to the Director. Such notice must be received within 30 days of student receipt of this Student Code of Conduct. The following student information is directory information: name, address, telephone number, date and place of birth, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended by the student, and photographs of students in school or school activities provided the photographs do not reveal information concerning academic placement.

FAMILY EDUCATION RIGHTS & PRIVACY ACT (FERPA RIGHTS)
The Family Education Rights and Privacy Act (FERPA) afford parents/guardians, and students over 18 years of age, the following rights: (See FERPA Consent to Release Student Information)

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

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

Disclosure without Consent
Disclosure of personally identifiable information contained in students’ education records requires parent/guardian consent. Some exceptions apply including the following:

- Such records may be disclosed to school officials with legitimate education interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill a professional responsibility.
- The School discloses education records without consent to officials of another school or district in which a student seeks or intends to enroll upon request from the receiving school or district.

All inquiries regarding Early College High School @ DSU students shall be directed to ECHS @ DSU staff only. ECHS @ DSU staff is committed to providing prompt responses to all inquiries. When possible, ECHS @ DSU staff will respond within 2 working days.

RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)
The Protection of Pupil Rights Amendment (PPRA) affords parents/guardians, students who are 18, and emancipated minors the following rights regarding the school’s conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

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

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

Notice and Opportunity to Opt Out
The School will notify parents of the dates of the following activities and provide an opportunity to opt a student out of participating in such activities:

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

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

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

Adoption of Policies
Before conducting any protected surveys and the collection, disclosure, or use of personal information for marketing, or other distribution purposes, the School will adopt policies, in consultation with parents/guardians, regarding these rights as well as arrangements to protect student privacy in the administration of such activities. The School will notify parents/guardians of these policies at least annually after any substantive changes.
Complaint
If parents/guardians believe their rights have been violated, they must first utilize the Code of Conduct Grievance procedure, and then they may file a complaint with:

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

GRIEVANCES
A student grievance is another name for a student complaint. A student grievance may arise if the student’s rights or liberty interests have been denied or impaired.

A. The following persons may engage in the grievance procedures:
   • Individual student or group of students
   • A student’s parent or guardian
   • Group of parents/guardians of students

B. The grievance procedure may be initiated if a student is alleged to have been denied any of the following:
   • An appropriate educational opportunity
   • Participation in any school activity for which the student is eligible
   • An opportunity to compete/audition for a position in a school or school sponsored activity
   • An opportunity to contest a rule, regulation, procedure or behavior consequences for a violation of the Student Code of Conduct that is alleged to be arbitrary or unreasonable
   • A constitutionally protected right

Grievance Procedures
The following procedures govern a grievance:

1. The grievant must provide the staff member(s) who allegedly engaged in the aggrieved act with a written request for a conference within three school days following that alleged act. The written request must identify the act being aggrieved.

2. A conference shall be held within four school days after the request, unless the parties agree in writing to a later date. The student(s), parent(s), and appropriate school personnel should be present at the conference.

3. If the conference does not resolve the complaint, the grievant may file a written grievance with the supervisor of the affected staff member(s) within three days of the conference.

4. If the supervisor of the staff member is not the Director and fails to resolve the issue to the satisfaction of the grievant, the grievant, upon request, shall be provided a written notice by the supervisor within three days of the request, stating the facts and the basis for the supervisor’s decision.

5. A grievant wishing to appeal the supervisor’s written decision (or the decision of the staff member if the Director is the supervisor of the staff member) must file a written appeal with the Director/designee not later than five school days from the date of the written decision (or conference with the staff member) stating with specificity the reason(s) the problem could not be resolved.

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

7. The decision of the Director/Designee shall be the final decision of the School. A copy of the decision shall be sent to the parties involved not later than ten school days following the receipt of the appeal by the Director/Designee.
CHAPTER III  DISCIPLINARY ACTIONS FOR VIOLATIONS OF CODE OF CONDUCT

<table>
<thead>
<tr>
<th>LEVEL I OFFENSES</th>
<th>POSSIBLE SANCTIONS</th>
</tr>
</thead>
</table>
| Abusive Language (Student to Student)  
Class Cutting  
Inappropriate Behavior  
Inappropriate Bus Behavior  
Insubordination  
Lateness to Class  
Leaving School Without Authorization  
Student Presence in any Prohibited School Area  
Trespassing  
Misuse and/or Unauthorized use of Cell Phone and/or all Other Electronic Devices | **First Offense**  
Parent/Guardian Notification  
Written Notice  
Device taken for the remainder of the school day  
**Second Offense**  
Parent Conference  
Detention  
School-Based Counseling  
In-School Suspension (1-3 days)  
Parent/Guardian must come to school to retrieve the device  
**Subsequent Offenses**  
Parent Conference REQUIRED  
Device taken for remainder of the school year |

<table>
<thead>
<tr>
<th>LEVEL II OFFENSES</th>
<th>POSSIBLE SANCTIONS</th>
</tr>
</thead>
</table>
| Abusive Language (Student to Staff)  
Academic Cheating  
Breaking and Entering  
Bullying  
Careless/Reckless Behavior  
Theft Using Coercion  
Threatening Behavior to Staff  
Threatening Behavior to Student  
Criminal Mischief/Vandalism  
Defiance  
Fighting  
Inappropriate Item/Material  
Inappropriate Sexual behavior  
Instigation  
Misuse of Technology  
Offensive Touching Student to Student  
Reckless Driving  
Sexual Harassment  
Smoking/ Possession of Tobacco/Tobacco Products  
Tampering with any Safety Device  
Theft/ Possession/ Transfer of Stolen Goods | **First Offense**  
Parent/Guardian notification  
Written Notice  
In-School Suspension (1-3 Days)  
Police Notification  
Mandatory Report to DOE  
**Second Offense**  
Parent Conference  
School-Based Counseling  
In-School Suspension (1-3 Days)  
Out-of-School Suspension  
Police Notification  
Mandatory Report to DOE  
**Subsequent Offenses**  
Parent Conference REQUIRED  
Out-of-School Suspension (3-5 Days)  
Police Notification  
Mandatory Report to DOE |
<table>
<thead>
<tr>
<th>LEVEL III OFFENSES</th>
<th>POSSIBLE SANCTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arson</td>
<td>First Offense</td>
</tr>
<tr>
<td>Assault on Staff</td>
<td>Parent/Guardian notification</td>
</tr>
<tr>
<td>Assault on Student</td>
<td>Written Notice</td>
</tr>
<tr>
<td>Attorney General's Report (Juvenile Arrest Warrant and</td>
<td>In-School Suspension (1-3 Days)</td>
</tr>
<tr>
<td>Complaint)</td>
<td>Police Notification</td>
</tr>
<tr>
<td>Dangerous Instrument(s) Possession/Concealment or</td>
<td>Mandatory Report to DOE</td>
</tr>
<tr>
<td>Sale</td>
<td></td>
</tr>
<tr>
<td>Distribution of Drugs and/or Alcohol and/or Paraphernalia</td>
<td></td>
</tr>
<tr>
<td>Use of Drugs and/or Alcohol and/or Paraphernalia</td>
<td></td>
</tr>
<tr>
<td>Misuse of Technology “Severe Clause”</td>
<td></td>
</tr>
<tr>
<td>Offensive Touching to Staff</td>
<td></td>
</tr>
<tr>
<td>Rape or Attempted Rape</td>
<td></td>
</tr>
<tr>
<td>Robbery</td>
<td></td>
</tr>
<tr>
<td>Threat to the Orderly School Process</td>
<td></td>
</tr>
</tbody>
</table>

