



10 JUN 19 3:17PM

HOME of the BUCCANEERS

906 Lakeview Avenue Milford, DE 19963

Phone: (302) 422-1600

**AGENDA FOR MONDAY, JUNE 17, 2019 AT 6:00 PM
PUBLIC SCHOOL BOARD MEETING
MILFORD CENTRAL ACADEMY**

It is anticipated that the board will open a regular session meeting and adjourn into executive session during the beginning portion of the meeting for the reasons identified below, then return to a regular session meeting at approximately 7:00 pm.

1. Call to Order by President

2. Roll Call

_____ Mr. Miller

_____ Mrs. Purcell

_____ Mr. Schelhouse

_____ Mr. Vezmar

_____ Mrs. Wiley

3. Adjournment to Executive Session

A. Personnel Matters – See 29 Del. C § 10004(b)(9)

- 1. Discussion of the personnel report and the competencies of staff recommended for hire.**

4. Introduction of Visitors

5. Pledge of Allegiance

6. Approval of Minutes

A. Regular Meeting Minutes for May 20, 2019 Action Item (Attachment 1)

B. Regular Meeting Minutes for June 3, 2019 Action Item (Attachment 2)

7. Changes and Additions to Agenda (items that arose after posting and cannot be deferred, if any)

8. Recognition and Accomplishments

9. **Public Comment**
10. **Board Vacancy Member Appointment** **Action Item**
11. **Superintendent Reports – Dr. Kevin Dickerson**
 - A. Reports from School Administrators
 - B. 8th Grade Eligibility for High School Athletics **Action Item**
 - C. High School Winter Track **Action Item**
 - D. FY 2019-2020 Schedule of Board Meetings **Action Item** (Attachment)
12. **Business – Mrs. Sara Croce**
 - A. Revenue and Expenditure Report as of May 31, 2019 **Action Item** (Attachment)
 - B. Fiscal Year 2020 Preliminary Budgets **Action Item** (Attachment)
 - C. Tax Rate Discussion
 - D. Legislative Issues
 - E. Delinquent Tax Waiver Request **Action Item**
13. **Personnel – Dr. Jason Peel**
 - A. Personnel **Action Item** (Attachment)
 - B. First Read of Board Policy 4309D Approved Limited Contracts for Personal Services (Attachment)
 - C. First Read of Board Policy 5404 Student Code of Conduct Secondary Schools (Attachment)
 - D. First Read of Board Policy 5414 Student Code of Conduct Elementary Schools Grades K through 5 (Attachment)
 - E. First Read of Board Policy 5417 School Bus Code of Conduct (Attachment)
14. **Instruction and Student Programs**
 - A. **Director of Student Learning – Dr. Bridget Amory**
 1. Field Trips **Action Item** (Attachment)
 2. Sail Banner Project
 - B. **Director of Student Services – Ms. Laura Manges**
15. **Administrative Services**
 - A. **Buildings, Grounds and Operations – Dr. Glen Stevenson**
16. **Adjournment**

MILFORD SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR BOARD MEETING – MAY 20, 2019
MILFORD CENTRAL ACADEMY CAFETERIA

Board Members

Mrs. Wiley – President
Mrs. Dennehy –V. President– 6:00PM
Mr. Miller
Mrs. Purcell
Mr. Vezmar
Mr. Schelhouse – 5:55PM
Dr. Dickerson, Exec. Secretary

Admin. Present

Dr. Peel
Dr. Amory
Mrs. Croce
Dr. Stevenson
Mrs. Wallace
Dr. Marvel
Mrs. Hallman
Dr. Kilgore
Mrs. McKenzie
Ms. Brunis

Public

S. Whaley	J. LoBiondo
B. Strickland	G. Grier
F. Duffy	S. Buford
B. Voshell	D. McKee
R. McKee	J. Voshell
J. Wylie	C. Mason
G. Mason	E. Roberts
S. Smith	E. Smith
M. Roberts	S. Lavend
A. Osterholm	E. Helmick
G. Markowitz	D. Markowitz
P. Fisher	S. Stutzman
C. Bontrager	H. Holleger
S. Walls	K. Thompson
M. Azzanesi	T. Chilton
S. Smith	L. Lent
N. Blance	P. Crabb
S. McDonough	D. McDonough
B. Shupe	E. Lang
M. Chorman	E. Coverdale
S. Walls-Hall	R. Viramontes
E. Rust	

Media: Terry Rogers, Milford Live

The Regular Meeting of the Milford Board of Education was called to order by President Wiley at 5:50 PM on Monday evening, May 20, 2019 in the Milford Central Academy Cafeteria.

MOTION MADE BY MRS. PURCELL/SECONDED BY MR. VEZMAR to adjourn into Executive Session at 5:51 PM. **Motion carried unanimously.**

ADJOURNMENT TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL AND STUDENT MATTERS.

- A. Personnel Matters – See 29 Del. C. § 10004(b)(9)
- B. Student Matters – See 29 Del. C § 810004(b)(6)

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. VEZMAR to adjourn Executive Session at 7:01 PM. **Motion carried unanimously.**

INTRODUCTION OF VISITORS

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION MADE BY MRS. PURCELL/SECONDED BY MR. MILLER to approve the minutes for the April 15, 2019 and May 10, 2019 Regular Board Meetings with the correction of the date on the May 10, 2019 minutes. **Motion carried unanimously.**

RECOGNITIONS AND ACCOMPLISHMENTS

Dr. Dickerson, Mrs. Wiley, and Mrs. Wallace recognized Sue Smith, Mispillion Elementary, for being chosen as the Delaware School Nurse of the Year as well as Milford School District Nurse of the Year. Representative Bryan Shupe, Representative Charles Postles, and Senator Dave Wilson presented House and Senate proclamations to Mrs. Smith.

Milford Middle School (Lakeview Avenue) Committee Recommendation

Mr. Bill Strickland, Committee Chair, introduced the Committee members. Mr. Strickland thanked the Board for allowing the committee to move forward with gathering the data and studies for the Middle School property (Lakeview Avenue) and the community for their valued input. He stated the role and objectives of the committee. Mr. Garrett Grier, Chair of the Facility Subgroup, thanked the Board for permitting the research for the data and a recommendation to be presented by the committee. At the May 14, 2019 meeting, the committee made a recommendation to move forward with a 5th-6th grade, 1,000 student school to be on the Lakeview Avenue Property. Mrs. Wiley stated the Board was kept abreast of all the meetings and discussions and appreciated the work and participation of all the committee members.

MOTION MADE BY MRS. JUDY PURCELL/SECONDED BY MR. VEZMAR to pursue the Committee's recommendation for 1,000 student, 5th-6th grade school for the Lakeview Avenue Property. **Motion carried unanimously.**

Mrs. Croce reported the Certificate of Necessity is due August 31. Mr. Vezmar thanked the Committee and expressed appreciation for their time and commitment.

New School Board Member Appointment Process

The appointed process was reviewed and discussed. Each candidate will have a maximum of seven minutes to address the Board at the June 3, 2019 Board Meeting in the Central Academy Cafeteria at 7 PM. The voting for appointment of a new member will be at the June 17, 2019 Board Meeting. Dr. Dickerson expressed thanks to the nine candidates applying for the 1-year At Large Temporary Board seat.

SUPERINTENDENT REPORTS

Reports from School Administrators

Mrs. Jennifer Hallman, Morris Early Childhood Principal, congratulated Jaime Hill for being the Morris Teacher of the Year and the District Teacher of the Year. Brittany Chorman was the Morris Paraprofessional of the Year for Morris. Appreciation was expressed for Milford High School's FFA students joining Morris students for fun, outside activities. Teacher appreciation week was the first week of May. On Saturday, May 18, a Spring Festival was held. It was a beautiful day with many students, faculty, and parents participating. An outdoor BBQ, hosted by PBS, will be May 31 and include lunch for the students. The annual Funland trip to Rehoboth is scheduled for June 6. Kindergarten celebrations are June 10 and 11.

Dr. Bobbie Kilgore, Banneker Elementary Principal, congratulated Jessica Mazon for being the Paraprofessional of the Year for Banneker. Banneker received \$500 from the AAA School Safety Patrol Advancement Grant. Thank you to Mrs. Alfaro for submitting the paperwork. Vicki Hudson, Banneker Teacher, received a letter from the Mispillion Art League for her commitment to her students and art. She incorporates history, science, math, and other disciplines into the artwork of her students. Mrs. Laurie Moorman, Dr. Bobbie Kilgore, Mrs. Lisa Alfaro, and Ms. Jen Norman participated in the Over the Edge fundraiser. The Safe Summer Kickoff will be June 4. The Family Picnic will be held on June 7 for students and their families.

Mrs. Cindy McKenzie, Ross Elementary Principal, congratulated Robert Newsome for being Ross's Paraprofessional of the Year. Karen Fitzpatrick, Ross teacher, received a letter from the Mispillion Art League for her dedication and hard work with her students and their art skills. Students are completing their state testing.

Mrs. Teresa Wallace, Mispillion Elementary Principal, congratulated Sue Smith for being the State School Nurse of the Year. Robert McPhatter was selected as Mispillion's Paraprofessional of the Year. Students were acknowledged while attending a ceremony on Friday, May 17, in Philadelphia, PA for Fuel Up to Play 60. Two Girls on the Run teams participated in an event at Del Tech on Sunday, May 19. Mispillion's Field Day will be June 11.

Ms. Judith Bruns, Central Academy Assistant Principal, congratulated Kristine Phillips for being MCA's Paraprofessional of the Year. The band and chorus concerts were well attended and the students provided outstanding performances. A successful spring sports season concluded last week. Hannah Zimmerman and Nick Hurd went to Baltimore, MD for a Fuel Up to Play 60 event for their success throughout the school year. Forty students were inducted in the National Junior Honor Society. Congratulations to Mya Cherneski (8th) for placing 6th out of 222 contestants at the National Conference for Business Professionals of America in the Business Communication Skills Concepts Open Event. The Band and National Junior Honor Society opened the parade at the Bug & Bud Festival and worked in the children's area. A pep rally was held for perfect attendance and honor roll recipients. The 8th grade ceremony will be 9:00 AM on June 12.

Dr. Katie Marvel, High School Assistant Principal, congratulated Melida Tijerino for being MHS's Paraprofessional of the Year. An additional college signing is planned for May 22 at 1:00 PM. The Food Science Lab has the ice cream machine up and running. The Night of the Arts is Wednesday, May 22, at 7 PM and Senior Awards is Thursday, May 23, at 7 PM. Seniors will walk the halls of all the schools in the district on May 30. Graduation is May 30 at 6:15 PM in Briggs Stadium. Congratulations to Amy Roscoe for being Applebee's May Teacher of the Month.

Eighth Grade Eligibility for High School Interscholastic Athletics

Dr. Dickerson reported a letter has been sent to Thomas Neubauer, Executive Director, Delaware Interscholastic Athletic Association, requesting a determination as to whether the district may elect to allow eighth grade students to participate on high school interscholastic athletic teams.

BUSINESS

Revenue and Expenditure Report

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. SCHELHOUSE to approve the Revenue and Expenditure Report as of April 30, 2019. **Motion carried unanimously.**

Milford High School Steamer and Kettle

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. VEZMAR to approve the Singer Equipment Co. for the purchase of a steamer and a kettle for Milford High School for \$44,989.77. Child Nutrition funds will be used for this purchase. **Motion carried unanimously.**

Legislative Issues

Mrs. Croce reviewed outstanding legislative bills. She shared that the main bill of interest is the state's budget bill which will have a great impact on the budget and tax rates for the district.

Preliminary FY 2020 Tax Rate Projection

Mrs. Croce discussed the four components of the school tax rate including Current Expense, Debt Service, Tuition and Match Tax. She reminded the board that the district currently only collects a match tax for minor capital improvements even though there are many others available to assess. Mrs. Croce explained that since we are waiting on information from the state budget, there is no projected tax rate at this time. She further explained that the Current Expense rate will stay the same, Debt Service will decline slightly, and Tuition is projected to stay the same for Fiscal year 2020. The match tax component of the tax rate will depend on the state's allocation of minor capital improvement dollars. Overall, Mrs. Croce shared that the tax rates for FY 2020 will remain fairly flat.

PERSONNEL

Personnel Report

RESIGNATION

ARTIST, Charity

High School – Child Nutrition

Effective: May 13, 2019

Service to MSD: 1 yr. 7 mos.

RILL, Aaron

High School – AgriScience Teacher

Effective: August 16, 2019

Service to MSD: 3 years

STEINWEDEL, Sean

High School – Special Education

Effective: June 7, 2019

Service to MSD: 15 years

BOYER, Alyssa

Mispillion – Grade 5 Teacher

Effective: June 30, 2019

Service to MSD: 6 years

RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT*

DEENEY, Ryan

High School – Special Education Teacher

Effective: August 14, 2019

CRAPPS, Amanda
High School – Special Education
Effective: August 14, 2019

McWilliams, Griffin
Central Academy – Science Teacher
Effective: August 14, 2019

ZAMBITO, Anthony
Central Academy – Special Education Teacher
Effective: August 14, 2019

MARINO, Daniel
Central Academy – Science
Effective: August 14, 2019

RECOMMEND FOR EMPLOYMENT*

WILLIAMS, Tyrel
High School – Paraprofessional – School Climate
Effective: August 19, 2019

TRANSFER

BURKE, Sheree
Transfer from Ross Speech Pathologist 10 mo. To Ross Speech Pathologist 11 mo.
Effective: August 20, 2019

EMMETT, Patricia
Transfer from Morris Kindergarten Teacher to Central Academy Special Education Teacher
Effective: August 20, 2019

LEAVE OF ABSENCE

STAHL, Kerry
High School – English Teacher
Effective: August 20, 2019 and ending June 30, 2020

THOMPSON, Maggie
Central Academy – Special Education Teacher
Effective: May 8, 2019 and ending May 29, 2019

RECOMMEND EMPLOYMENT – 2019-2020 LIMITED CONTRACTS FOR PERSONAL SERVICES*

Central Academy	Boys Soccer, Head	Holloway, Samuel
Central Academy	Boys Soccer, Asst.	Kemmerlin, Prince
Central Academy	Field Hockey, Head	Pepper, Rebecca
Central Academy	Field Hockey, Asst.	McKee, Marcy
Central Academy	Football, Head	McNulty, Ryan
Central Academy	Football, Asst.	Jumper, Jason
Central Academy	Football, Asst.	Kendzierski, Kris
Central Academy	Volleyball, Head	Howard, Donovan

High School	Cheerleading	Geesaman, Sherrise
High School	Field Hockey, Head	McPike, Andrea
High School	Football, Head	Strickland, Shaun
High School	Football, Asst.	Boyd, Bryan
High School	Football, Asst.	Harris, Joshua
High School	Football, Asst.	Abbott, Quinn
High School	Football, Asst.	Deeney, Ryan
High School	Football, Asst.	Faulkner, Matthew
High School	Football, Asst.	Brannan, Nicholas
High School	Football, Asst.	Jefferson, Nicholas
High School	Football, Asst.	Zambito, Anthony
High School	Soccer, Head	French, Nathan
High School	Soccer, Asst.	Evans, Edward
High School	Volleyball, Head	Motter, Heather
High School	Volleyball, Asst.	Rieley, Lauren
High School	Cross Country, Head	Helmick, Patrick
High School	Cross Country, Asst.	Skinner, Lance (NE)

RECOMMEND FOR EMPLOYMENT – SUMMER SCHOOL

Recommend for employment in summer school, contingent upon funding and enrollment:

TEACHERS

Brooks, Montessa
Bryan, Erin
Campbell, Brittney
Davis, Courtney
Deevey, Michael
Gilbert, Sharlitta
Hamilton, Michele
Jefferson, Nicholas
Lee, Courtney
Paquette, Alex
Parsley, Don
Silva, Mary
Young, Devon

NURSES

Smith, Sue
Nash, Ann Marie
White, Yvonne

PARAPROFESSIONALS

Heredia, Ileana
Perez, Lisette
Robinson, Yesenia
Tijerino, Melida

SCHOOL CLIMATE

Christie, Don
Gooch, Jim

*Employment at Milford School District is contingent upon employment verification, education and other credential verifications, the receipt of satisfactory criminal background and child protection registry checks, and adherence to Milford School District policies.