**MANDATORY SCHOOL CRIME REPORTING LAW**

A mandatory reporting process through which certain crimes committed by students on school property, including buses, fieldtrips, sports events and any school function within the State of Delaware must be reported to the police and when applicable to DOE (Department of Education).

Mandatory Reports to Police:
- Violent felonies (all violent felonies that occur against students, school employees, and school volunteers must be reported)
- assault against a student, school employee or volunteer
- unlawful sexual contact against a student, school employee or volunteer
- possession of a dangerous instrument or deadly weapon by a student possession of an unlawful controlled substance including: prescription drugs, counterfeit drugs

Report to Department of Education:
In addition to these school crimes required to be reported pursuant to statute, the Director or designee shall report to the Department of Education.

<table>
<thead>
<tr>
<th>sexual harassment</th>
<th>inhalants</th>
</tr>
</thead>
<tbody>
<tr>
<td>offensive touching student victim</td>
<td>drug use/influence</td>
</tr>
<tr>
<td>offensive touching employee victim</td>
<td>drug paraphernalia</td>
</tr>
<tr>
<td>pornography</td>
<td>tobacco possession and/or use</td>
</tr>
<tr>
<td>criminal mischief (vandalism)</td>
<td>medications: inappropriate possession and/or use</td>
</tr>
<tr>
<td>tampering with public records</td>
<td>fighting</td>
</tr>
<tr>
<td>alcohol, possession and use</td>
<td>under 12: Assault III Student Victim</td>
</tr>
<tr>
<td>felony theft ($1,000 or more)</td>
<td>under 12: Assault III Employee Victim</td>
</tr>
<tr>
<td>disorderly conduct/fighting</td>
<td>Under 12: Unlawful Sexual Contact III student victim</td>
</tr>
<tr>
<td>terrorist threatening student victim</td>
<td>teen dating violence</td>
</tr>
<tr>
<td>terrorist threatening employee victim</td>
<td></td>
</tr>
<tr>
<td>victim</td>
<td></td>
</tr>
<tr>
<td>bullying</td>
<td></td>
</tr>
</tbody>
</table>
NOTIFICATION PROVISIONS PERTAINING TO SCHOOL CRIMES
 Delaware Code Title 14 Del. C §4112
 Delaware Code requires mandatory reporting of the offenses listed in 14 Del. C §4112. School employees who have reliable information that would lead a reasonable person to believe that one of the following has occurred on school property or at a school function must immediately report the incident to the Director/designee:

- Student, school volunteer, or school employee has been the victim of violent felony, assault III, unlawful sexual contact III; or
- Student under 18 has been victim of sexual harassment; or
- Person on school property has drugs or weapons or bomb.

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

1. Evidence that suggests to commission of the crimes of assault and extortion against pupil, or an assault, offensive touching, terrorist threatening or extortion against a school employee.
2. Evidence that suggests the commission of a felony, for example: reckless endangering, assault offenses, homicide; arson, criminal mischief, bombs; robbery, rape, extortion, fraud, forgery, weapons, etc.
3. Evidence that suggest violations of the laws concerning controlled substances and alcohol.
4. Evidence that suggests incest, sexual abuse or the neglect or other abuse of children.
5. Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons, (e.g. knives, firearms, ammunition, explosives or blasting caps).
6. Evidence that suggests morals offense (e.g. pornography, exhibitionism, peeping, etc.).
7. Evidence that suggests organized gambling
8. Evidence of offenses involving school property, e.g. false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving and safety hazards.
9. Reports of suspicious persons or unauthorized persons on or near school grounds or property, or rumors, information or observations of gang rivalries or activities. (These activities need not be reported to the State Board of Education.)

Delaware Code Title 14 Del. C § 4110
 Disturbing schools or destroying school property; penalty
 Whoever disturbs a public school in session or willfully destroys any public school property shall be fined $20, to be collected as other fines, and paid to the board of education of the school for the benefit of the respective school, or imprisoned not more than 30 days, or both. (32 Del. Laws, c. 160, § 57; Code 1935, § 2752; 14 Del. C. 1953, § 4113; 57 Del. Laws, c. 113.)
CHAPTER IV  DISCIPLINARY PROCEDURES

CORPORAL PUNISHMENT
Corporal punishment will not be administered by ECHS@DSU.

SUSPENSION FROM SCHOOL
Suspension is the temporary removal of a pupil from the regular school program.

Prior to a suspension from school the student shall:
1. Be given oral or written notice of the charges and be told on what evidence the decision may be made;
2. Be given the opportunity to present the student’s side of the story; and
3. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulations.

When a student is suspended, written notification of the suspension shall be sent to the parent/guardian. The notification shall state the cause and duration of the suspension. For each out-of-school suspension up to three (3) days, the Director/designee is required to hold an in-person or phone conference. If the suspension is for three or more days, the Director/designee is required to hold a conference, to include the parent and child, prior to the readmission of the student. A definite time and date for a conference shall be scheduled at a place designated by the school administrator. Students have the right to submit a statement in writing concerning any incident requiring discipline action, but are not required to do so. The parent will be advised that the suspension may be appealed to the next administrative level.

In all cases of suspension an attempt shall be made to notify the parents/guardians by telephone to request that the student be picked up from school. Students whose parents/guardians cannot be reached by telephone will be retained at school until the end of the school day. In certain emergency situations, and upon proper approval of notification, an administrator or designee may take a student to his/her home.

DISCIPLINE OF STUDENTS WITH DISABILITIES
1. For disciplinary reasons, school personnel may suspend (in school or out of school) for not more than 10 school days. This is known as the “10 day rule”. Disciplinary removals for more than 10 school days are regarded as a “change of placement”.
2. The “10 day rule” allows school personnel to unilaterally remove a student with a disability who violates a code of conduct from the student’s current placement for not more than 10 school days.
3. A “change of placement” occurs if a removal is for more than 10 consecutive school days or a change of placement occurs if a student is subjected to a series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year.
4. The Individuals with Disabilities Act (IDEA) requires school personnel to provide students with disabilities suspended for greater than 10 days a free appropriate public education (FAPE). Services must enable the student to participate in the general education curriculum and enable the student to progress toward meeting the goals set out in the individual Educational Plan (IEP).
5. The IDEA requires the school or district to conduct a manifestation determination within 10 school days of any decision to change the placement of a student with a disability because of a violation of the code of conduct.
6. If the Special Education Team determines it was a manifestation of the student’s disability, the Special Education Team must conduct a Functional Behavior Assessment (FBA), develop a positive behavior support plan to address the behavior, and return the student to the placement from which the student was removed.
7. If the Special Education Team determines it was not a manifestation of the disability, the school may discipline the student using the relevant disciplinary procedures applicable to students without disabilities in the same manner and duration however, services must continue to be provided.
8. School personnel may remove a student with a disability to an interim alternative setting for up to 45 days when a student at a school, or state function carries a weapon or look alike, knowingly possesses or uses illegal drugs, or has inflicted serious bodily harm on another person.
OUT OF SCHOOL CONDUCT
The School is notified by the Attorney General’s Office and/or law enforcement authorities whenever a student is arrested for committing a criminal offense, even if it has nothing to do with school or has occurred off school property. When the School receives these reports, they will be reviewed. The School will take disciplinary action as outlined in the Student Code of Conduct if it is determined that the out-of-school conduct indicates the student presents a threat to the health, safety or welfare of other students and staff. The School will not wait for adjudication of said criminal offenses to proceed with expulsion procedures. In addition, School discipline action is not dependent upon the outcome of the student’s adjudication. Students need to realize that out-of-school behavior can result in expulsion from school.

EXPULSION PROCEDURES
When it is alleged that a student committed a violation of the Student Code of Conduct or is subject to the above policy, and may be subject to a recommendation for expulsion, the following procedures shall be followed:

Step I — School Level Conference for Expulsion
An administrator will conduct a preliminary investigation to determine if there is a reasonable cause to pursue disciplinary action. The administrator will inform the student of the charges. The student will be given an opportunity to tell his/her side of the story. If it is decided to proceed with an expulsion, the procedures below will be instituted. The School and the Board of Directors will make a good faith effort to abide by all expulsion procedure timelines. However, all students and parents are on notice that timelines may change based on reasonable circumstances as determined by the School.

A. Student will be suspended according to the Code of Conduct.
B. Student will be given written notice of charges.
C. The student and parent/guardian will participate in a conference to review the case, within five (5) school days of the incident. If agreement on a date/time cannot be reached within the five day limit the Director/designee will set the date/time. Notification of the scheduled conference will be sent to the parent/guardian. Telephone contact will also be attempted.
D. All back-up materials must be submitted to the Director/designee within two (2) days of the conference or seven (7) days of the incident, whichever is sooner.
E. Within five (5) days of the conclusion of the conference the Director/designee will inform the parent/guardian of the recommendation.
F. Days shall mean school days unless it is the end of the school year; then days shall mean calendar days including Saturday, Sunday, and holidays.

Step II — Board Level Expulsion Hearing
Upon receipt of a recommendation from the Director/designee, the following will be implemented:

A. The Director/Designee will review documentation to affirm that appropriate discipline procedures were followed and will notify the student and the parent/guardian by letter that an expulsion hearing will be held to consider the recommendation.
B. Notice will be sent by certified mail and shall give the date, time, and location of the hearing. In any case where a student is charged with a disciplinary violation that rises to the level of expulsion, no evidentiary hearing will be held more than ten days after the student is charged with the violation. The student may request, so long as the student waives his or her rights to a more prompt hearing, that the hearing occur more than 10 days after the incident in order to obtain counsel.
C. The hearing shall be held not less than two (2) or more than ten (10) business days after receipt of Notice. The Notice shall be deemed to be received on the third calendar day following the day of mailing. This time period may be waived by agreement of the parties. A copy of the documentation shall be made available upon request to the student/parent/guardian at the School Office prior to mailing.
D. The student and parent/guardian will also be given the following:
   i. The reason(s) for the recommendation
   ii. The names of the witnesses who may appear
   iii. Copies of statements/information that will be submitted as evidence
E. Prior to the Board Level Hearing the parent/guardian must submit the following information to the Director:
   i. Name of the student advocate or legal counsel (if the student will be represented by one); and
   ii. Names of any witnesses who may appear at the hearing. (If any of the witnesses are minors,
a copy of the parent’s/guardian’s permission for the minor to attend must also be included.)
F. The hearing shall be conducted by an officer selected by the Director/Designee. The officer may be an employee of the School, but must not have been involved in the process at the prior conference.
G. The officer shall have full authority to admit or exclude evidence. Evidence presented at the expulsion hearing may include, but is not limited to, witness statements, police/AG reports, photocopies of evidence. The officer is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The officer shall exclude plainly irrelevant evidence. Unduly repetitive proof, and rebuttal, shall be excluded.
H. In conducting the hearing, the School shall submit evidence first followed by the response of the student, if any. Further rebuttal evidence by either party may be presented at the hearing if the officer determines such evidence is necessary.
I. A student may be placed in an alternative educational program pending expulsion.
J. The student shall have the following rights:
   i. To be represented by counsel at the student’s expense;
   ii. To cross-examine adverse witnesses;
   iii. To testify and produce witnesses on his/her behalf; and
   iv. To obtain, at the student’s expense, a copy of the transcript of the hearing.
K. In lieu of a formal expulsion hearing, a student or his/her representative, may elect to waive the hearing and admit to the violation charges. In these circumstances, the student must provide a written hearing waiver request letter at least 24 hours prior to the date of the hearing or be given the opportunity to waive on the day of the hearing. This waiver does not absolve the student from required consequences for the violation under state law and the Code of Student Conduct.