MOTION MADE BY MRS. PURCELL/SECONDED BY MR. MILLER that the Board approve the Personnel Report as written. **Motion carried unanimously.**

INSTRUCTION AND STUDENT PROGRAMS

Director of Student Learning

Field Trips

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. SCHELHOUSE to approve a Central Academy field trip to Hershey Park for the Band to perform on May 29, 2020. **Motion carried unanimously.**

MOTION MADE BY MRS. PURCELL/SECONDED BY MRS. DENNEHY to approve a Central Academy field trip to Cleveland, OH for Fuel Up to Play 60 from July 16-19, 2019. **Motion carried unanimously.**

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. MILLER to approve Mispillion field trip to Cleveland, OH for Fuel Up to Play 60 from July 16-19, 2019. **Motion carried unanimously.**

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. VEZMAR to approve a High School Cheerleading trip to Chestnut Lake, PA for Cheerleading Camp from August 16-19, 2019. **Motion carried unanimously.**

Dr. Amory noted Downtown Milford, Inc. will reveal banners designed and painted by local artists and students from each school in the district on Saturday, May 25 at 11:00 AM.

ADMINISTRATIVE SERVICES

Buildings, Ground, and Operations

Dr. Stevenson congratulated Rudy Hitchens for being the District's Maintenance Employee of the Year.

Transportation

MOTION MADE BY MR. VEZMAR/SECONDED BY MR. SCHELHOUSE to approve awarding a new bus route/contract to Hill's Bus Service, Inc. for school year 2019-2020. **Motion carried unanimously.**

Ethan Lang, Student Representative, expressed his appreciation to the Board for allowing him to be included in the Board meetings.

ADJOURNMENT

MOTION MADE BY MR. VEZMAR/SECONDED BY MR. SCHELHOUSE that the Regular

Meeting of the Milford Board of Education held on Monday, May 20, 2019 adjourn at 8:27 PM.
Motion carried unanimously.

Kevin Dickerson, Executive Secretary

Edna Rust, Recording Secretary

MILFORD SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR BOARD MEETING – JUNE 3, 2019
MILFORD CENTRAL ACADEMY CAFETERIA

Board Members

Mrs. Wiley – President

Mrs. Purcell

Mr. Vezmar

Mr. Schelhouse

Dr. Dickerson, Exec. Secretary

Admin. Present

Dr. Peel

Public

S. Whaley

J. Parent

J. Wylie

M. McKain

G. Mason

B. Neeman

F. Duffy

K. Norman

S. Becton

N. Cooper

R. Powell

J. Ziegler

R. Baltazar

R. Lopez

N. Baltazar

G. Summers

T. Cooper

E. Rust

The Regular Meeting of the Milford Board of Education was called to order by President Wiley at 6:16 PM on Monday evening, June 3, 2019 in the Milford Central Academy Cafeteria.

MOTION MADE BY MRS. PURCELL/SECONDED BY MR. VEZMAR to adjourn into Executive Session at 6:17 PM. **Motion carried unanimously.**

ADJOURNMENT TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL AND STUDENT MATTERS.

A. Personnel Matters – See 29 Del. C. § 10004(b)(9)

MOTION MADE BY MRS. purcell/SECONDED BY MR. SCHELHOUSE to adjourn Executive Session at 7:00 PM. **Motion carried unanimously.**

INTRODUCTION OF VISITORS

PLEDGE OF ALLEGIANCE

BOARD VACANCY CANDIDATES ADDRESS THE BOARD

Michael McKain, Jean Wylie, Rony Baltazar-Lopez, Joseph Ziegler, Michael Wells, Nikki Cooper, Beth Neeman, Frederick Duffy, and Crystal Kenton Lynch addressed the Board regarding why they would like to part of the Milford Board of Education and what background, experiences and/or qualifications they would add to the Milford Board of Education.

BOARD DISCUSSION REGARDING NEW BOARD MEMBER APPOINTMENT

Dr. Dickerson, Mrs. Wiley, and Mrs. Purcell expressed their thanks for the candidates' interest in being a member of the Milford Board of Education. The Board will appoint a candidate as a new Board member at the June 17, 2019 Board meeting.

PERSONNEL

Personnel Report

RESIGNATION

EMMETT, Patricia
Morris – Kindergarten Teacher
Effective: June 30, 2019
Service to MSD: 3

RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT*

ZANKS, Alyssia
Ross – School Counselor
Effective: August 14, 2019

DONOVAN, Caitlyn
Mispillion – Elementary Teacher
Effective: August 14, 2019

BOSTIC, Jennifer
Mispillion – School Counselor
Effective: August 14, 2019

OHRWASHEL, Taylor
Morris – Kindergarten Teacher
Effective: August 14, 2019

TRANSFER

SMITH, Emma
Transfer from Child Nutrition Banneker/High School 6.5 hrs. to Banneker 6.5 hrs.
Effective: May 12, 2019

RESCIND EMPLOYMENT – SUMMER SCHOOL

Paquette, Alex

RECOMMEND FOR EMPLOYMENT – SUMMER SCHOOL

Recommend for employment in summer school, contingent upon funding and enrollment:

TEACHERS

Clendaniel, Taylor
Coverdale, Emily
Duffy, Tanesha
Faulkner, Matt
McPike, Dan
Mills, Traci
Palumbo-White, Kelli
Schrock, Emily
Webb, Kimberly
Zobel, Angela

PARAPROFESSIONALS

Chorman, Brittany
Heritage, Pam
McQueen, Lisa
Megill, Colleen
Meredith, Erin
Mulholland, Derek
Newsome, Robert
Newsome, Valarie
Shockley, Myrna
Timmons, Chelsea
Veroy, Angie
Williams, Tonya

*Employment at Milford School District is contingent upon employment verification, education and other credential verifications, the receipt of satisfactory criminal background and child protection registry checks, and adherence to Milford School District policies.

MOTION MADE BY MR. MILLER/SECONDED BY MR. SCHELHOUSE that the Board approve the Personnel Report as written. **Motion carried unanimously.**

ADMINISTRATIVE SERVICES

Buildings, Ground, and Operations

MOTION MADE BY MR. MILLER/SECONDED BY MR. VEZMAR to approve awarding Delaware, School & Office, LLC for Central Academy school lockers for \$16,473.50. **Motion carried unanimously.** These funds are from minor cap funding.

UNIVERSITY OF DELAWARE ADMINISTRATIVE SALARY STUDY

Dr. Dickerson stated the estimate from the University of Delaware for the administrative salary study with recommendations would cost \$9,000 - \$9,500. The Board requested that other vendors also be explored and considered.

ADJOURNMENT

MOTION MADE BY MRS. PURCELL/SECONDED BY MR. VEZMAR that the Regular Meeting of the Milford Board of Education held on Monday, June 3, 2019 adjourn at 8:07 PM. **Motion carried unanimously.**

Kevin Dickerson, Executive Secretary

Edna Rust, Recording Secretary



HOME of the BUCCANEERS

906 Lakeview Avenue Milford, DE 19963
Phone: (302) 422-1600

July 8, 2019

FY 2019-20 SCHEDULE OF BOARD MEETINGS

July 8, 2019	7 PM	Reorganization Meeting/Regular Meeting
July 29, 2019	7 PM	Regular Meeting
August 19, 2019	7 PM	Regular Meeting
September 16, 2019	7 PM	Regular Meeting
October 21, 2019	7 PM	Regular Meeting
November 18, 2019	7 PM	Regular Meeting
December 16, 2019	7 PM	Regular Meeting
January 28, 2020	7 PM	Regular Meeting
February 24, 2020	7 PM	Regular Meeting
March 16, 2020	7 PM	Regular Meeting
April 20, 2020	7 PM	Regular Meeting
May 18, 2020	7 PM	Regular Meeting
June 15, 2020	7 PM	Regular Meeting
July 6, 2020	7 PM	Reorganization Meeting/Regular Meeting

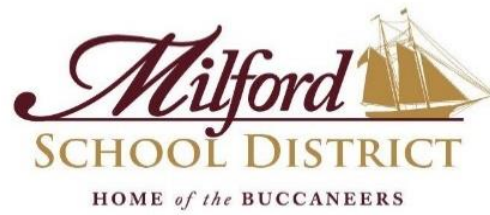
MILFORD SCHOOL DISTRICT
Fiscal Year 2019 Monthly Revenue Report
As of May 31, 2019
91.67% of the Fiscal Year completed

REVENUE SOURCE	Final FY 2019 Budget	Actual to date	% received
STATE FUNDS			
Formula Salaries	26,147,461.67	26,788,857.84	102.45%
Cafeteria Salaries	558,887.00	558,887.00	100.00%
Division II, All Other Costs	879,584.00	879,584.00	100.00%
Division II, All Other Costs - VOC	105,381.00	105,381.00	100.00%
Division II, Energy	764,150.00	764,150.00	100.00%
Division III, Equalization	5,519,527.00	5,519,527.00	100.00%
State Transportation	2,994,921.23	2,905,483.80	97.01%
Homeless Transportation	342,000.00	452,000.00	132.16%
Foster Care Transportation	49,300.00	84,300.00	170.99%
Transportation Supply	1,000.00	1,000.00	100.00%
Related Services Cash Option	58,633.26	58,633.26	100.00%
Drivers' Education	14,414.00	14,414.00	100.00%
Unique Alternatives	319,710.30	368,525.14	115.27%
Professional Development	-	-	-
Delaware Sustainment Fund	801,942.00	801,942.00	100.00%
Academic Excellence Cash Option	-	-	-
Technology Block Grant	107,326.00	107,326.00	100.00%
Educator Accountability (CPR)	1,090.88	1,027.61	94.20%
World Language Expansion	48,395.08	67,796.72	140.09%
Odyssey of the Mind	-	1,512.50	-
Education Opportunity Grant	142,014.00	142,014.00	100.00%
Recognition School (Mispillion)	8,000.00	8,000.00	100.00%
Student Success Block Grant - K-3	62,936.91	62,936.91	100.00%
Student Success Block Grant - Reading (Ross)	79,365.77	79,365.77	100.00%
School Safety and Security	140,421.29	140,421.29	100.00%
Professional Accountability	-	27,000.00	-
Minor Capital Improvements	399,880.00	399,880.00	100.00%
Milford Career and Technical Fund	25,000.00	25,000.00	100.00%
Major Capital Improvements	-	-	-
TOTAL STATE FUNDS	39,571,341.39	40,364,965.84	102.01%
LOCAL FUNDS			
Current Expense (tax rate)	7,892,375.88	8,054,031.45	102.05%
Current Expense (capitations)	250.00	18.90	7.56%
Athletics	40,000.00	40,637.00	101.59%
Interest	85,000.00	261,841.83	308.05%
Building Rental	15,000.00	18,792.50	125.28%
Other Local Revenue	18,500.00	5,589.96	30.22%
Sol - Systems	1,500.00	832.56	55.50%
Energy Curtailment	15,000.00	37,662.98	251.09%
CSCRCP	20,000.00	26,421.72	132.11%
Indirect Costs	175,000.00	72,078.82	41.19%
Cafeteria	2,070,000.00	1,961,446.09	94.76%
Net Choice Billings	(102,585.39)	(102,214.99)	99.64%
Net Charter Billings	(108,404.57)	(108,404.56)	100.00%
Tuition Billings	(1,965,000.00)	(1,547,175.70)	78.74%
Social Studies Coalition/Donations	107,000.00	75,065.27	70.15%
Debt Service	1,270,000.00	1,266,772.69	99.75%
Debt Service - County Impact Fees	194,041.07	92,549.26	47.70%
Tuition	2,825,000.00	2,795,202.61	98.95%
Minor Capital Improvements	193,305.00	191,073.50	98.85%
E-Rate	25,000.00	8,652.56	34.61%
Extra Time Local Match	-	-	-
Reading and Match Specialist Match	-	-	-
Technology Maintenance Match	-	-	-
Major Capital Improvements	-	-	-
TOTAL LOCAL FUNDS	12,770,981.99	13,150,874.45	102.97%
FEDERAL FUNDS			
IDEA Part B	1,064,130.00	1,080,406.00	101.53%
IDEA - Preschool	47,165.00	47,190.00	100.05%
Title I	1,835,010.00	1,836,030.00	100.06%
Title II	370,471.00	370,980.00	100.14%
Title III English Acquisition	51,993.00	51,993.00	100.00%
Education for the Homeless	-	-	-
School Based HIV/STD Prevention	-	-	-
Perkins	146,156.00	147,365.00	100.83%
TOTAL FEDERAL/OTHER FUNDS	3,514,925.00	3,533,964.00	100.54%
GRAND TOTAL ALL FUNDS	55,857,248.38	57,049,804.29	102.14%

Milford School District
Monthly Report of Expenditures
For the month ended May 31, 2019