Step III – Board Level Deliberation Regarding Expulsions
A. Within five (5) business days following the conclusion of the School level expulsion hearing a written report (“Report”) shall be prepared for the Director/Designee. The Report shall frame the issues, summarize the evidence, state conclusions of fact, and make a recommendation as to whether the Director/Designee should recommend to the Board that the student be expelled or the Director/Designee should implement some alternative disciplinary action or program.
B. The Director/Designee shall accept or modify the recommendation of the officer within five (5) business days of receiving the Report. The decision of the Director/Designee shall be communicated to the student/parent/guardian by telephone and/or mail.
C. If the Director/Designee recommends expulsion to the Board of Directors, the Board shall make its decision at the next scheduled public Board Meeting. The review shall be based solely upon the Report from the officer, the record of the School level expulsion hearing, and the written responses, if any, by the student/parent/guardian. The Board may accept, reject, or modify the recommendation of the Director/Designee.
D. Except as is otherwise provided herein, within ten (10) business days of the conclusion of the review by the Board, the Board, through its designee, shall submit its decision to the student/parent/guardian in writing.

NOTIFICATION OF EXPULSION TO DIVISION OF MOTOR VEHICLE
The Delaware Division of Motor Vehicle will be notified of the beginning and ending date of expulsion for students who are expelled from the ECHS@DSU as a request for suspension of driving privileges in accordance with 14 Del.C §4130(e)(1).

READMISSION
An expelled student and his/her parents or legal guardian must apply for readmission by submitting a letter (one from the student, and one from the parent/guardian) for consideration for readmission to the ECHS@DSU. Each letter should list why the parent/guardian and the student wish to re-enter the school. Student’s activities during the expulsion period should also be listed. For example, list any job(s) held during expulsion period, counseling she/he received, volunteer activities she/he participated in, or other similar activities during the expulsion period. Information received will be presented to the ECHS@DSU Board of Directors.

The Board reserves the right to deny readmission based on reasonable factors including, but not limited to, code of conduct violations subsequent to the expulsion and violations of civil and/or criminal law. At the school's
discretion, the student may be required to appear before the Director regarding readmission.

**LOST, STOLEN, DAMAGED PROPERTY**

All computers, textbooks and other materials provided for students are a loan and remain the property of the school. Students are expected to treat them carefully. The School will keep an accurate inventory of all computers, textbooks and other school property loaned to students.

At the end of the school year, when a student leaves the school, or when the material is no longer needed, all computers, textbooks and materials must be returned. Charges for damaged computers, textbooks and/or materials will be assessed against the parent or guardian based on the condition of the property at the beginning of the year and its condition at the end of the school year. If the property degrades by two steps, the fee will be 25% of replacement cost; if by three steps, 50% of replacement cost; if damaged beyond use, per the lost and stolen schedule below.

**Damaged Computers and Books**

- Excellent condition
- Good condition
- Fair condition
- Poor condition

For computers or books that are lost or stolen or that are damaged beyond use, the student will be assessed a fee based on the condition of the property at the beginning of the year, in accordance with the following schedule:

**Lost, Stolen, and Irretrievably Damaged Property**

- Excellent condition: full replacement cost
- Good condition: 75% of replacement cost
- Fair condition: 50% of replacement cost
- Poor condition: 25% of replacement cost

No final report cards will be issued until all financial obligations to the School have been fulfilled. In addition, the School reserves the right to deny re-enrollment to any student whose financial obligations to the School under this policy are unfulfilled. If a parent or guardian is having financial difficulty meeting a financial obligation to the School, they may contact the School Leader to see if financial assistance is available.
APPENDIX I: POLICY ON POSSESSION OF FIREARMS

I. In compliance with the Federal “Guns Free Schools Act of 1994,” the following policy shall apply to all students in the School:
   Possession of a firearm on school property, in a school bus, or at any school-sponsored event or activity shall result in expulsion for a period of not less than 180 school days. The Director shall modify such expulsion requirement to the extent a modification is required by Federal or State law. The procedures to implement this policy will be the expulsion procedures outlined in the School Code of Conduct. For purposes of this policy, the term “firearm” as defined in Section 921 of Title 18, United States Code.

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

   The term “destructive device” means:
   (A) Any explosive device, incendiary, or poison gas – bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, device similar to any of the devices described in the preceding clauses;
   (B) Any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by an action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter, and
   (C) Any combination of parts either designated or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled. This term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is designed for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordinance sold loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon.

III. The Following Regulations Shall Apply To This Policy:
   (A) All students shall receive an updated Student Code of Conduct that contains the School’s policy on the possession of firearms at the beginning of each school year, and whenever a student enters or re-enters the School during the school year, to be shared with their parent/guardian/custodial adult.
   (B) The School’s policy on possession of firearms shall apply to all students, except that with respect to students with disabilities, the federal law will be followed. A determination of whether the violation of the possession of firearm policy was due to the student’s handicapping condition will be made prior to any discipline or change of placement in connection with the policy.
APPENDIX II: DRUG AND ALCOHOL POLICY

I. THE FOLLOWING POLICY ON THE POSSESSION, USE, OR DISTRIBUTION OF DRUGS AND ALCOHOL SHALL APPLY TO THE SCHOOL AND/OR ALL PROGRAMS:
   A. The possession, use, abuse and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia are wrong and harmful to students and are prohibited within the school environment.
   B. Student lockers are the property of the school and may be subjected to search at any time with or without reasonable suspicion.
   C. Student motor vehicle use to, and in, the school environment is a privilege which may be extended by the school 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, 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.
   D. All students are responsible for their own actions. Students who are 18 years or older will be treated as adults for the 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.
   E. All alcohol, drugs, drug-like substances (including prescription and over-the-counter drugs), look-alike substances and/or drug paraphernalia found in a student’s possession shall be turned over to the Director/Designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and, in the case of substances covered by Title 16 Delaware Code Ch. 47, turned over to police as potential evidence. A request for analysis shall be made where appropriate.

II. THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS POLICY:
   A. “Alcohol” shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, sprits, wine and beer.
   B. “Drug” shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which is abused (consumption greater than the prescribed dose) or has been given to or prescribed for a person other than the student in whose possession it is found.
   C. “Drug paraphernalia” shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the DE Code, including, for example, clips, miniature spoons and containers for packaging drugs.
   D. “Prescription drugs” shall mean any substance obtained directly from, or pursuant to, a valid prescription or order of a practitioner, as defined in Title 16 Delaware Code Section 4701(24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.
   E. “Drug like substance” shall mean any non-controlled and/or non-prescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, and caffeine pills.
   F. “Non-prescription medication” shall mean any over-the-counter medication; some of these medications may be a “drug-like substance.”
   G. “Look alike substance” shall mean any non-controlled substance which is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See Title 16 Delaware Code Sec. 4752A.
H. “Possess,” “possessing,” or “possession” shall mean that a student has on the student’s person, in
the student’s belongings, or under the student’s reasonable control by placement of and
knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or
drug paraphernalia.
I. “Use” shall mean that a student is reasonably known to have ingested, smoked or otherwise
assimilated alcohol, a drug or a drug-like substance, or is reasonably found to be under the
influence of such a substance.
J. “Distribute,” “distributing,” or “distribution” shall mean the transfer or attempted transfer of
alcohol, a drug, a look-alike substance, a drug-like substance, or drug paraphernalia to any other
person with or without the exchange of money or other valuable consideration.
K. “School environment” shall mean within or on school property and/or at school-sanctioned or
supervised activities including at extracurricular activities held on and off school grounds, on field
trips and at functions held at the school in the evening.
L. “Expulsion” shall mean exclusion from school.

III. THE FOLLOWING REGULATIONS SHALL APPLY TO THIS POLICY:
A. At the beginning of each school year and whenever a student enrolls or re-enrolls during the school
year, each student and his/her parent/guardian or relative caregiver shall receive an updated
Student Code of Conduct.
B. The State and School policies shall apply to all students, except with respect to students with
disabilities, the applicable State and Federal law will be followed.
C. Staff members will report incidents to the Director/designee who will verify the identity of the student
and the probable cause that a policy violation has been committed. The Director/Designee where
required will report the incident to the police and will file a report to be sent to the Department of
Education. Parents will be notified as quickly as possible via the telephone. If telephone contact
cannot be made, a letter will be sent home. Records will be maintained in a separate discipline file
and confidentiality will be followed. Names and details of any particular incident will be revealed
only to those staff persons who are required to know the specific information.
D. Any physical evidence of a policy violation will be submitted to the Director/Designee. The
Director/Designee will document the date, time, and description of the evidence and the name(s) of
the student(s) involved. Evidence will be locked in a secure area determined by the
Director/designee and submitted to the police upon their arrival.
E. General searches of the property of a student may be conducted by the Director/Designee at any
time upon reasonable suspicion.
F. All prescription and over-the-counter non-prescription drugs shall be presented to the school nurse
upon entering the school building. The nurse will be responsible for dispensing those drugs to the
students until they leave at the end of the school day. Any of these drugs not submitted to the school
nurse will be considered in violation of this policy. Where necessary, individual students may be
permitted to carry a prescription drug after submitting written notification from a physician and
obtaining approval from the Director/designee. When necessary, a student may carry prescription
drug on the DSU campus. The student will report to the Student Health Center to be observed taking
medication by appropriate designated staff.
G. The discipline policy shall also apply to out-of-school conduct by a student if the School believes that
the nature of such conduct indicates that the student presents a threat to the health, safety, or
welfare of other students. Such out-of-school conduct shall include, but is not limited to, the sale,
transfer, or possession of drugs which would constitute an offense punishable by law.
H. Students expelled from school for alcohol and drug infractions must petition the Board of
Directors for readmission. Evidence must be provided of having received appropriate related
services pertinent to the expulsion offense.
I. Notwithstanding any of the foregoing, students are permitted, in their discretion, to use and possess
an asthmatic quick relief inhaler (“inhaler”) and/or auto-injectable epinephrine with individual
prescription label; provided, that the student uses the inhaler and/or auto-injectable epinephrine
pursuant to prescription or written directions from a state licensed health care practitioner; a copy of
which shall be provided to the School; and further provided that the parent(s) or legal custodian(s) of
such student provide the School with written authorization for the student to possess and use the
inhaled or auto-injectable epinephrine at such student’s discretion together with a form of release satisfactory to the School releasing the School and its employees from any and all liability resulting or arising from the student’s discretionary use and possession of the inhaler and/or auto-injectable epinephrine and further provided that the school nurse may impose reasonable limitations or restrictions upon the student’s use and possession of the inhaler and/or auto-injectable epinephrine based upon the student’s age, level of maturity, behavior, or other relevant considerations. (For students who use prescribed asthmatic quick relief inhalers and/or auto-injectable epinephrine, see 14 DE Admin. Code 817, Administrations of Medications and Treatments). In case of a medical emergency on the DSU campus, DSU protocol will take priority.
APPENDIX III: EDUCATIONAL TECHNOLOGY ACCEPTABLE USE

Educational technology is rapidly expanding in the ECHS@DSU and is expected to continue. The ECHS@DSU believes that it is essential that all users of school technology understand both the benefits and the responsibilities associated with technology usage. Instructions for implementing the School’s Acceptable Use Agreement will be provided by administrators, teachers, or staff, whichever is applicable. ECHS@DSU educational technology is defined as any device which is capable of or necessary for the transmission, reception, or storage of data in the form of text, pictures, video, or audio which is owned by the school for the purpose of instruction or the support of education. Examples of educational technology include but are not limited to computers, peripherals, (such as monitors, printers, scanners, CD-ROM towers, etc.), networked devices, televisions, audio-visual devices, recorders, copiers, fax machines, display devices, software, assistive technology devices, and telephones. It also includes the use of the Internet, which connects millions of computers worldwide, as well as all computers, networks, databases, information systems, and electronic instructional systems provided by the ECHS@DSU. This agreement encompasses all student, staff, and community use of technology systems provided by the ECHS@DSU. All students, staff, and community members who use ECHS@DSU educational technology in any form are required to sign the Acceptable Use Agreement and return it to the administrator in charge of technology in each building. The use of school technology is a privilege – not a right. Currently there are no user fees for these services. In the event a user fee is charged, users will be provided with notice of the charge prior to the imposition or collection of such.

I. GOALS
   A. To support the ECHS@DSU curriculum
   B. To support educational research activities
   C. To enhance learning opportunities for using information technology
   D. To promote life-long learning

II. ACCEPTABLE USE
   All systems are to be used in a responsible, ethical, and legal manner. In addition, usage must be in support of an educational objective, and in accordance with the behavior guidelines of the ECHS@DSU. See Acceptable Use Policy Appendix VII.