Operating Unit	Budget Line	Final Budget				
		Amount	Encumbered	Expended	Budget Remaining	% Remaining
9180668A	Benjamin Banneker Elementary School	\$ 62,560.50	21,339.45	36,485.11	\$ 4,735.94	7.57%
9180670A	Evelyn I. Morris Early Childhood Center	\$ 47,368.00	2,726.90	41,026.84	\$ 3,614.26	7.63%
9180672A	Lulu M. Ross Elementary School	\$ 77,822.00	16,787.21	51,786.19	\$ 9,248.60	11.88%
9180673A	Mispillion Elementary School	\$ 64,424.50	5,753.22	37,733.86	\$ 20,937.42	32.50%
9180675A	Milford Central Academy	\$ 121,750.00	10,747.56	92,745.33	\$ 18,257.11	15.00%
9180678A	Milford Senior High School	\$ 154,387.50	20,493.12	124,154.11	\$ 9,740.27	6.31%
99900000	Board Of Ed/District Expenses	\$ 2,000.00	-	1,445.11	\$ 554.89	27.74%
	School Resource Officer	\$ 165,000.00	-	162,942.00	\$ 2,058.00	1.25%
99900100	Legal Services, Audit and Insurance Premiums	\$ 109,459.00	1,120.21	20,633.54	\$ 87,705.25	80.13%
99900300	District Expenditures	\$ 20,000.00	297.50	26,620.09	\$ (6,917.59)	-34.59%
	School Safety and Security	\$ 140,421.29	950.00	139,471.29	\$ -	0.00%
	Public Relations and Communication	\$ 1,000.00	-	1,946.16	\$ (946.16)	-94.62%
	Copy Center (District Wide)	\$ 98,500.00	8,364.05	88,314.47	\$ 1,821.48	1.85%
	Student Emergency Fund	\$ 4,000.00	-	2,000.00	\$ 2,000.00	50.00%
99910100	Superintendent	\$ 1,500.00	83.81	1,316.50	\$ 99.69	6.65%
99920000	World Language Immersion (State Grant)	\$ 48,395.08	19,401.64	34,672.92	\$ (5,679.48)	-11.74%
	Educator Accountability (State Grant)	\$ 1,090.88	-	1,027.61	\$ 63.27	5.80%
	Milford Career and Technical (State Grant)	\$ 25,000.00	20,125.00	4,875.00	\$ -	0.00%
	Student Success Block Grant (Reading)	\$ 79,365.77	-	51,758.85	\$ 27,606.92	34.78%
	Education Opportunity Grant - Ross	\$ 142,014.00	-	54,471.64	\$ 87,542.36	61.64%
	Recognition School - Mispillion	\$ 8,000.00	-	8,000.00	\$ -	0.00%
	Summer School	\$ 25,000.00	-	20,132.06	\$ 4,867.94	19.47%
	Translators	\$ 20,000.00	250.00	11,448.53	\$ 8,301.47	41.51%
	Extra Time Programs	\$ 25,000.00	-	23,106.30	\$ 1,893.70	7.57%
	Curriculum and Instruction	\$ 200,600.00	83,476.46	133,142.82	\$ (16,019.28)	-7.99%
99920500	State Professional Development	\$ -	-	-	\$ -	
99920700	Athletics - High School	\$ 156,500.00	14,487.71	145,199.60	\$ (3,187.31)	-2.04%
	Athletics - Milford Central Academy	\$ 26,500.00	957.89	27,535.70	\$ (1,993.59)	-7.52%
99920800	Driver's Education	\$ 14,414.00	321.36	14,092.64	\$ -	0.00%
99930200	Tuition - Special Services	\$ 574,500.00	21,817.90	166,466.67	\$ 386,215.43	67.23%
	Tuition - Special Services - ILC	\$ 285,500.00	752.93	222,284.65	\$ 62,462.42	21.88%
	Unique Alternatives (State Funds)	\$ 319,710.30	58,479.40	277,745.67	\$ (16,514.77)	-5.78%
99930300	Special Services	\$ 49,000.00	4,669.53	37,328.71	\$ 7,001.76	14.29%
	Student Success Block Grant (K-3 Basic)	\$ 62,936.91	-	36,937.72	\$ 25,999.19	
	Special Services - State Related Services	\$ 58,633.26	6,401.80	52,231.46	\$ -	0.00%
99940100	Contingencies and One-Time Items	\$ 200,000.00	206,962.28	-	\$ (6,962.28)	-3.48%
99940100	Milford Middle School Evaluation	\$ 50,000.00	-	21,032.79	\$ 28,967.21	57.93%
99940200	Division I/Formula Salaries	\$ 26,147,461.67	-	26,398,765.69	\$ (251,304.02)	-0.96%
99940300	Division II - Vocational	\$ 105,381.00	4,798.91	73,736.22	\$ 26,845.87	25.48%
99940400	Division III/Local Salaries	\$ 10,300,000.00	-	8,739,040.76	\$ 1,560,959.24	15.15%
	Union agreed Limited Contracts	\$ 340,000.00	-	216,157.88	\$ 123,842.12	36.42%
99940500	Title I	\$ 1,835,010.00	181,599.98	893,250.60	\$ 760,159.42	41.43%
	Title II	\$ 370,471.00	-	137,904.50	\$ 232,566.50	62.78%
	Title III	\$ 51,993.00	-	20,986.84	\$ 31,006.16	59.64%
	IDEA Part B	\$ 1,064,130.00	45,719.39	627,132.74	\$ 391,277.87	36.77%
	IDEA Preschool	\$ 47,165.00	-	-	\$ 47,165.00	100.00%
	Perkins	\$ 146,156.00	33,111.96	78,108.74	\$ 34,935.30	23.90%
	Homeless	\$ -	-	-	\$ -	
	Other Federal Grants	\$ -	-	-	\$ -	
99940600	Insurance Expense	\$ 87,500.00	-	86,195.00	\$ 1,305.00	1.49%
99940700	Social Studies Coalition/Donations	\$ 107,000.00	2,176.23	38,074.15	\$ 66,749.62	62.38%
99940810	Technology Equipment & Repair	\$ 272,800.00	32,440.32	220,143.89	\$ 20,215.79	7.41%
	Technology Block Grant	\$ 107,326.00	22,444.55	79,684.88	\$ 5,196.57	4.84%
99940900	Tuition Reimbursement	\$ 60,000.00	-	30,000.00	\$ 30,000.00	50.00%
99950000	Personnel/Human Resources	\$ 8,000.00	367.23	8,759.93	\$ (1,127.16)	-14.09%
99960000	Child Nutrition Operations	\$ 2,070,000.00	258,756.61	2,186,573.77	\$ (375,330.38)	-18.13%
	Cafeteria Salaries	\$ 558,887.00	-	460,675.08	\$ 98,211.92	17.57%
99960100	Facilities Maintenance	\$ 90,000.00	12,914.65	75,885.85	\$ 1,199.50	1.33%
	Custodial Services and Supplies	\$ 90,000.00	11,902.22	77,504.31	\$ 593.47	0.66%
99960200	Operations and Utilities	\$ 314,100.00	15,468.23	219,749.51	\$ 78,882.26	25.11%
	Energy Division II	\$ 764,150.00	86,181.78	677,968.22	\$ -	0.00%
99960300	State Transportation	\$ 2,994,921.23	275,012.50	2,626,440.73	\$ 93,468.00	3.12%
	State Homeless Transportation	\$ 342,000.00	71,352.00	367,429.50	\$ (96,781.50)	-28.30%
	State Foster Transportation	\$ 49,300.00	16,828.00	65,985.00	\$ (33,513.00)	-67.98%
	Transportation Supplies	\$ 1,000.00	-	1,000.00	\$ -	0.00%
99960400	Transportation Internal Budget (Local)	\$ 23,000.00	393.33	19,739.73	\$ 2,866.94	12.46%
	Local Activities Transportation	\$ 3,000.00	-	2,249.09	\$ 750.91	25.03%
	Local Homeless Transportation Match	\$ 38,000.00	7,532.50	40,825.50	\$ (10,358.00)	-27.26%
	Local Transportation Match	\$ 332,769.03	30,666.38	289,022.57	\$ 13,080.08	3.93%
Total Operating Budget		\$ 52,163,873.92	\$ 1,636,433.70	\$ 46,931,102.62	\$ 3,596,337.60	6.89%
99970000	Local Debt Service	\$ 1,464,041.07	-	1,464,041.07	\$ -	0.00%
99970200	Minor Capital Improvements	\$ 666,467.00	129,860.75	333,635.90	\$ 202,970.35	30.45%
Total Capital Budget		\$ 2,130,508.07	\$ 129,860.75	\$ 1,797,676.97	\$ 202,970.35	9.53%
Grand Total		\$ 54,294,381.99	\$ 1,766,294.45	\$ 48,728,779.59	\$ 3,799,307.95	7.00%

Note: Budgets are based on the final budget allocations as voted by the MSD Board of Education
Items highlighted in blue are restricted expenditures. Funds must be used for specific purpose per funding guidelines.



Preliminary Fiscal Year 2020 Revenue Budget

REVENUE SOURCE	Final FY 2019 Budget	Preliminary FY 2020 Budget
STATE FUNDS		
Formula Salaries	26,147,461.67	26,645,486.52
Cafeteria Salaries	558,887.00	558,887.00
Delaware Sustainment Fund	801,942.00	801,942.00
Academic Excellence Cash Option	-	-
Related Services Cash Option	58,633.26	50,000.00
Division II, All Other Costs	879,584.00	879,584.00
Division II, All Other Costs - VOC	105,381.00	105,381.00
Division II, Energy	764,150.00	764,150.00
Division III, Equalization	5,519,527.00	5,519,527.00
State Transportation	2,994,921.23	2,994,921.23
Homeless Transportation	342,000.00	342,000.00
Foster Transportation	49,300.00	49,300.00
Transportation Supply	1,000.00	1,000.00
Unique Alternatives	319,710.30	319,710.30
Drivers' Education	14,414.00	15,545.00
Technology Block Grant	107,326.00	107,326.00
Educator Accountability	1,090.88	1,090.88
Education Opportunity Grant	142,014.00	871,300.00
Student Success Block Grant Reading - Ross	79,365.77	79,365.77
Student Success Block Grant K-3	62,936.91	62,936.91
State Recognition School Award - Mispillion	8,000.00	-
World Language Expansion	48,395.08	35,000.00
Minor Capital Improvements	399,880.00	311,495.00
School Safety and Security Fund	140,421.29	140,421.29
State Bond Allocation - Special Projects	25,000	-
Major Capital Improvements	-	-
TOTAL STATE FUNDS	39,571,341.39	40,656,369.90
LOCAL FUNDS		
Current Expense (tax rate)	7,892,375.88	7,971,299.63
Current Expense (capitations)	250.00	150.00
Athletics	40,000.00	40,000.00
Interest	85,000.00	125,000.00
Building Rental	15,000.00	18,500.00
Other Local Revenue	18,500.00	18,500.00
Sol - Systems	1,500.00	1,500.00
Energy Curtailment	15,000.00	15,000.00
E-Rate	25,000.00	8,500.00
CSCR	20,000.00	20,000.00
Indirect Costs	175,000.00	85,000.00
Cafeteria	2,070,000.00	2,070,000.00
Net Choice Billings	(102,585.39)	(102,585.39)
Charter Billings	(108,404.57)	(108,404.57)
Tuition Billings	(1,965,000.00)	(1,960,000.00)
Tuition	2,825,000.00	2,825,000.00
Donations	107,000.00	107,000.00
Debt Service	1,270,000.00	1,270,000.00
Debt Service - County	194,041.07	147,841.37
Match Tax - Minor Capital Improvements	193,305.00	207,663.00
Match Tax - Reading and Math Specialists	-	-
Match Tax - Extra Time	-	-
Match Tax - Technology Maintenance	-	-
TOTAL LOCAL FUNDS	12,770,981.99	12,759,964.04
FEDERAL FUNDS		
IDEA	1,064,130.00	1,064,130.00
IDEA - Preschool	47,165.00	47,165.00
IDEA Preschool - Morris Grant	-	-
TITLE I	1,835,010.00	1,835,010.00
STD/HIV Prevention Grant	-	-
TITLE II	370,471.00	370,471.00
TITLE III	51,993.00	51,993.00
Education for the Homeless	-	-
PERKINS	146,156.00	146,156.00
TOTAL FEDERAL/OTHER FUNDS	3,514,925.00	3,514,925.00
GRAND TOTAL ALL FUNDS	55,857,248.38	56,931,258.94