III. UNACCEPTABLE USE
   A. No software may be copied to or downloaded from any computer of the network except by permission of the Director/designee.
   B. Involvement (implying direct or participatory) in unauthorized editing, deleting, or copying of any data, records, databases, passwords, directories, or configuration files is prohibited.
   C. Violating copyright or privacy laws is prohibited.
   D. Distributing material protected by trade secrets is prohibited.
   E. Soliciting, using, or sending any threatening (implying harm – physical or emotional), pornographic, or obscene material is prohibited.
   F. The purposeful use of any system inconsistent with its design is prohibited.
   G. Use of any computing resources for commercial purposes is prohibited. This includes the use of the network for commercial activities for or on behalf of businesses or other for-profit institutions, including, but not limited to product advertisement or political lobbying.
   H. Use of school technology resources for unauthorized activities is prohibited.
   I. Disconnecting any device from the school technology devices without the proper authorization is prohibited.
   J. Transmission of any material in violation of any federal and/or state regulation or law is prohibited.
   K. Students attempting to log on to any system using another’s password or sharing of a user’s password with anyone else is prohibited.
   L. Users shall not attempt to gain unauthorized access to the system or to any other computer system through the school system, or go beyond their authorized access.
IV. USER RESPONSIBILITIES AND ETIQUETTE
A. The individual user (students/staff/community members) accepts the responsibility for keeping all unauthorized material, inappropriate files, or files dangerous to the integrity of the computer or network from entering the school’s computers by any manner or means. Appropriate permission must be obtained from an authorized staff member before downloading any material from the internet or other electronic sources of information.
B. When using ECHS@DSU and/or DSU networks, the Internet, or other information service providers, users:
   1. Are prohibited from revealing personal information such as home addresses or phone numbers
   2. Must not disrupt the use of any network (i.e. downloading large files, sending mass e-mail messages)
   3. Must assume that any communication and/or information accessible via any computer or network is not personal and private conversation and could possibly be accessed by other users.
   4. Are not responsible for unsolicited communications.
C. When using school technology resources, users must always use non-offensive and non-vulgar language. They must not swear or use vulgarities, other abusive language, or any offensive statements.
D. Users will contact appropriate staff (teacher, administrator, administrator’s designee or library staff member) if any computer and/or program does not work properly. They will not attempt to fix problems themselves unless trained and authorized to do so.

V. DUE PROCESS
A. The school will cooperate with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through school technology resources.
B. Allegations that a student violated the ECHS@DSU Acceptable Use Agreement will be handled in accordance with the School’s Code of Conduct.
C. Allegations that an employee violated the ECHS@DSU Acceptable Use Agreement will be handled in accordance with the employee handbook.
D. The school may terminate the account privileges of a guest user by providing notice to the user.

VI. CONSEQUENCES
Inappropriate use or vandalism will result in the limitation or cancellation of user privileges and when necessary, appropriate legal action. If damage occurs due to willful user misconduct, the user may be denied access to technology resources. The cost of repair or replacement for such willful damage will be billed to the user who caused said damage and/or the legal parent or guardian of that user.

VII. SECURITY
Security on any computer system is a high priority, especially when multiple users are involved. If a user identifies a security problem, he/she must notify an appropriate staff member immediately. Users sending messages relating to, or in support of, illegal activities should be aware that system administrators have access to their communications. Computers, networked technology, and information contained thereon, remain the property of the school. Confidential student files may be accessed by authorized personnel. If a user has something personal, confidential, or private to communicate, the user should not use school computers or e-mail for doing so. Computers and e-mail may be monitored. This document satisfies the school’s obligation to provide notice of such monitoring. The school strives to maintain a workplace and educational setting free of harassment and sensitive to the diversity of employees and students. Therefore, the school prohibits the disruptive or offensive use of computers, the e-mail system or fax machines. For example, the display or transmission of sexually explicit images, messages, and cartoons is prohibited. Other misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassing or disrespectful.
VIII. DISCLAIMER
The ECHS@DSU does not condone and will not be held responsible for any unacceptable materials obtained using its computers or other information technology. By the nature of this activity, offensive or inappropriate material may be inadvertently encountered. If such material is accessed, the user is expected to immediately leave the website. Students, staff, and community members should be aware that access to ECHS@DSU information technology will be withdrawn from users who do not respect the rights of others and who do not follow the rules and regulations established by the school. Further, the use of any information obtained via the ECHS@DSU computers is strictly at the risk of the individual user and such usage shall be consistent with the requirements of this agreement. The school specifically denies any responsibility for the accuracy or quality of information obtained through the services provided for in this agreement.
APPENDIX IV: BULLYING POLICY

POLICY STATEMENT ON SCHOOL BULLYING PREVENTION & CYBERBULLYING

A. PURPOSE: To establish a policy and uniform approach to prevent bullying.

B. ISSUE: The ECHS@DSU (The School) recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The School strives to provide safe learning environments for all students and all employees.

C. POLICY:

I. Prohibition of Bullying Which Includes Cyberbullying
   To further these goals, and as required by 14 Del. C. 4112D, the School prohibits the bullying of any person on school property, at school functions, by use of data or computer software accessed through a computer, computer system, computer network or other electronic technology of the School. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated in the same manner as incidents of bullying. The School further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

   “School functions” include any field trip or any officially sponsored school event. “School property” means any building, structure, athletic field, sports stadium or real property owned, operated, leased or rented by the School including, but not limited to, any motor vehicle owned, operated, leased, rented or subcontracted by the School.

II. Definition of Bullying & Cyberbullying
   As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or employee (that a reasonable person under the circumstances should know will have the effect of:
   a. Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being, or substantial damage to his or her property; or
   b. Creating a hostile, threatening, humiliating, or abusive educational environment due to the pervasiveness or persistence of actions, or due to a power differential between the bully and the target; or
   c. Interfering with a student having a safe school environment necessary to facilitate educational performance, opportunities or benefits; or
   d. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee

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

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

III. School-wide Bully Prevention Program
The School is committed to enforcing this Bully Prevention Program as directed by School staff. A Coordinating Committee has been created, as described in Section IV of this policy.

IV. Coordinating Committee
The School has established a site-based committee that is responsible for coordinating the school’s bully prevention program.

V. Reporting Requirements
Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying, with the understanding that all such reports will be listened to and taken seriously. Any school employee with reliable information that would lead a reasonable person to suspect a person is a target of bullying shall immediately report it to the administration.

a. The procedures for a student and parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) to provide information on bullying activity include:
   - Anyone may report bullying.
   - A report may be made to any staff member.
   - Reports should be made in writing.

b. 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.

VI. Investigative Procedures

a. The School promptly investigates in a timely manner and determines whether bullying has occurred, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target’s race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, or national origin. This does not preclude the School from identifying other reasons or criteria why a person is a target of bullying.

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 Director/designee within five (5) working days.

c. Some acts of bullying may also be crimes which must be reported to the police and/or the Department of Education pursuant to the school crime reporting law (14 Del. C. § 4112)

d. 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.

VII. Non-Classroom Supervision
To the extent practicable the School will also monitor non-classroom areas.

VIII. Consequences for Bullying
Consequences for bullying are described in the Student Code of Conduct. The School will communicate with medical and mental health professionals as appropriate.

IX. Retaliation
Retaliation for reporting 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.

X. Implementation
The school bullying prevention program is implemented throughout the year, and integrated with the school’s discipline policies and 14 Del.C. § 4112.
XI. **Accountability**
   By January 1 of each year the School shall make a record of the method and date the policy has been distributed to all students, parents, faculty, and staff.

XII. **Other Defenses**
   a. The physical location or time of access of the technology-related incident is not a valid defense in any disciplinary action 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 accessed through a computer, computer system, computer network or other electronic technology when acting within the scope of his or her lawful employment or investigation of a violation of this policy in accordance with school policy and with the approval of the Board.

D. **REVIEW AND REPORTING:** The Director and his/her designee will report each year to the Board on the status of this Policy on School Bullying Prevention.

E. **INFORMING STUDENTS OF ELECTRONIC MEDIUMS:** Upon implementation of this policy, and again at the beginning of each academic year, the school shall inform students in writing of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. Postings on Facebook, Twitter, YouTube, and Pinterest shall, at minimum, be included in the school’s list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings.

F. **REFERENCES:** 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. Nothing in this policy shall supersede or be construed in such a manner as to conflict with any State or Federal laws concerning special education or individuals with disabilities.
<table>
<thead>
<tr>
<th><strong>APPENDIX V: PBS MATRIX</strong></th>
<th><strong>ECHS@DSU</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PBS Behavior Expectation Matrix</strong></td>
<td><strong>PBS Behavior Expectation Matrix</strong></td>
</tr>
<tr>
<td><strong>Classroom</strong></td>
<td><strong>Hallway</strong></td>
</tr>
<tr>
<td><strong>P</strong> Positive Attitude</td>
<td>1. Use school appropriate language 2. Believe in yourself</td>
</tr>
<tr>
<td></td>
<td>1. Be a positive role model at all times</td>
</tr>
<tr>
<td><strong>Community</strong></td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX VI: GLOSSARY

Administration includes administrative staff.
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, sprits, wine and beer.
Behavior Contract is a written agreement among a student, the student's parent/guardian, and an administrator which specifically states the conditions that must be met; failure to do so will result in further specific disciplinary action. A behavior contract may be used in addition to specified actions.
Behavior Intervention
A range of strategies that are designed to modify the disruptive or problem behaviors of a student while teaching the student appropriate alternative behaviors.
Behavior Intervention Plan
A Behavior Intervention Plan (BIP) takes the observations made in a Functional Behavioral Assessment and turns them into a concrete plan of action for managing a student's behavior. A BIP may include ways to change the environment to keep behavior from starting in the first place, provide positive reinforcement to promote good behavior, employ strategies to avoid reinforcing bad behavior, and provide supports needed so that the student will not be driven to act out due to frustration or fatigue.
Conflict Resolution/Mediation is the School's comprehensive and formalized program, which includes the use of mediation (conciliation) techniques to assist in resolution of student disputes and discipline issues.
Denial of Bus Transportation is the temporary or permanent withholding of bus transportation for misconduct on the school bus, disrespect to the driver, or vandalism to the bus. Such action may be taken only by an administrator. During the period of denial of school bus transportation, parents/guardians are responsible for getting the student to and from school.
Denial of Driving Privileges is the removal of permission to drive on school property for a specified time.
Designee shall mean whomever the Director designates as the Director designee.
Discipline Record shall mean information about any and all periods of out-of-school Suspension or of expulsion from the regular school setting imposed on a student as a result of an infraction of the school or district's code of conduct or other rules.
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.
Drug shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which has been abused (consumption greater than the prescribed dosage) or which has been given to or prescribed for a person other than the student in whose possession it is found.
Drug-like Substance shall mean any non-controlled and/or nonprescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the-counter cough medicines, certain types of glue, and caffeine pills.
Drug Paraphernalia shall mean all equipment, products and materials as defined in Section 4701 of Title 16 of the Delaware Code, including, for example, clips, miniature spoons and containers for packaging drugs.
Expulsion shall mean exclusion from school for a period determined by the Board not to exceed the total number of student days in a school year.
Felony is any very serious offense, which is considered above the misdemeanor level as defined in State law. 11 Del. C. 4201(c) Title 11, Section Crime.
Functional Behavioral Assessment:
Functional behavioral assessment is the process of determining why a student identified with special needs engages in challenging behavior and how the student's behavior relates to the environment.
Look Alike Substance shall mean any non-controlled substance which is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non-controlled substance capable of producing a change in behavior or altering a state of mind or feeling.
See Title 16 Delaware Code Sec. 4752A.
Misuse shall mean the wrong or improper use of an electronic device that creates a disruption, interference, or damage or fear of damage to school property or the property of students and school personnel.
Non-prescription Medication shall mean any over-the-counter medication; some of these medications may be a “drug-like substance.”

Paraphernalia is all equipment, products, and materials as defined in Section 4701 of Title 16 of the Delaware Code, including, but not limited to, roach clips, miniature cocaine spoons, and containers for packaging drugs.

Parent/Guardian Contact/Conference is a contact by telephone or in person with a parent/guardian.

Parent/Guardian Notification is contact with a parent/guardian by phone, letter, or meeting.

Police Notification is the reporting of an alleged illegal act to a law enforcement agency.

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, drug paraphernalia, a dangerous instrument or a weapon.

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

Reasonable Suspicion is facts or circumstances which lead a reasonable person to suspect that a student has, is, or will commit a crime or violation of the school’s policies (E.g., possession/use/transfer of drugs; possession/use/concealment of a deadly weapon, etc.)

Referral to the Courts is the filing of a charge of an alleged illegal action with the court having jurisdiction.

Removal from Class

A. Teacher - A teacher may remove a student from class for the remainder of the class period when the student’s conduct is seriously disruptive and informal resolution is impracticable. Exclusion may not exceed one class period. The student must be escorted to a supervised area designated by the Director.