Milford School District
Preliminary Expenditure Budget
Fiscal Year 2020

Operating Unit	Operating Unit Description	FY 2019 Final Budget	FY 2020 Preliminary Budget	Difference between FY 19 and FY 20	% Difference
9180668A	Benjamin Banneker Elementary School	\$ 62,560.50	\$ 61,309.29	\$ (1,251.21)	-2%
9180670A	Evelyn I. Morris Early Childhood Center	\$ 47,368.00	\$ 46,420.64	\$ (947.36)	-2%
9180672A	Lulu M. Ross Elementary School	\$ 77,822.00	\$ 76,265.56	\$ (1,556.44)	-2%
9180673A	Mispillion Elementary School	\$ 64,424.50	\$ 63,136.01	\$ (1,288.49)	-2%
9180675A	Milford Central Academy	\$ 121,750.00	\$ 119,315.00	\$ (2,435.00)	-2%
9180678A	Milford Senior High School	\$ 154,387.50	\$ 151,359.75	\$ (3,027.75)	-2%
99900000	Board of Education - School Resource Officer	\$ 165,000.00	\$ 165,000.00	\$ -	0%
99900000	Board of Education	\$ 2,000.00	\$ 10,100.00	\$ 8,100.00	405%
99900100	Legal Services and Audit	\$ 109,459.00	\$ 104,459.00	\$ (5,000.00)	-5%
99900300	District Expenditures	\$ 20,000.00	\$ 35,000.00	\$ 15,000.00	75%
99900300	Public Relations and Communication	\$ 1,000.00	\$ 1,500.00	\$ 500.00	50%
99900300	Uniform Assistance	\$ 4,000.00	\$ 4,000.00	\$ -	0%
99900300	School Safety and Security	\$ 140,421.29	\$ 140,421.29	\$ -	0%
99900300	Copy Center (District wide)	\$ 98,500.00	\$ 98,500.00	\$ -	0%
99910100	Superintendent	\$ 1,500.00	\$ 1,500.00	\$ -	0%
99920000	World Language Immersion (<i>State Grant</i>)	\$ 48,395.08	\$ 35,000.00	\$ (13,395.08)	-28%
99920000	College Access - Readiness with a Purpose	\$ -	\$ -	\$ -	
99920000	Educator Accountability (<i>State Grant</i>)	\$ 1,090.88	\$ 1,090.88	\$ -	0%
99920000	Instructional Advancement (<i>State Grant</i>)	\$ -	\$ -	\$ -	
99920000	Student Success Block Grant Reading (Ross)	\$ 79,365.77	\$ 79,365.77	\$ -	0%
99920000	Education Opportunity Grant (Ross)	\$ 142,014.00	\$ 871,300.00	\$ 729,286.00	514%
99920000	Recognition School Award (Mispillion)	\$ 8,000.00	\$ -	\$ (8,000.00)	-100%
99920000	State Bond Allocation - Special Projects	\$ 25,000.00	\$ -	\$ (25,000.00)	-100%
99920000	Summer School	\$ 25,000.00	\$ 25,000.00	\$ -	0%
99920000	Translators	\$ 20,000.00	\$ 20,000.00	\$ -	0%
99920000	Extra Time Programs	\$ 25,000.00	\$ 25,000.00	\$ -	0%
99920000	Curriculum/Instructional	\$ 200,600.00	\$ 220,600.00	\$ 20,000.00	10%
99920500	State Professional Development	\$ -	\$ -	\$ -	
99920700	Athletics - Middle School	\$ 26,500.00	\$ 27,825.00	\$ 1,325.00	5%
99920700	Athletics - High School	\$ 156,500.00	\$ 164,325.00	\$ 7,825.00	5%
99920800	Driver's Education	\$ 14,414.00	\$ 15,545.00	\$ 1,131.00	8%
99930200	Special School - Tuition ILC	\$ 285,500.00	\$ 295,500.00	\$ 10,000.00	4%
99930200	Special School - Tuition	\$ 574,500.00	\$ 569,500.00	\$ (5,000.00)	-1%
99930200	Special School - Unique Alternatives (<i>State</i>)	\$ 319,710.30	\$ 319,710.30	\$ -	0%
99930300	Special Services	\$ 49,000.00	\$ 49,000.00	\$ -	0%
99930300	Student Success Block Grant K-3	\$ 62,936.91	\$ 62,936.91	\$ -	0%
99930300	Special Services - State Related Services	\$ 58,633.26	\$ 50,000.00	\$ (8,633.26)	-15%
99940100	Contingencies and One-Time Items	\$ 200,000.00	\$ 300,000.00	\$ 100,000.00	50%
99940100	Milford Middle School Evaluation	\$ 50,000.00	\$ -	\$ (50,000.00)	-100%
99940200	Division I Sal/Other State Prg	\$ 26,147,461.67	\$ 26,645,486.52	\$ 498,024.85	2%
99940300	Division II Vocational	\$ 105,381.00	\$ 105,381.00	\$ -	0%
99940400	Local Limited Contracts	\$ 340,000.00	\$ 340,000.00	\$ -	0%
99940400	Division III/Local Salaries	\$ 10,300,000.00	\$ 10,660,500.00	\$ 360,500.00	4%
99940500	Title I	\$ 1,835,010.00	\$ 1,835,010.00	\$ -	0%
99940500	Title II	\$ 370,471.00	\$ 370,471.00	\$ -	0%
99940500	Title III	\$ 51,993.00	\$ 51,993.00	\$ -	0%
99940500	IDEA Part B	\$ 1,064,130.00	\$ 1,064,130.00	\$ -	0%
99940500	IDEA Preschool	\$ 47,165.00	\$ 47,165.00	\$ -	0%
99940500	Perkins	\$ 146,156.00	\$ 146,156.00	\$ -	0%
99940500	Homeless	\$ -	\$ -	\$ -	
99940600	Insurance	\$ 87,500.00	\$ 87,500.00	\$ -	0%
99940700	Private Grants/Donations	\$ 107,000.00	\$ 107,000.00	\$ -	0%
99940810	Technology Equipment & Repair	\$ 272,800.00	\$ 272,800.00	\$ -	0%
99940810	Technology Block Grant	\$ 107,326.00	\$ 107,326.00	\$ -	0%
99940900	Tuition Reimbursement - Administrative	\$ -	\$ 15,000.00	\$ 15,000.00	
99940900	Tuition Reimbursement	\$ 60,000.00	\$ 60,000.00	\$ -	0%
99950000	Personnel/Hr	\$ 8,000.00	\$ 10,000.00	\$ 2,000.00	25%
99960000	Child Nutrition Operations	\$ 2,628,887.00	\$ 2,628,887.00	\$ -	0%
99960100	Facilities Maintenance	\$ 90,000.00	\$ 90,000.00	\$ -	0%
99960100	Custodial Services	\$ 90,000.00	\$ 90,000.00	\$ -	0%
99960200	Energy - Division II	\$ 764,150.00	\$ 764,150.00	\$ -	0%
99960200	Local Energy/Utilities	\$ 137,000.00	\$ 117,000.00	\$ (20,000.00)	-15%
99960200	Custodial Substitutes	\$ 10,000.00	\$ 10,000.00	\$ -	0%
99960200	Operations/Utilities	\$ 167,100.00	\$ 167,100.00	\$ -	0%
99960300	State Transportation	\$ 3,387,221.23	\$ 3,387,221.23	\$ -	0%
99960400	Local Transportation	\$ 396,769.03	\$ 359,692.12	\$ (37,076.91)	-9%
Total Operating Budget		\$ 52,163,873.92	\$ 53,749,954.27	\$ 1,586,080.35	3%

99970000	Local Debt Service	\$ 1,464,041.07	\$ 1,417,841.37	\$ (46,199.70)	-3%
99970200	Minor Capital Improvements	\$ 666,467.00	\$ 519,158.00	\$ (147,309.00)	-22%
Total Capital Budget		\$ 2,130,508.07	\$ 1,936,999.37	\$ (193,508.70)	-9%

TOTAL	\$ 54,294,381.99	\$ 55,686,953.64	\$ 1,392,571.65	2.6%
<i>Reserve Allocation</i>	<i>\$ 1,562,866.39</i>	<i>\$ 1,244,305.30</i>	<i>\$ (318,561.08)</i>	<i>-20.4%</i>
GRAND TOTAL	\$ 55,857,248.38	\$ 56,931,258.94	\$ 1,074,010.57	1.9%

PERSONNEL REPORT – Action Item

RESIGNATION

DELANEY, Amy

High School – Social Studies Teacher

Effective: June 30, 2019

Service to MSD: 5 yrs.

ALEXANDER, Tania

Ross – Assistant Principal

Effective: June 30, 2019

Service to MSD: 4 years

MAULL, Karlin

Banneker – Grade 5 Teacher

Effective: June 30, 2019

Service to MSD: 17 years

CHIAVAROLI, Daniel

Mispillion – Grade 3 Teacher

Effective: June 30, 2019

Service to MSD: 8 years

TRANSFER

WILLIAMS-JOHNSON, Loreane

Transfer from Mispillion 5 hr. Child Nutrition to High School 6.5 hr. Child Nutrition

Effective: August 26, 2019

MARVEL, Kate

Transfer from High School Asst. Principal to Supervisor of Secondary Student Learning

Effective: July 1, 2019

WARNOCK, Shannon

Transfer from Mispillion Grade 4 Teacher to Mispillion Reading Interventionist

Effective: August 20, 2019

IVORY, McKenzie

Transfer from Central Academy AgriScience Teacher to High School AgriScience Teacher

Effective: August 17, 2019

RECOMMEND FOR EMPLOYMENT – ADMINISTRATIVE CONTRACT

PARSLEY, Jesse

High School - Principal with one-year contract ending June 30, 2020

Effective: July 1, 2019

RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT*

MOORE, Sarah

High School – English Learners Teacher

Effective: August 14, 2019

DENNEHY, Kristin Yvette
Central Academy – English Learners Teacher
Effective: August 14, 2019

ALTIDOR, Rebecca
Central Academy – Special Education Teacher
Effective: August 14, 2019

REDUCTION IN FORCE

SCHMIDT, Melissa
Morris - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

FIRCH, Mackenzie
Morris - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

KENT, Jenna
High School - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

VAZQUEZ, Rachel
Banneker - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

MEGILL, Colleen
Morris - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

MEREDITH, Erin
Central Academy - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

BENNETT, Karen
CA - P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

VEROY, Angie
Morris – P/T Paraprofessional (27.5 hrs.)
Effective: June 30, 2019

RECOMMEND EMPLOYMENT – 2018-2019 LIMITED CONTRACTS FOR PERSONAL SERVICES*

Central

Advisor, Bus. Prof. of America

Harris, Claudia

RECOMMEND EMPLOYMENT – 2019-2020 LIMITED CONTRACTS FOR PERSONAL SERVICES*

Ross	Advisor, Honor Society	Lee, Courtney
Ross	Advisor, Student Council	Baird, JoAnn
Ross	Instructional Coach, Expressives	Mahan, Anne
Ross	Instructional Coach, Grade 1	Plummer, Starla
Ross	Instructional Coach, Grade 2	Muir, Kelley
Ross	Instructional Coach, Grade 3	Davis, Sara
Ross	Instructional Coach, Grade 4	Webb, Kim
Ross	Instructional Coach, Grade 5	Davis, Michele
Ross	Girls on the Run	Mahan, Anne
Banneker	Advisor, Honor Society	French, Nathan / Baylis, Brice
Banneker	Advisor, Student Council	Sapp, Susan
Banneker	Instructional Coach, Expressives	Branner, Marina
Banneker	Instructional Coach, Grade 1	Walters, Kristin
Banneker	Instructional Coach, Grade 2	Mitchell, Darian
Banneker	Instructional Coach, Grade 3	Puddicombe, Susan
Banneker	Instructional Coach, Grade 4	French, Nathan
Banneker	Girls on the Run	Norman, Jennifer
Misphillion	Advisor, Honor Society	Warnock, Shannon
Misphillion	Advisor, Student Council	Kerpen, Shannon
Misphillion	Instructional Coach, Expressives	Zimmerman, Neda
Misphillion	Instructional Coach, Grade 1	Blizzard, Kristine
Misphillion	Instructional Coach, Grade 2	Zeveney, Toni
Misphillion	Instructional Coach, Grade 3	Nichols, Jennifer
Misphillion	Instructional Coach, Grade 4	Sharp, Kelly
Misphillion	Instructional Coach, Grade 5	McKee, Deanna
Misphillion	Girls on the Run	Schrock, Emily
Morris	Instructional Coach, Kindergarten	Meszaros, Christina
Morris	Instructional Coach, Kindergarten	Roach, Danielle
Morris	Instructional Coach, Kindergarten	Stevenson, Christy
Morris	Instructional Coach, Kindergarten	Layton, Janelle
Morris	Instructional Coach, Pre-K	Lukas, Erin
Central	Advisor, Technology Student Association (TSA)	March, Alexandra
Central	Advisor, Health Occupations Student Association (HOSA)	Ayers, Pat
Central	Advisor, Business Professional of America	
Central	Advisor, National Honor Society	Harris, Claudia
Central	Advisor, Student Council	Hamilton, Michelle
Central	Advisor, Yearbook	Woods, Judith
Central	Band Director	Davis, Trisha / Conaway, Jenna
Central	Chorus Director	Thompson, Jeff
Central	Instructional Coach, Expressives	Myers, Chris
Central	Instructional Coach, Mathematics	McKee, Marcy
Central	Instructional Coach, Science	Cooper, Brandy
Central	Instructional Coach, Social Studies	Woods, Judith
Central	Instructional Coach, Special Education	Bailey, Matthew
High	Advisor, Business Professional of America	Yun, Wendy
High	Advisor, Dist. Educ. Clubs of America	Parker, Rose
High	Advisor, Educators Rising	Emory, Judy
High	Advisor, FFA	Chorman, Molly
High	Advisor, Honor Society	Walton, Caitlin/Stahl, Chris
High	Advisor, Math League	Young, Devon
High		Gorlich, Suzanna /
High		DelRossi, Jeanine
High	Asst. Band Director	Thompson, Jeff
High	Band Director	Smith, Christine
High	Instructional Coach, Business/CTE	Parker, Rose
High	Instructional Coach, Foreign Language	Morgan, Cameron
High	Instructional Coach, Math	Nauman, Maire

High	Instructional Coach, Physical & Drivers Ed	Fleming, Jan
High	Instructional Coach, Social Studies	Evans, Veronica
High	Instructional Coach, Special Education	Hurd, Amanda
High	Instructional Coach, Technology Ed./ Ag/CTE	Stahl, Christopher
High	Instructional Coach, Visual & Performing Arts	Smith, Christine
High	Theatrical Lighting	Carpenter, Jason
High	Advisor, Homecoming	Lynch, Kate
High	Advisor, Student Council	Lynch, Kate
High	Coordinator, Band Front (Color Guard)	Gott, Angela
High	Theatrical Choreography	Gott, Angela
High	Theatrical Drama/Musical Director	Meiklejohn, Carissa
High	Theatrical Pit Conductor	Smith, Christine
High	Theatrical Producer, Fall & Spring	Snyder, Erica
High	Theatrical Stage/Set	Evans, Ed
High	Summer Weight Room Coordinator	Strickland, Shaun
District	Coordinator, Odyssey of the Mind Elementary	Gaglione, Amanda
District	Mentor Site Coordinator	Geesaman, Sherry
District	Lead, School Nurse	White, Yvonne
District	Lead, School Counselor	Forsberg-Davis, Maud
District	Coordinator, Odyssey of the Mind Secondary	Woods, Judith

RECOMMEND FOR EMPLOYMENT – SUMMER SCHOOL

Recommend for employment in summer school, contingent upon funding and enrollment:

Teacher

Hammond, Stephanie

PARAPROFESSIONAL

Timm, Christopher

*Employment at Milford School District is contingent upon employment verification, education and other credential verifications, the receipt of satisfactory criminal background and child protection registry checks, and adherence to Milford School District policies.

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY 4309D

APPROVED LIMITED CONTRACTS FOR PERSONAL SERVICES

School	Position	Category
High	Cheerleading Coach – Football	C
High	Cheerleading Coach – Basketball	E
High	Field Hockey Coach, Head	B
High	Field Hockey Coach, Asst.	D
High	Football Coach, Head	A
High	Football Coach, Asst. (Defensive Coor.)	B
High	Football Coach, Asst. (Offensive Coor.)	B
High	Football Coach, Asst.	C
High	Football Coach, Asst.	C
High	Football Coach, Asst.	C
High	Soccer Boys Coach, Head	B
High	Soccer Boys Coach, Asst.	D
High	Cross Country Coach, Head	B
High	Cross Country Coach, Asst.	D
High	Basketball Boys Coach, Head	B
High	Basketball Boys Coach, Asst.	D
High	Basketball Girls Coach, Head	B
High	Basketball Girls Coach, Asst.	D
High	Wrestling Coach, Head	B
High	Wrestling Coach, Asst.	D
High	Winter Track, Head	C
High	Winter Track, Asst.	D
High	Winter Track, Asst.	D
High	Swim Coach, Head	B
High	Swim Coach, Asst.	D
High	Baseball Coach, Head	B
High	Baseball Coach, Asst.	D
High	Baseball Coach, Asst.	D
High	Softball Girls Coach, Head	B
High	Softball Girls Coach, Asst.	D
High	Softball Girls Coach, Asst.	D
High	Track Coach, Head	B
High	Track Coach, Asst.	D
High	Track Coach, Asst.	D
High	Track Coach, Asst.	D
High	Tennis Boys Coach, Head	C
High	Tennis Girls Coach, Head	C
High	Golf Coach, Head	C