B. Administrator - An administrator may temporarily remove a student from class if the student’s continued attendance in a particular class causes serious disruption of the educational process or presents immediate danger of physical harm to either the student or others. The student will be assigned to a supervised area. Removal from class by an administrator shall not exceed five (5) days. However, a student may be permanently removed from a particular class after repeated infractions.

Reprimand is a verbal or written warning that behavior is not acceptable.

Restitution/Restoration is the payment for and/or restoring of school property or articles which have been damaged, lost, or stolen. This could include a work assignment which is an assigned task which must be completed by the student. The time required should not exceed five (5) hours and should be related to the severity of the offense.

School Environment shall mean within or on school property and/or at school sanctioned or supervised activities.

School property shall mean any building, structure, athletic field, sports stadium or real property that is owned, operated, leased or rented by the School, or any motor vehicle owned, operated, leased, rented or subcontracted by any the School.

A Student with a Disability refers to a student eligible for special education or related services under the Individuals with Disabilities Education Act (I.D.E.A.), or a handicapped student as defined as Section 504 of the Rehabilitation Act of 1973.

Special Education team refers to an Individual Education Program team for students eligible under the IDEA which includes the student’s parent/guardian and a multi-disciplinary team for students eligible under Section 504 and not eligible under the IDEA.

Suspensions can be designated by the school administration as In-School or Out-of-School.

- In-School Suspension: Students assigned to in-school suspension will remain in school, but will be assigned to a designated, supervised area within the school. Students assigned to in-school suspension, are not permitted to participate in any extra-curricular activities during the length of their suspension.

- Out-of-School Suspension: Students assigned to out-of-school suspension are not to be permitted on school property during the length of their suspension and it is the parent/guardians responsibility to arrange for their care. Students assigned to out-of-school suspension, are not permitted to participate in any extra-curricular activities during the length of their suspension. Students may request to receive their assignments during the time of their suspension if the time period exceeds 3 days.

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.
APPENDIX VII: INTERNET SAFETY POLICY

Introduction
It is the policy of ECHS@DSU to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Definitions
Key terms are as defined in the Children’s Internet Protection Act.

Access to Inappropriate Material
To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage
To the extent practical, steps shall be taken to promote the safety and security of users of the ECHS@DSU online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called ‘hacking,’ and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Education, Supervision and Monitoring
It shall be the responsibility of all members of the ECHS@DSU staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21st Century Act. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Director or designated representatives. The Director or designated representatives will provide age appropriate training for students who use the ECHS@DSU Internet facilities. The training provided will be designed to promote the ECHS@DSU’s commitment to:

a. The standards and acceptable use of Internet services as set forth in the ECHS@DSU Internet Safety Policy;

b. Student safety with regard to:
   i. safety on the Internet;
   ii. appropriate behavior while online, on social networking Web sites, and in chat rooms; and
   iii. cyberbullying awareness and response.

c. Compliance with the E-rate requirements of the Children’s Internet Protection Act (“CIPA”).

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the School’s acceptable use policies.

CIPA definitions of terms:

MINOR. The term “minor” means any individual who has not attained the age of 17 years.
TECHNOLOGY PROTECTION MEASURE. The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:
1. OBSCENE, as that term is defined in section 1460 of title 18, United States Code;
2. CHILD PORNOGRAPHY, as that term is defined in section 2256 of title 18, United States Code; or
3. Harmful to minors.

HARMFUL TO MINORS. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole lacks serious literary, artistic, political, or scientific value as to minors.

SEXUAL ACT; SEXUAL CONTACT. The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.
Acknowledgement

Student Code of Conduct / Acceptable Use Policy

This Student Code of Conduct is a document designed to provide rules, expectations, and consequences for student behavior. Students and parents/guardians have the responsibility to know and respect the rules as described in the Student Code of Conduct. We ask that you review the Student Code of Conduct with your child (ren) and have a discussion regarding school expectations. In addition, Appendix III is a copy of the Early College High at Delaware State University’s Educational Technology – Acceptable Use Policy. In order for your child to use educational technology, this policy must be reviewed and the parents must sign below.

Please sign below and have your child sign to acknowledge that you have received a copy of the Student Code of Conduct. Return the signed sheet to your child’s school designee at the ECHS@DSU.

This is to confirm that I have received a copy of the ECHS@DSU Student Code of Conduct, including the Educational Technology – Acceptable Use Policy.

_________________________  __________________________
Student Name (Please Print)  Student Signature/Date

_________________________
Parent Signature / Date
FERPA CONSENT TO RELEASE STUDENT INFORMATION

TO: Early College High School @ Delaware State University, 1200 N. DuPont Highway, Dover, DE 9901; Att: Director

Please provide information from the educational records of:

_____________________________________________________________________________________

(Name of Student requesting the release of educational records)

to the Early College High School @ DSU, 1570 N. DuPont Highway, Dover, DE 19901.

(Note: this Consent does not cover medical records held solely by Student Health Services or the Counseling Center – contact those offices for consent forms.)

The only type of information that is to be released under this consent is:

- transcript
- disciplinary records
- recommendations for employment or admission to other schools
- all records (e.g. attendance)

The information is to be released for the following purpose:

- family communications about university experience
- monitor academic progress and provide supports
- admission to an educational institution

I understand the information may be released orally or in the form of copies of written records, as preferred by the requester. I have a right to inspect any written records released pursuant to this Consent (except for parents' financial records and certain letters of recommendation for which the student waived inspection rights). I understand I may revoke this Consent upon providing written notice to (Name of Person listed above as the University Official permitted to release the educational records). I further understand that until this revocation is made, this consent shall remain in effect and my educational records will continue to be provided to (Name of Person listed above to whom the educational records will be released) for the specific purpose described above.

Parent Name (print) ________________________________

Parent Signature __________________________________

Student DSU ID Number D10 _______________________

Date_____________________________________________
Acknowledgement

Lost, Stolen, or Damaged Property Policy

I, _______________________, parent/guardian of ______________________________, parent/guardian of ______________________________, acknowledge that I have read the Early College High School Lost, Stolen, Damaged Property Policy and understand that the school will seek reimbursement for lost, stolen or damaged property as outlined in the policy.

______________________________ __________________________
Parent/Guardian’s Signature Date

Please sign, date and return this page to the Early College High School at Delaware State University. Please feel free to make a copy for your records.

No child will be assigned a laptop without a signed parent acknowledgement on file.