High	Soccer Girls Coach, Head	B
High	Soccer Girls Coach, Asst.	D
High	Lacrosse Boys Coach, Head	B
High	Lacrosse Boys Coach, Asst.	D
High	Lacrosse Girls Coach, Head JV	C
High	Lacrosse Girls Coach, Asst. JV	D
High	Volleyball Coach, Head	B
High	Volleyball Coach, Asst.	D
High	Theatrical Drama/Musical Director	1
High	Theatrical Choreography	3
High	Theatrical Stage/Set	3
High	Theatrical Pit Conductor	3
High	Theatrical Producer, Fall & Spring	3
High	Instructional Coach, Business/CTE	3
High	Instructional Coach, Visual & Performing Arts	3
High	Instructional Coach, English	3
High	Instructional Coach, Math	3
High	Instructional Coach, Technology Ed./Ag/CTE	3
High	Instructional Coach, Physical & Drivers Ed	3
High	Instructional Coach, Science	3
High	Instructional Coach, Social Studies	3
High	Instructional Coach, Special Education	3
High	Instructional Coach, World Language	3
High	Band Director	1
High	Asst. Band Director	3
High	Advisor, Health Occupations Student Association (HOSA)	4
High	Advisor, Educator's Rising	4
High	Advisor, Business Professional of America (BPA)	4
High	Advisor, DECA	4
High	Advisor, Varsity Club	4
High	Advisor, National Honor Society	4
High	Advisor, Technology Student Association (TSA)	4
High	Advisor, Freshman Class	4
High	Advisor, Sophomore Class	4
High	Advisor, Junior Class/Prom	3
High	Advisor, Senior Class	4
High	Advisor, FFA	4
High	Advisor, Student Government Association (SGA)	3
High	Coordinator, Band Front (Color Guard)	5
High	Weight Room Coordinator- Fall/Winter	5 -D
High	Weight Room Coordinator- Winter/Spring	5 -D
High	Weight Room Coordinator - Summer	C
Central	Advisor, Fuel Up to Play 60	5
Central	Advisor, FFA	4
Central	Advisor, Business Professional of America (BPA)	4
Central	Advisor, Health Occupations Student Association (HOSA)	4

Central	Advisor, Student Council	4
Central	Advisor, Yearbook	4
Central	Advisory, Technology Student Association (TSA)	4
Central	Advisor, National Junior Honor Society	4
Central	Coordinator, Science Olympiad	5
Central	Instructional Coach, English	3
Central	Instructional Coach, Mathematics	3
Central	Instructional Coach, Social Studies	3
Central	Instructional Coach, Science	3
Central	Instructional Coach, Special Education	3
Central	Instructional Coach, Expressives	3
Central	Band Director	2
Central	Chorus Director	3
Central	Athletic Assistant	B
Central	Cheerleading Coach – Football	E
Central	Cheerleading Coach – Basketball	E
Central	Field Hockey Coach, Head	C
Central	Field Hockey Coach, Asst.	E
Central	Soccer Boys Coach, Head	C
Central	Soccer Boys Coach, Asst.	E
Central	Football Coach, Head	B
Central	Football Coach, Asst.	D
Central	Football Coach, Asst.	D
Central	Volleyball Girls Coach, Head	C
Central	Volleyball Girls Coach, Asst.	E
Central	Basketball Boys Coach, Head	C
Central	Basketball Boys Coach, Asst.	E
Central	Basketball Girls Coach, Head	C
Central	Basketball Girls Coach, Asst.	E
Central	Wrestling Coach, Head	C
Central	Wrestling Coach, Asst.	E
Central	Cross Country Coach, Head	C
Central	Baseball Coach, Head	C
Central	Baseball Coach, Asst.	E
Central	Softball Coach, Head	C
Central	Softball Coach, Asst.	E
Central	Soccer, Girls Coach, Head	C
Central	Soccer, Girls Coach, Asst.	E
Central	Track Coach, Head	C
Central	Track Coach, Asst.	E
Banneker	Girls on the Run	5
Banneker	Advisor, Honor Society	4
Banneker	Advisor, Student Council	4
Banneker	Instructional Coach, Expressives	3
Banneker	Instructional Coach, Grade 1	3
Banneker	Instructional Coach, Grade 2	3

Banneker	Instructional Coach, Grade 3	3
Banneker	Instructional Coach, Grade 4	3
Banneker	Instructional Coach, Grade 5	3
Ross	Advisor, Fuel Up to Play 60	5
Ross	Advisor, Girls on the Run	5
Ross	Advisor, Honor Society	4
Ross	Advisor, Student Council	4
Ross	Instructional Coach, Expressives	3
Ross	Instructional Coach, Grade 1	3
Ross	Instructional Coach, Grade 2	3
Ross	Instructional Coach, Grade 3	3
Ross	Instructional Coach, Grade 4	3
Ross	Instructional Coach, Grade 5	3
Mispillion	Advisor, Fuel Up to Play 60	5
Mispillion	Advisor, Girls on the Run	5
Mispillion	Advisor, Honor Society	4
Mispillion	Advisor, Student Council	4
Mispillion	Instructional Coach, Expressives	3
Mispillion	Instructional Coach, Grade 1	3
Mispillion	Instructional Coach, Grade 2	3
Mispillion	Instructional Coach, Grade 3	3
Mispillion	Instructional Coach, Grade 4	3
Mispillion	Instructional Coach, Grade 5	3
Morris	Instructional Coach, Kindergarten	3
Morris	Instructional Coach, Kindergarten	3
Morris	Instructional Coach, Kindergarten	3
Morris	Instructional Coach, Kindergarten	3
Morris	Instructional Coach, Pre-K	3
District	Coordinator, Odyssey of the Mind Elementary	5
District	Coordinator, Odyssey of the Mind Secondary	5
District	Athletic Director	A
District	Mentor Site Coordinator	5
District	Lead School Nurse	3
District	Lead School Counselor	3

APPROVED: 6/18/18

REVISED: 8/23/10; 10/25/10; 11/22/10; 12/13/10; 8/22/11; 9/24/12; 12/10/12; 6/24/13; 8/18/14;
9/22/14; 5/16/16; 6/18/18

**MILFORD SCHOOL DISTRICT
POLICY 5404**

**STUDENT CODE OF CONDUCT
SECONDARY SCHOOLS**

**CHAPTER I
INTRODUCTION AND STUDENT EXPECTATIONS**

INTRODUCTION

The Milford School District is dedicated to developing each student's potential for learning. To achieve this, students, parents and school staff must share the responsibility for encouraging orderly, constructive student behavior. Therefore, the Board has developed this policy statement:

1. Students in the Milford School District shall respect constituted authority.
2. Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and demands cooperation with all members of the school community.
3. High personal standards of appearance, clothing, courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be maintained. Respect for real and personal property, pride in one's work and achievement within one's ability shall be expected of all pupils.

CODE OF CONDUCT REVIEW

The Student Code of Conduct Central Academy and High School is an official policy of the Milford School District Board of Education. The Board of Education expects that this Code will be subject to ongoing review and revision in response to:

1. Administrative, staff, student, and parent suggestions;
2. Legal interpretation; and
3. Annual Review

CODE OF CONDUCT DISSEMINATION

On an annual basis:

1. A copy of the student code of conduct shall be posted on the school website and a copy given to each student.
2. Students receive training in the discipline system at the beginning of each school year and as changes occur.
3. Administration and staff receive annual training based upon current district policies and procedures as well as changes in Regulation.

CODE OF CONDUCT AUTHORITY

The Student Code of Conduct may be enforced:

1. 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.
2. On all school campuses and property of the Milford School District.
3. When students are at a bus stop.
4. At all school sponsored events and other activities where school administrators and personnel have jurisdiction over students (ie: fieldtrips, sporting events, etc...)
5. 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.

Students who attempt to register in the Milford School District with outstanding discipline issues are subject to the consequences outlined in this document.

STUDENT EXPECTATIONS

Students are expected to:

1. Conduct themselves in an orderly, safe and responsible manner.
2. Attend all classes daily and on time.
3. Be prepared for class assignments and activities, with appropriate working materials.
4. Respect other people and their property.
5. Refrain from abusive language, defamatory, inflammatory, and demeaning actions.
6. Be clean and neat.
7. Be responsible for their own work.
8. Abide by rules and regulations of the school and individual classroom teachers.
9. Accept, understand, and respect diversity and differences among fellow students and staff.
10. Express feelings and needs in constructive, socially appropriate ways.
11. Resolve differences through acceptable, peaceful methods such as dialogue and compromise.

CHAPTER II STUDENT RIGHTS AND RESPONSIBILITIES

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. School officials have a right under the law to search students or their property whenever there is reasonable suspicion that the students have something that violates school rules or endangers the health, safety, or welfare of others. Students may be searched to maintain the ongoing educational process, to maintain order, and/or to protect people and property. Searches may include the student and his/her locker, desk, automobile, MSD owned computing resources including all data stored on the MSD network, personal belongings, book bags, purses, or any bags or containers used to carry personal property.

RIGHTS AND RESPONSIBILITIES OF POSSESSIONS

Students have the right: To privacy in their personal possessions unless the principal/designee/staff member has reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance, drug paraphernalia or of a student's unauthorized possession of items which include but are not limited to: electronic device, cell phone, weapon, stolen property, unsafe item, or dangerous instruments in the school environment.

Students have the responsibility: Not to carry, conceal, or possess any materials which are illegal, disruptive, dangerous, or offensive to others. Cell phones and other electronic devices must have the power turned off and be out of sight during the school day from the time the student arrives on school grounds until the end of the school day and on the bus. Cell phone use during the school day within the school building, school grounds and/or school buses is prohibited. The District is not responsible for a cell phone or electronic device which may be lost or stolen.

Lockers: The District presumes a student possesses, and is responsible for, all items found in the student's locker. Students should regularly check the contents of lockers. If students fail to lock lockers, or provide others access to personal lockers, students remain responsible for items found in personal lockers. 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.

Bookbag/Purse: The District presumes a student possesses, and is therefore responsible for, all items found in the student's bookbag, purse, or similar bag or container used to carry books or personal property (referred to as "bookbag"). Students should regularly check the contents of their bookbags. If a student fails to secure his/her bookbag, or provide others access to his/her bookbag, the student remains responsible for items found in his/her bookbag.

Motor Vehicles: The District presumes a student possesses, and is therefore responsible for, all items in the student's motor vehicle. This presumption applies to any motor vehicle driven to school without regard to who owns or rides in the motor vehicle. Before bringing a motor vehicle to school, or a school activity, students should carefully inspect the motor vehicle. If a student fails to lock his/her motor vehicle, or permit others access to his/her motor vehicle, the student remains responsible for items found in his/her motor vehicle.

DEBTS

Refusal to pay for lost, damaged, stolen school property or services rendered by a school program, such as but not limited to field trip fees, food, transportation or other services related to classes, student activities, and athletics. Students may petition to the school principal to set up a payment plan or other compensation plan.

Students who have a debt with the school will be barred from attending school activities including fieldtrips, Homecoming, Prom, and Commencement Ceremonies. In addition, the school shall file a claim in Justice of the Peace for restitution of all debts over \$25.

MOTOR VEHICLE POLICY

Driving to school is a privilege granted by school administration. The District presumes a student possesses, and is therefore responsible for, all items in the student's motor vehicle or other conveyance. This presumption applies to any vehicle a student drives to school without regard to who owns the vehicle. Before a student brings a vehicle to school, or a school activity, he/she should carefully inspect the vehicle. If the vehicle is left unlocked or others are allowed to access to your vehicle, the student who drove the vehicle to school remains responsible for items found in the vehicle. Students should follow the rules for driving/parking cars on school grounds as follows:

1. Register all vehicles with the office.
2. Park in designated spots only.
3. Obey the 15 M.P.H. speed limit.
4. Operate the vehicle in a safe manner.
5. Upon arrival to school, student shall go directly into the building.
6. Once on school grounds, students are not to drive off the property without administrative approval.
7. Administrative approval is required for students to be in the parking lot area when school is in session. This is an unauthorized area for students during the school day.
8. No smoking on school grounds.
9. Students shall be on time for school.
10. Students must properly park in the designated student parking spaces.
11. Only junior and senior students who are legally permitted to drive without supervision may purchase registration to legally park/drive on school grounds.

Students who disobey these rules may have their school driving/parking privileges suspended or revoked. Students who have unregistered vehicles, suspended or revoked driving privileges, or who park in unauthorized or other assigned spaces will be given disciplinary action in accordance with the Student Code of Conduct, and/or have their vehicle towed at the owner's expense.

SKATEBOARDS/ROLLERBLADES/WHEELED SHOES

Students are not permitted to bring or use skateboards, rollerblades, or wheeled shoes in or directly around the school.

ELECTRONIC DEVICES AND CELL PHONES

Milford School District discourages students from bringing cell phones and other communication devices to school. Such devices include but are not limited to: cell phones, tablets, computers, ~~giga-pets~~, ~~beepers~~, lasers, ~~radios~~, cameras, ~~CD players~~, ~~MP3 players~~, electronic games, etc. Students are prohibited from using cell phones and other electronic communication devices during the school day without permission from a school official. All devices must be turned off and kept out of sight during the entire school day when it is absolutely

necessary to bring the phone to school. Violators will receive disciplinary action in accordance with the Student Code of Conduct. Students who do not turn in an electronic device when requested or **repeated offenses for possession of cell phone** may be considered in Defiance of School Authority.

DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION

A student may not participate in a practice, scrimmage, or contest during the time a suspension, either in school or out of school, is in effect or during the time the student is assigned to an alternative school for disciplinary reasons.

OMBUDSPERSON

An ombudsman is made available by the state of Delaware to act as a facilitator in resolving grievances and disputes. The Delaware Department of Justice Bully Prevention and School Crime Contact (Ombudsperson) Anonymous Tip Line is: 1-800-220-5414

CHAPTER III

DISCIPLINARY PROCEDURES FOR VIOLATIONS OF STUDENT CODE OF CONDUCT

DUE PROCESS PROCEDURES & APPEAL PROCESS

- A. All students must be informed of the violation(s) and the range of disciplinary actions. These items should be:
 - a. included in the Student Code of Conduct.
 - b. explained to students in person on a yearly basis.
 - c. disseminated in print and electronic copy.
- B. Each student involved in a situation which may result in a disciplinary action must be given the following due process by the administrator or designee:
 - a. informed of the allegations against him/her, the conduct which forms the basis of the allegation (s), and explained the policy, rule, or regulation violated
 - b. given an explanation of the evidence supporting the allegation(s) and an opportunity to present his/her side of the story including any evidence, witnesses, or questions
- C. A student whose presence in the school environment poses a threat to the health, safety, or welfare to persons or property within the school environment, as determined by the Principal, may be immediately removed from the school provided that, as soon as practicable thereafter, the due process procedures are followed.
- D. Parent Notification
 - 1. Parents are to be informed of incidents as soon as possible either by phone or written notice. When obtaining written statements from witnesses, reasonable efforts may be made to notify the parent/guardian or each witness. Reasonable efforts shall be made to include the allegedly offending student or parent/guardian in an investigation.
- E. **Student Appeal Process to Disciplinary Responses**
The essential rights involved in disciplinary procedures stem from the concept of due process as outlined above.
 - a. Upon initiation of appeal process, penalties shall not be implemented until the student ceases or exhausts his/her appeal, except in cases **where a student presents a threat to the health, safety, or welfare of other students and staff.**
 - b. **Students, parents and guardians may all engage in the appeal process.**
 - c. **Disciplinary action may only be appealed to the next administrative level for failure of the school administration to follow any of the above three procedures.**
 - d. The appeal process may be initiated for any of the following reasons:

- i. Appropriate due process
- ii. Incorrect Action
- iii. Incorrect Charge

F. Appeal Process

1. Student shall have option to meet/discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal/private process should be followed in order to resolve differences/problems in friendly and cooperative manner.
2. Students or parents shall have the right to informally appeal staff disciplinary action to the ~~principal/assistant principal~~ **next disciplinary level** within two (2) school days after the charge. The objective is to resolve the matter informally.
3. If the matter is not resolved satisfactorily in the above manner, a written appeal to the ~~principal~~ **next disciplinary level** will be made within ~~four (4)~~ **two (2) school days of the previous disciplinary level**. ~~of the principal's decision. Any complaint made to administration by any student concerning a staff member shall be immediately brought to the staff member's attention. A The principal shall conduct a parent/student conference shall be conducted within ten (10) five (5) school days of appeal and shall give a written decision within two (2) four (4) school days of conference. The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless the student appeals the decision to the Superintendent or designee in writing within four (4) school days.~~
4. **A final written appeal may be made to the Superintendent/designee within two (2) school days of the previous disciplinary level.** The unresolved problem will be discussed in a conference with the parents/student and the Superintendent/designee. The decision of the Superintendent shall be final, except in cases governed by Regulation 616*.

As required by Regulation 616, **the following is** for appeals of Long Term Suspensions only. A hearing shall be granted by the Board upon receipt of a written request signed by the student stating he/she desires a hearing. The Board shall hold a hearing with the parents/student within thirty (30) days after receipt of the appeal. The Board shall submit its written decision within ten (10) school days following the hearing. The decision of the Board shall be final.

STUDENT INITIATED APPEAL PROCESS

It is the purpose of these appellate procedures to provide students' access to the appropriate school officials in regard to disciplinary matters.

Students or parents may only initiate the appellate process for one of the following reasons:

- ~~_____ 1. Incorrect charge _____ 2. Incorrect action _____ 3. Lack of due process~~

~~Upon initiation of appeal process, penalties shall not be implemented until the student ceases or exhausts his/her appeal, except in case of violent behavior, and except in cases under appeal to the State Board of Education.~~

~~Step 1: Student shall have option to meet/discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal/private process should be followed in order to resolve differences/problems in friendly and cooperative manner. _____~~

- ~~_____ 1. Student may notify parents.
_____ 2. Student may present information or interpretations on his/her own behalf.
_____ 3. Staff member shall notify student of his/her decision within one (1) school day.~~

~~Step 2: Students or parents shall have the right to informally appeal staff disciplinary action to the school principal/assistant principal within two (2) school days after the charge. The objective is to resolve the matter informally.~~

- ~~_____ 1. Students may notify parents.
_____ 2. Student shall inform the principal/assistant principal of the facts.
_____ 3. Student may present information or interpretations on his/her own behalf.
_____ 4. Principal or Principal's designee shall procure information from staff members.~~

~~5. Principal or Principal's designee shall notify student of his/her decision within two (2) school days.~~

~~Step 3: If the matter is not resolved satisfactorily in the above manner, a written appeal to the principal will be made within four (4) school days of the principal's decision. Any complaint made to administration by any student concerning a staff member shall be immediately brought to the staff member's attention. The principal shall conduct a parent/student conference within ten (10) school days of appeal and shall give a written decision within four (4) school days of conference. The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless the student appeals the decision to the Superintendent or designee in writing within four (4) school days.~~

- ~~1. The principal or Principal's designee shall state the nature of the offense and the appeal as noted in the written student appeal.~~
- ~~2. The student may present any information or interpretations on his/her own behalf.~~
- ~~3. The student may present witnesses sufficient to present his/her case.~~
- ~~4. The student may cross-examine witnesses.~~
- ~~5. The principal or Principal's designee may obtain information independently.~~

~~Step 4: The unresolved problem will be discussed in a conference with the parents/student and the Superintendent, or in his/her absence, his/her designee. This conference will take place within four (4) school days of the receipt of the appeal. The superintendent shall provide within four (4) school days of the conference a written decision. The decision of the Superintendent shall be final, except in cases of Long Term Suspensions, which shall be final unless the student appeals the decision to the Board of Education within four (4) school days. (Appeal for Board Hearing will be in writing to the Superintendent.)~~

- ~~1. The Superintendent or Superintendent's designee shall state the nature of the offense and the appeal as noted in the written student appeal.~~
- ~~2. The student may present information or interpretations in his/her behalf.~~
- ~~3. The student may present witnesses sufficient to present his/her case.~~
- ~~4. The student may cross-examine witnesses.~~
- ~~5. The Superintendent or Superintendent's designee may obtain information independently.~~

~~Step 5: As required by Regulation 616, Step 5 provisions are for appeals of Long Term Suspensions only. A hearing shall be granted by the Board upon receipt of a written request signed by the student stating he/she desires a hearing. The Board shall hold a hearing with the parents/student within thirty (30) days after receipt of the appeal. The Board shall submit its written decision within ten (10) school days following the hearing. The decision of the Board shall be final unless appealed.~~

- ~~1. The accused student shall be apprised of his/her rights.~~
- ~~2. The parents or guardian of the student shall be informed of the procedures for formal hearing.~~
 - ~~a. The appearance before Board of Education.~~
 - ~~b. The right to be represented by legal counsel or advisor.~~
 - ~~c. The right to have witnesses and to cross-examine complaining witnesses.~~
 - ~~d. The right to either a public or private hearing.~~
 - ~~e. The right to testify and present evidence.~~
 - ~~f. The date of the proposed hearing.~~
- ~~3. School officials shall assure appropriate hearing records be kept and accused be provided copy of summary report.~~
- ~~4. The accused shall be informed by written notice of the decision rendered and the basis for such action. Written notice will include the accused's right to appeal to the State Board of Education.~~
- ~~5. The accused person shall have the right to appeal final decisions by the local district Board of Education to the State Board of Education within (30) days in accordance with State Board Regulations.~~

~~Failure of a student at any level of this procedure to appeal the decision to the next level within the specified time limits shall be deemed to be acceptance of the decision at that level. If an appeal is initiated within the last 60 days of the school year: (1) the appeal shall go directly to the Principal for final determination if the~~

~~policy does not require a Board hearing for that offense; (2) the appeal shall go directly to the Board for final determination if the policy requires a Board hearing for that offense.~~

SUSPENSION, ALTERNATIVE SCHOOL PLACEMENT AND EXPULSION

The Board recognizes that exclusion from the educational program of the schools, whether by suspension, alternative school placement, or expulsion is the most severe sanction that can be imposed on a student in this district and one that cannot be imposed without due process. The primary purposes of suspension are to maintain the integrity of the education process, to give students time to reflect on their school behavior, and to defuse potentially explosive situations. Students suspended, placed at alternative school, or expelled from school are also excluded from school-related activities and are not permitted on any Milford School District property or at any off-campus event during the entire duration of their suspension, alternative placement, or expulsion.

SUSPENSION FROM SCHOOL

A. Short-Term Suspension

- a. The Principal, in accordance with the rules of the district, shall have the right to impose a Short-term Suspension on any student in the school who has violated the school's Student Code of Conduct. The duration of the Short-term Suspension shall not be more than ten (10) consecutive school days for any single conduct violation or combination of violations which occurred during a single disciplinary incident.
- b. The Superintendent, in accordance with the rules of the district/charter school, shall have the right to temporarily extend a student's Short-term Suspension beyond the ten school day limit pending a district Central Review Committee/Alternative Placement Meeting decision or the district Board of Education decision regarding an Expulsion hearing or other formalized Disciplinary Action hearing for the student.
- c. Due Process will be followed as outlined in Chapter III.
- d. Students suspended out of school are expected to make up their work. It is the responsibility of the student/parent/guardian to contact the teacher for makeup work. Students' assigned in-school suspensions are required to complete their work.
- e. A student assigned to an excessive total of in-school suspensions (more than 3) may be assigned out-of- school suspension (OSS) instead of the ISS consequences prescribed in these guidelines.
- f. In all events, parents will be notified to have the student picked up from school. Students whose parents/guardians/emergency contacts cannot be reached by telephone will be retained at school until the end of the school day. However, if this is not feasible or if the immediate removal of the student from school is necessary to protect the safety of individuals, property, or the integrity of the educational process, the necessary notice and hearing will follow as soon as possible.

B. Long-Term Suspension

- a. The Superintendent, in accordance with the rules of the district school, shall have the right to impose a Long-term Suspension on any student in the school who has violated the school's Student Code of Conduct's listed acts of misconduct as defined in 14 DE Admin. Code 614.3. The duration of the Long-term Suspension shall not exceed the number of school days in a school year for any single conduct violation or combination of violations which occurred during a single disciplinary incident.
- b. Prior to any Suspension from school, the initial due process procedures outlined in Chapter III shall be followed.
- c. When a student receives a Suspension from school (in or out-of-school), reasonable attempts to provide verbal notification to the Parent shall be made by the Principal prior to the Suspension being served. Written notification of the Suspension and information regarding the districts/charters appeal or Grievance process shall be given or sent to the Parent as soon as practicable, but no later than three business days. The notification shall state the cause and duration of the Suspension.
- d. The Parent or student may appeal the Suspension to the next administrative level in accordance with the district's appeal or Grievance process.
- e. Prior to the student's return from an out-of-school Suspension of three (3) school days

or more, the Principal shall hold an in-person or phone conference with the Parent and student. The conference shall be designated by the Principal, who may waive the conference.

ASSIGNMENT TO ALTERNATIVE PROGRAM

A student may be assigned to an Alternative Program because of serious or repeated violations of the Code. Assignment to an Alternative Program is the removal of a student from the regular school program, with placement in special alternatives designed to meet the student's particular needs. A principal may refer a student for Alternative Placement:

- a. for any severe disciplinary violation for which Alternative Placement may be a consequence as specified in the district school Student Code of Conduct and the student's behavior is within the defined conduct under Regulation 616.
- b. in conjunction with an Attorney General's Report or court disposition that indicates that the student has been charged with a Violent Felony and/or is a threat to the health, safety, and welfare of others within the School Environment.
- c. in conjunction with chronic disruptive behaviors which result in Repeated Violations of the Student Code of Conduct after all school based best practice interventions have been put into place for said student.

C. Building Level Conference

When it is alleged that a student committed a violation of the Student Code of Conduct and may be subject to a recommendation for Alternative Placement, the following procedures shall occur. The principal:

- a. shall follow due process as outlined in Chapter III
- b. shall notify the student and parent/guardian.
- c. may impose a Short-term Suspension. If the student is suspended, the student and the Parent shall be provided a copy of a Suspension form that includes a written notice of the Student Code of Conduct violation(s).
- d. shall compile an Alternative Placement Packet for the student. The Alternative Placement Packet may also include other relevant information at the discretion of the Principal.
- e. shall hold a building level conference (by phone or in person and with a third person present) with the parent/guardian and student to inform them:
 1. of the referral for Alternative Placement
 2. that the student may be suspended and;
 3. of the procedures that will take place as follow-up to the referral for Alternative Placement.
- f. shall mail a notice of the Alternative Placement Meeting to the parent/guardian at least 5 business days before the meeting is to occur.

In lieu of a formal Expulsion hearing, a student may elect to waive the hearing and admit to the student's violation charge(s). The student and Parent shall submit a signed written hearing waiver which indicates that the student is knowingly and voluntarily waiving their right to the hearing. Such election may be exercised until the commencement of the hearing. This waiver does not absolve the student from required consequences under Federal or State Law or the Student Code of Conduct. (See Appendix II)

D. Central Review Committee Meeting/District Alternative Placement Meeting

- a. The Central Review/Alternative Placement Team includes: a representative of the Alternative Program Staff, a district level coordinator who will be designated by the superintendent; the building level principal, assistant principal or other person as appropriate; the student's Parent; guidance counselor or school social worker
- b. A district Central Review Committee/Alternative Placement Meeting shall take place to determine if an alternative setting is appropriate for a referred student.
- c. The Parent and student shall receive verbal and written notification of the district/charter school's Central Review Committee/Alternative Placement Meeting within one day of the meeting. Parents and student may, but are not required to, attend the meeting.

- d. The Parent and student shall be informed of the district/charter school Central Review Committee/Alternative Placement Team's decision for placement within one (1) business day of the meeting.
- e. If the decision is to assign to an Alternative Placement, the Superintendent shall send follow-up written notice within three (3) business days to the Parent describing the circumstances which led to the placement, identifying the Alternative Program to which the student is being assigned, and the conditions which must be met in order for the student to return to the Regular School Program.

E. Student Assignment to Alternative Placement

- a. Milford School District contacts the Alternative Program to set up a date and time for an Intake Meeting.
- b. The Intake Meeting shall not occur unless all required participants are present, unless excused by the Superintendent, and documentation from the Alternative Placement Packet is provided.
- c. Participants required to be present at the Intake Meeting include, but are not limited to, the student, the Parent, a district representative, the Alternative Program administrator, and other appropriate Alternative Program staff.
- d. A student assigned to a Consortium Discipline Alternative Program must be registered in Milford School District before the Intake Meeting is held.
- e. The Intake Meeting will include the completion of necessary forms, including the Intake Form, which requires student and Parent signatures.
- f. During the Intake Meeting, Milford School District representative shall communicate, to all in attendance, the district/charter school's individualized goals and expectations for the alternatively placed student, including the Individualized Service Plan (ISP) under 14 DE Admin. Code 611, if applicable. The individualized goals and expectations shall be recorded on the Intake Form.
- g. The Intake Form shall be signed by all parties, copied and distributed to the student and Parent, Alternative Program administrator, and Milford School District representative and shall become part of the student's educational record as defined by 14 DE Admin. Code 252.
- h. Milford School District shall maintain all alternatively placed students' enrollment status in Delaware Student Identification System (DELSIS) and eSchool PLUS database systems or successor Delaware Department of Education approved student database management system. A student placed in a Consortium Discipline Alternative Program shall have both an "active" and "service" status designation in DELSIS.
- i. Students suspended, placed at alternative school, or expelled from school are also excluded from school-related activities and are not permitted on any Milford School District property or at any off-campus events.

EXPULSION

Only the Board of Education may expel a student from school for violation of District Policy. In general, the act of expulsion shall be taken in accordance with due process rights and on the documented evidence presented by the administration. A student will be expelled up to 180 school days and credit will not be given for courses in which a student is currently enrolled.

Re-entering: Students will begin the school year with a clean discipline record with the exception of students who have been previously expelled from school and those operating under a behavior contract that might extend into the new school year. An expelled student may re-enter school upon the completion of their term of expulsion. Parents and student are required to meet with a school administrator to review and sign a behavior contract before attending classes.

F. Expulsion Process

- a. When a student commits a violation which may result in a recommendation for

expulsion, the following procedure shall be followed.

STEP I – Investigation and Recommendation for Expulsion

1. The principal or designee investigates the violation and follows due process from Chapter III of this policy.
2. After the student has been afforded initial due process procedures, if the Principal decides that disciplinary action in the form of a recommendation for Expulsion will be made, the following procedures shall be afforded:
 - a. The student shall be given a Short-Term Suspension.
 - b. The Principal shall hold a Building Level Conference with the Parent and the student. The Principal shall explain to the Parent and the student the purpose of the meeting is to inform them: 1) of the recommendation for Expulsion; 2) that the student will be serving a Short-term Suspension pending the outcome of the Expulsion hearing and; 3) of the procedures that will take place as follow-up to the recommendation for Expulsion. The conference is held by phone or in person and notes are recorded by a second person.
3. All documentation related to the recommendation for Expulsion shall be delivered to the Superintendent within two (2) business days of the Building Level Conference or seven (7) business days of the incident, whichever is sooner.

STEP II – Expulsion Hearing Determination

1. Upon receipt of a recommendation following the Building Level Conference, the Superintendent shall review documentation to affirm that appropriate discipline procedures were followed. The Superintendent shall, within ten (10) business days of the date of the incident, notify the student and the Parent by letter that a district-level Expulsion hearing will be held to consider the recommendation. The Superintendent shall not have been a participant in the disciplinary investigation or Building Level Conference resulting in the recommendation for Expulsion.
2. In lieu of a formal Expulsion hearing, a student may elect to waive the hearing and admit to the student's violation charge(s). The student and Parent shall submit a signed written hearing waiver which indicates that the student is knowingly and voluntarily waiving their right to the hearing. Such election may be exercised until the commencement of the hearing. This waiver does not absolve the student from required consequences under Federal or State Law or the Student Code of Conduct. (Appendix I)
 - a. Within five (5) business days following the waiving of hearing rights and admission of violation charges, the Superintendent shall prepare a report for the Board of Education's action at its next public board meeting or an additional scheduled public board meeting for the sole purpose of deciding on the student disciplinary matter in question.

STEP III – Expulsion Hearing

1. Written notice shall, at a minimum, be sent by regular U.S. and certified mail to the Parent describing the circumstances which led to the recommendation for Expulsion and shall give the date, time, and location of the hearing.
2. The hearing shall be held not less than seven (7) business days or more than twenty (20) business days after receipt of written notice. The written notice shall be deemed to be received on the fourth business 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 and Parent at the district/charter school office prior to the mailing.
3. The student and Parent may also be given copies of the following: (reason for the recommendation, names of witnesses who may appear, and copies of information that may be submitted as evidence).
4. The Expulsion Hearing shall be conducted by a district Board of Education or Hearing Officer.
5. The Board of Education or Hearing Officer:
 1. shall have full authority to admit or exclude evidence.

2. is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure except as herein stated.
3. may exclude plainly irrelevant, immaterial, insubstantial, cumulative and privileged evidence.
4. may limit unduly repetitive proof, rebuttal and cross examination.
6. In conducting the hearing, the district shall:
 1. submit evidence first followed by the response of the student, if any.
 2. allow further evidence by either party to be presented at the hearing if the Board of Education or Hearing Officer determines such evidence is necessary.
 3. be recorded in a manner that will permit transcription.
 4. Not allow the Superintendent presenting the case on the part of the District to testify.
7. The student shall have the following rights:
 1. To be represented by legal counsel at the student's expense;
 2. To cross-examine witnesses;
 3. To testify and produce witnesses on his/her behalf; and
 4. To obtain, at the student's expense, a copy of the transcript of the hearing.

STEP IV – Expulsion Decision by Board of Education

1. Within five (5) business days following the conclusion of an Expulsion hearing conducted by a Hearing Officer, a written report shall be prepared by the Hearing Officer for the Superintendent. The report shall frame the issues, summarize the evidence, state conclusions of fact, and make a recommendation as to whether the student should be expelled.
2. The Board of Education shall:
 - a. conduct a review of the Hearing Officer's recommendation, the transcript and all evidence, and then may accept, reject, or modify the recommendation of the Hearing Officer.
 - b. report to the Delaware Department of Education within five (5) business days of the Board's decision to expel.
 - c. grant a decision in writing, within ten (10) business days of the decision by the Board of Education, to the Superintendent, Parent and student. The written decision shall include notice of the right to appeal to the State Board of Education. When a Board of Education expels a student, but determines the student shall not be placed at a Consortium Discipline Alternative Program, the written decision shall address with specificity the reason for non-placement and the evidence in support thereof. Such decisions shall be submitted to the Delaware Department of Education's Office of School Climate and Discipline within five business days of such decision, with a copy to the student's Parent.
 - ~~d. notify the Delaware Division of Motor Vehicle of the beginning and ending date of Expulsion for students who are expelled from the School district/charter school as a request for suspension of driving privileges in accordance with 14 Del.C. §4130(e)(1).~~
 - ~~e. forward a copy of the Delaware Division of Motor Vehicle form to the Delaware Department of Education's Office of School Climate & Discipline.~~

STUDENTS WITH DISABILITIES

- A. In the case of a known or suspected disabled student, as defined in federal and state regulations, being considered for expulsion or change in placement, an Individual Educational Placement (IEP), Manifestation Determination (MD) or Section 504 (as appropriate) team meeting will be convened before change in placement or expulsion.
- B. The IEP Team will determine whether (1) the alleged conduct is a manifestation the student's disability, or (2) the student's programming and placement was appropriate at the time of the offense. A disabled student's conduct is a manifestation of the disability if the IEP/MD/Section 504 Team so determines. If the IEP Team determines that the offense is a manifestation of the student's disability, the student's program and/or placement may be changed by the team, but not as a disciplinary consequence, and only to provide appropriate services and placement.
- C. If the IEP Team determines that the offense is not a manifestation of the student's disability, the principal will follow the Student Code of Conduct, and continued services and placement shall be

determined by the IEP Team.

- D. In instances where the student presents a danger to himself or others as afforded by law, Interim Alternative Educational Settings may be invoked by the District, including homebound instruction.

CORPORAL PUNISHMENT

The use of corporal punishment is not permitted in the Milford School District. This does not prohibit an official or professional employee of the Milford School District from:

1. Using reasonable and necessary physical contact to quell a disturbance or prevent an act that threatens physical injury to any other person.
2. Using reasonable and necessary physical contact to obtain possession of a weapon, other dangerous object, controlled substance, or drug paraphernalia within a pupil's control.
3. Using reasonable and necessary physical contact for the purpose of self-defense or the defense of others.
4. Using reasonable and necessary physical contact for the purpose of protecting public school property.
5. Using reasonable and necessary physical contact for the purpose of removing a disruptive pupil from school premises or motor vehicle or from school-sponsored activities.
6. Using reasonable and necessary physical contact to prevent a pupil from inflicting harm on himself or herself.
7. Using reasonable and necessary physical contact to protect the safety of others.
8. Using incidental, minor, or reasonable physical contact to maintain order and control.

In determining whether or not an employee of the Milford School District was acting within the above exceptions, deference shall be given to reasonable, good faith judgment made by an official or employee of the school board.

DISCIPLINARY REFERRALS

Disciplinary referrals should occur only when students have clearly and willfully violated the District's Code of Conduct.

SMOKING

The State of Delaware prohibits smoking by all persons within all buildings, facilities and school grounds of the District. Smoking includes any delivery system whether electronic or non-electronic (ie: vape pipes, juuls and e-cigarettes.)

UNSAFE SCHOOL STUDENT TRANSFER OPTION PROGRAM

Milford Central Academy and Milford High School have been declared safe schools.

The Milford School District complies with legislation by providing transfer options to those students enrolled in a District school that has been identified as "persistently dangerous" pursuant to the provisions of DDOE Regulation 608, Unsafe School Choice Option for Students in Persistently Dangerous Schools and for Students Who Have Been Victims of a Violent Felony. Students who have been victims of a violent felony under these provisions may also elect the transfer option program.

Option A: Schools Identified As Persistently Dangerous

- Within ten school days of receiving a persistently dangerous designation from the Department of Education, the District will notify parents of eligible Unsafe School Transfer Option Program students by mail. A Transfer Option Application will be attached to the notification letter. Parents of students moving to a persistently dangerous school at the end of their grade level cluster will also be notified by mail. All parents registering students at a designated school will receive a notice and Transfer Option Application at the time of registration.
- The District will accept Unsafe School Student Transfer Option Applications for fifteen school days following date of the notification mailing. Applications for in-coming kindergarten students will be accepted through first day of new school year.

- Parents will have the option to transfer to another District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- Transfers of students will occur within 30 school days of Department of Education notification to the District. Transferring students will be assigned to bus stops currently servicing their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.
- A corrective action plan will be developed and filed with the Department of Education within 20 school days from the date that the District learns that a school has been identified as persistently dangerous.

Option B: Victim of a Violent Felony at a School

- Within five school days from the date of the acknowledgement of a violent felony charge that occurred in or on the grounds of a District school, the District will notify the victim's parents by certified mail of the Unsafe School Student Transfer Option. A Transfer Option Application will be attached to the notification letter.
- Parents have 10 school days from the date of the certified mailing to exercise their option to transfer to a safe District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- The student will be transferred within 30 school days of the District's notification of violent felony charges being filed. Transferring students will be assigned to bus stops currently servicing their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.

The Milford School District Student Transfer Option Program components are subject to amendments as may be required by law.

WEAPONS – GUN FREE SCHOOLS ACT OF 1994 The Milford Board of Education recognizes that students and staff must be provided with a safe and secure environment for learning, free from fear, harassment or injury caused by the possession of firearms in school. In compliance with the Federal Gun-Free Schools Act of 1994, the District adopts the following policy:

Possession of a firearm, as defined by Delaware Code, on school property, in a school bus, at any school-sponsored co-curricular activity, shall result in expulsion for a period of not less than 180 school days. The superintendent shall modify the expulsion requirement to the extent a modification is required by Federal or state law in respect to students who have been determined to have disabilities. The procedures and definitions by which this policy will be implemented are contained in the Student Code of Conduct and Delaware Code.

COMBINATION OF OFFENSES

In single instances where more than one violation of the Code occurs prior to disciplinary action given, the student may be dealt with at the highest level and may be given the most severe action allowed for any of the offenses committed.

In separate incidents of violations of the Code, offenses cannot be combined prior to disciplinary action in order to determine the appropriate level and action for the latest offense. Offenses are to be considered separate, except as may be provided elsewhere in this policy. If several separate instances of the same offense occur prior to disciplinary action, all of the offenses should be processed at the appropriate level of action specified for each violation.

REMOVAL OF STUDENTS FROM CLASS OR OTHER SCHOOL ACTIVITY

Faculty and administration have authority over student conduct at all times during school and school related activities outside the school day, including riding buses. Students will be removed from class or school activity based upon the judgment of teachers and administrators. Criteria for removal of students include the safety of student and others, any form of violence, persistent disruption that interferes with

learning, prevention of such situations and compelling need to speak to student privately. In using their judgment to remove a student, staff will use the Student Code of Conduct as the guide for their decisions. When a punishment or penalty is given to a student, it will be at the discretion of school authorities and based upon the Code of Conduct. If a student needs to be removed, the teacher will contact the office/follow procedures established in that school to summon assistance to remove a student.

CHAPTER IV VIOLATIONS OF THE STUDENT CODE OF CONDUCT

HARRASSMENT

Sexual harassment by district students or harassment or misconduct by students based upon race, color, creed, religion, gender (including pregnancy, childbirth and related medical conditions), national origin, citizenship or ancestry, age, disability, marital status, veteran status, genetic information, sexual orientation, gender identity, or upon any other categories protected by federal, state, or local law.

Sexual harassment is a form of sex discrimination and illegal under Title VII of Civil Rights Act of 1964, which protects persons in work place, and Title IX of Education Amendments of 1972, which protects persons from sex discrimination at school. Sexual harassment can be defined as any unwelcome attention of a sexual nature that interferes with a person's work (school) performance or creates a hostile, intimidating work (school) environment. It may include, but is not limited to: demeaning remarks about one's clothing, body, or sexual activity based on gender; unnecessary touching, patting, or pinching; leering at another person; demanding sexual favors accompanied by threats relating to job or school performance and evaluation; and physical assault. It is important to remember that no person deserves to have his/her individual freedoms violated and that persons who have experienced sexual harassment often feel guilty, angry, powerless, and fearful. Such sexual harassment or misconduct, whether the harasser is another student or adult: shall include, but is not limited to the following:

- **written contact**--suggestive or obscene letters, notes, invitations, graffiti, and electronic messages of a sexual nature.
- **visual contact**--sexually suggestive looks or gestures, displaying sexually suggestive or explicit objects or pictures, cartoons, photographs, electronic images, posters, magazines, or other materials.
- **verbal contact**--sexually suggestive gestures or obscene comments including, but not limited to, those about a person's body, body parts, or sexual characteristics that are used in a negative or embarrassing way; verbal advances or sexually explicit statements which may take the form of threats, jokes, teasing, phone calls, or pressure for sexual contact or favors.
- **physical contact**--uninvited and intentional touching, blocking, or cornering of a person's freedom of movement; pinching, patting, invasion of the person's privacy by leaning over him/her or brushing up against the other person's body; or actual sexual contact, assault, or rape.
- **retaliation**--any action taken or threatened against another person for complaining about any of the behaviors described above.

Harassment based upon a person's race, national origin, disability, religion, sexual orientation or similar characteristics by a student directed against or toward another person that occurs on the school district's premises or at school activities off the school premises is a form of conduct which is prohibited. Such harassment or misconduct shall include, but is not limited to:

1. Any assault, offensive touching, menacing, or reckless endangering of another person that is motivated by the victim's race, national origin, disability, religion, sexual orientation, or similar characteristic;
2. Oral or written words communicated by any student to another person that attack, degrade, stereotype, or offend based on the person's race, national origin, disability, religion, sexual orientation, or similar characteristic;
3. Any oral, written or symbolic communication that can reasonably be perceived and considered as offensive, including slurs, jokes with negative connotations, apparel decorated with negative or degrading words or symbols, negative stereotyping, or other communications that are based upon race, national origin, disability, religion, sexual orientation, or similar characteristic.

4. The use of threats, coercion, or intimidation to prevent a person from reporting such harassment or misconduct as set forth in #s 1-3 above.

If you believe you or another person are the subject of such harassment or misconduct or sexual harassment or if you witness such actions or communication in general, you should report the circumstances immediately to a teacher or the principal or assistant principal at your school, to a parent or guardian, or to any employee of the school district who is in a position of authority. Persons are urged to report violations of these policies and no one will, in any way, use threats, coercion, or intimidation to prevent a person from reporting harassment or sexual harassment. All complaints made to district staff must be reported by such staff to the Milford School District Title IX Coordinator. Upon receiving notice of a complaint of harassment, sexual harassment or misconduct based upon race, national origin, disability, religion, sexual orientation, or similar characteristic, an investigation will be conducted as soon as possible. Confidentiality of the person and/or witnesses to the prohibited conduct will be maintained to the fullest extent possible. A school district student, who is found to have committed harassment or misconduct based upon race, national origin, disability, religion, sexual orientation, or similar characteristic, will be subject to appropriate disciplinary action, and all reports of such harassment or misconduct will be actively and diligently investigated. Appropriate action will be taken consistent with the provisions of the student disciplinary code and/or state law. The type of disciplinary action taken will depend upon the seriousness of the offense committed and may include placing the offending student on probation, suspension, expulsion, or imposing other disciplinary alternatives. Follow-up inquires may be made to ensure that harassment, including sexual harassment, has not resumed and that the complainant and witnesses have not suffered retaliation for their actions.

DRUGS AND ALCOHOL, AND STEROID POLICY

The Milford School District believes that drugs **and** alcohol ~~and steroids~~ have no place in the school environment and are prohibited. The Milford School District supports a zero tolerance policy tempered by the desire to encourage students with substance abuse problems to come forward and seek help with treatment and counseling.

The **Milford School District strives to:** ~~objectives of this policy are fourfold:~~

1. ~~To~~ promote student awareness/education concerning the dangers of substance abuse in the schools;
2. ~~To~~ make known the availability of drug and alcohol counseling, rehabilitation and student assistance programs;
3. ~~To~~ provide a fair and equitable framework for administering consequences to students who violate the policy;
4. ~~To~~ provide prior notice to all students of the District's position that the use of drugs, alcohol or steroids in the school environment is destructive of the educational process and will not be tolerated.

~~The policy on possession, use or distribution of drugs and alcohol shall apply to all Milford School District schools:~~

~~The Board Hearing recognizes~~ **The** misuse of drugs and alcohol is a serious problem with legal, physical and social implications for the school community. ~~The Board Hearing, accordingly, prohibits the possession, use and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia because they are wrong and harmful to students.~~

In cases of drug use, possession and/or distribution of drugs and/or alcohol and/or paraphernalia and/or inhalants and/or medications, the Milford School District will:

1. **Follow the code of conduct to administer consequences to students.**
2. Alert law enforcement of possible criminal violations.
3. Turn over all substances and paraphernalia to law enforcement officials.
4. Request analysis of the substance if necessary.
5. **Suspend from participation** any student who violated the above policy more than one time during his/her period of eligibility to participate in extracurricular activities ~~shall be suspended from participation in all extracurricular activities, including sports, clubs and marching band, for one calendar year from the date of the second incident. This policy applies to all students while on school property or at a school-sponsored activity.~~
6. **Require** that all prescription or non-prescription drugs ~~are to be handled through the office of the school nurse. Authorized drugs are those prescribed to a student by a licensed physician or that~~

which can be purchased over the counter and for which the student has written permission from his/her parent or guardian. Both are to be brought in the original labeled container to the school environment in the dosage or amounts prescribed, or for which written permission has been obtained. In all cases, they are to be delivered to the school nurse and administered as per the physician's/parent's/guardian's written order. Violations of the policy could result in disciplinary action. All medications not reported to the nurse will be considered unauthorized.

7. Offer help and assistance to any student who feels that she/he has a problem with drugs or alcohol. ~~may request help from~~ School personnel, ~~who will~~ offer assistance, assessment and/or identify appropriate outside resources without penalty, unless a violation of this policy has occurred. In cases involving student assistance, cost for such treatment are the responsibility of the parent, but the school administration will be an active partner at the parent's request in securing help of a limited cost nature.
8. ~~The Milford School District is~~ Be committed to developing preventative strategies for dealing with this issue through counseling efforts, instructional programs and many other related activities. ~~As one part of this program each year, this policy will be reviewed by the school administration with the total student body at the beginning of school.~~ The Milford School District has also designated the school nurse, school psychologist and/or school counselors as the professionals to which staff can refer students to receive initial counseling and to obtain information or counseling/treatment services available to the student in need. ~~Issues involving student rights to services and confidentiality should be directed to the school principal.~~

~~The Board Hearing considers offenses related to drugs and alcohol very serious both for the individual involved and for the welfare of other students in the district. Therefore, the following rules and regulations have been developed:~~

1. ~~Any 9-12 student who buys, sells, uses, consumes, is impaired by or is in possession of drugs, a drug-like substance, alcohol, a look-alike substance and/or drug paraphernalia while on school property or at school-related activities will investigated at the school level by the discipline team led by the principal or designee. The school recommendation will be reviewed at the district level by the Central Review Committee, chaired by the appropriate district~~
2. ~~All violations of this policy are to be immediately reported to the school principal who will verbally notify the student's parent(s) of the investigation. In all cases, the Youth Aid Division of the Milford Police will also be contacted. At all times the student's due process rights and confidentiality rights are to be respected but after an informal hearing with the student, the principal has the authority to suspend the student for up to ten school days to allow for investigative procedures to be conducted. At the conclusion of the school investigation, the student's parent(s) will be notified in writing of the school findings and recommendation(s). The school recommendation on the occurrence should be made in writing to the appropriate director who will then convene a meeting of the Central Review Committee. If the violation will result in a recommendation for expulsion, the appropriate director will so notify the student's parent(s) in writing.~~
3. ~~All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's possession shall be turned over to the principal or designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and turned over to the police as potential evidence. A request for analysis shall be made where appropriate.~~
4. ~~Students of majority age, i.e., age 18 or older, are responsible for their own actions. All such students will be treated as adults for purpose of reporting violations of this policy and of the law to the police. Such students shall also be on notice that their parent(s) and/or guardian(s) will be notified (if their addresses and/or telephone numbers are known to the school) of the student's actions in accordance with this policy.~~
5. ~~Any student who is found consuming beyond the prescribed or recommended dosage, being under the influence of, selling or distributing any substance which alters or is intended to alter performance such as steroids, stimulants, amphetamines, diuretics and related compounds, any of which are found on the NCAA list of banned drugs and posted in the school offices, she/he may be suspended from school for a minimum of five days and suspended also from all participation in extracurricular activities, including sports and marching bands. Any student who violated the above policy more than one time during his/her period of eligibility to participate in extracurricular activities shall be~~

~~suspended from participation in all extracurricular activities, including sports and marching band, for one calendar year from the date of the second incident. This policy applies to all students while on school property or at a school-sponsored activity.~~

NONCONTROLLED SUBSTANCES

The act of possessing or transferring a drug-like or look-alike substance (includes all substances which fall under the definition set forth in the Uniform Controlled Substance Act 16 Del. D. 4701 et seq.) shall constitute intent to use, possess, or distribute if any of the following conditions is present:

1. The express representation that the substance is a controlled substance; or
2. The express representation that the substance is of such nature or appearance that the recipient of said delivery will be able to distribute said substance as a controlled substance; or
3. Circumstances which would lead a reasonable person to believe that the substance was a controlled substance.

It is prima facie evidence of such circumstances if any two of the following factors are established:

- A. The non-controlled substance is packaged in a manner normally used for the illegal delivery of controlled substances.
- B. The delivery or attempted delivery included an exchange of or demand for money or other valuable property as consideration for delivery of the substance, and the amount of such consideration was substantially in excess of the reasonable value of the non-controlled substance.
- C. The physical appearance of the finished product containing the substance is substantially identical to a specific controlled substance.

AGGRESSIVE GROUPS AND GANG POLICY

The Milford School District recognizes that the harm done by the presence and activities of gangs and aggressive groups in public schools exceeds the immediate consequences of such activities such as violence and destruction of property. Gang and aggressive group activities also create an atmosphere of intimidation in the entire school community. Both the immediate consequences of this activity and the secondary effects are disruptive and obstructive of the process of education and school activities.

It is therefore the policy of the Milford School District that gangs and aggressive groups are prohibited in the Milford School District Schools, according to the following:

I. Definitions for Purposes of this Policy

An "aggressive group" is any group of two or more students who act collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district.

An "organized aggressive group" act collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district have one or more of the following characteristics: An action against a single member of the group is responded to by multiple members of the group, the group identifies itself with a name, similar clothing or colors, established symbols and handshakes, similar hairstyles, or other identifying characteristics

A "gang" is any group of two or more students whose purposes include the commission of illegal acts; "gang related activity" includes but is not limited to the prohibited conduct set forth below.

II. Prohibitions

No student on school property or at any school activity on or off campus shall:

1. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign or other items that evidences or reflects membership in or affiliation with any gang or aggressive group.
2. Engage in any act, either verbal or nonverbal, including gestures or handshakes, showing membership or affiliation with any gang or aggressive group.
3. Engage in any act to further the interests of any gang or aggressive group, including, but not limited to:
 - a. soliciting membership in, or affiliation with, any gang;

- b. soliciting any person to pay for "protection," or threatening any person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
- c. painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property;
- d. engaging in violence, extortion, or any other illegal act or other violation of school policy;
- e. soliciting any person to engage in physical violence against any other person.

III. Procedures

- 1. WATCH: the same students are noted to be persistent in aggressive group behavior
 - a. A list of the students is established and maintained
 - b. Record all relevant actions, interactions, reports, and rumors
- 2. INTERVENTION: When sufficient documentation has accumulated
 - a. Interview, set limits, and warn individually
 - b. Send letter to parents
 - c. Apply appropriate discipline for all group activity: Inflammatory Actions, Bullying, and Defiance
- 3. GANGS AND ORGANIZED AGGRESSIVE GROUPS
 - a. Prohibited from assembly on school grounds
 - b. Arrests off campus will result in a referral under M016.
 - c. Expulsion hearing for all acts of violence or intimidation

IV. Application and Enforcement

- 1. In determining, as part of the application and enforcement of this policy, whether acts, conduct, or activities are gang related, school officials are encouraged to exercise discretion and judgment based upon current circumstances in their schools, neighborhoods, and areas.
- 2. This policy is intended to work in conjunction with the Bullying Policy found elsewhere in the MSD Code of Conduct.
- 3. The removal of graffiti shall be a priority in maintenance of school property. All such graffiti on school property shall be removed or covered within twenty-four (24) hours of its first appearance to school officials, or as soon thereafter as possible.
- 4. School officials are strongly encouraged to work closely with local law enforcement officials in controlling gang-related activities. Local law enforcement can provide school officials with information regarding gang-related activities in the area, including names and characteristics of local gangs.
- 5. The superintendent, in consultation with the appropriate building principals, should report instances of gang-related criminal acts or acts of serious disruption to School Board and local law-enforcement authorities for further action.

V. Violations of Policy

Students who violate this policy shall be subject to the full range of school disciplinary measures, in addition to applicable criminal and civil penalties.

SCHOOL BULLYING & CYPERBYLLYING PREVENTION POLICY

The Milford School District (the "District") recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District strives to provide safe learning environments for all students and all employees.

I. Prohibition of Bullying Which Includes Cyberbullying

The District 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 District from grades kindergarten through grade twelve. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated by each school district and charter school in the same manner as incidents

of bullying. The District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

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 school 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.
- E. As used in this policy, cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
 - 1. Whether speech constitutes cyberbullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
 - 2. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school or district materials.

Explanation: Bullying is usually defined as involving repeated acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be perpetuated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person's conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions which may become bullying depending on their reasonably foreseeable effect.

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

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

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

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

- 1. Denigration: spreading information or pictures to embarrass,

2. Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks,
3. Exclusion: isolating an individual from his or her peer group,
4. Impersonation: Using someone else's screen name and pretending to be them
5. Outing or Trickery: forwarding information or pictures meant to be private.

Sexual Bullying: With the exception of physical contact which is deemed criminal and/or meets the definition of Unlawful Sexual Contact as defined in DE Code §4112, unwanted touching of a sexual nature, unwanted talking about private parts, and unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is not exhaustive. Such actions become bullying if they meet the definition with regard to intent and reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other District policies or building, classroom or program rules.

III. School-Wide Bully Prevention Program

The District is committed to support each school in their adoption of a school-wide bully prevention Program. Each school is directed to develop or adopt a school-wide, research-based bully prevention program. A Coordinating Committee will be created, as described in Section IV of this policy.

IV. Coordinating Committee

Each school shall establish a site-based committee that is responsible for coordinating the school's bully prevention program including the design, approval and monitoring of the program.

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.

VI. Investigative Procedures

- A. Each school is required to have a procedure for the administration to promptly investigate in a timely manner and determine whether bullying has occurred and that such procedure include investigation of such instances, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target's race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender identity or expression, or national origin. This does not preclude schools from identifying other reasons or criteria why a person is a target of bullying.
- B. All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the principal or the principal's 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)

VII. Non-Classroom Supervision

To the extent funding is available; each school must develop a plan for a system of supervision in non-classroom areas. The plan shall provide for the review and exchange of information regarding non-classroom areas.

VIII. Consequences for Bullying

The following, including a combination of the following, may be considered by administrators to be the

appropriate range of consequences for bullying:

- A. Time-out.
- B. Loss of privileges.
- C. Rebuke or verbal reprimand clearly specifying what is not acceptable and consequences if repeated.
- D. Notices to parent. (REQUIRED BY LAW)
- E. Serious talk with school staff member.
- F. Serious talk with school staff member with parents present.
- G. Behavioral report cards sent home.
- H. Creation of a behavior contract.
- I. In-school suspension.
- J. Detention.
- K. In-school suspension for up to five days.
- L. Reassignment of seats in class, lunch or on bus.
- M. Forbidden to enter certain areas of school.
- N. Reassignment of classes.
- O. A referral to an external agency
- P. Reassignment to another school, or another mode of transportation.
- Q. Expulsion.
- R. Report to Law Enforcement officials

VIX. 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 administrator after consideration of the nature, severity, and circumstances of the act. The potential consequences for retaliation are as set forth in the preceding section.

Reporting Procedures

- A. The procedures for a student and parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) of this Title or legal guardian to provide information on bullying activity will be as follows:
 - 1. If a child complains of bullying while it is happening, the staff member will respond quickly and firmly to intervene, if safety permits. The staff member will report the complaint to the administration or designee.
 - 2. If a child expresses a desire to discuss a personal incidence of bullying with a staff-member, the staff-member will assist to provide the child with a practical, safe, private and age-appropriate method of doing so. The staff member will report the concern to the administration or designee.
 - 3. Written complaints shall be reasonably specific as to actions giving rise to the complaint and should include information as to:
 - a. Conduct involved
 - b. Persons involved, designated bully, target, and bystanders' roles
 - c. Time and place of the conduct alleged, number of incidents
 - d. Names of potential student or staff witnesses
 - e. Any actions taken in response
 - 4. Short, easy to use complaint forms can be obtained from the school administration or district office. (Appendix II – MSD Bullying Reporting Form)
 - 5. The MSD Bullying Reporting Form may be downloaded from the school website, completed, and then emailed to school administration.
 - 6. Anyone may report bullying. A report may be made to any staff member.
 - 7. Each principal will designate a person or persons responsible for responding to bullying complaints.
 - 8. Every confirmed bullying incident will be recorded in the School Register of Bullying incidents (Milford School District RAP), which will be a central record for designated staff to read. This will give an indication of patterns which may emerge of both bullies and victims.

X. Anonymous Reports

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

XI. Notification of Parents, Guardian or Relative Caregiver

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

XII. Procedure to Communicate with Medical and Mental Health Professionals.

The following procedures for communication between school staff members and medical professionals who are involved in treating students for bullying issues must be followed:

1. Pediatricians/Primary Care Physicians and Mental Health Professionals are important links in the overall wellness of the whole child. The ability to communicate appropriately to identify the optimal health care needs of the child is necessary when issues at school impact the physical and emotional health of the child. This is especially true in bullying due to the social nature of the problem. Release of information forms must be signed by the parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) or legal guardian in order for the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both at school and at the physician or mental health professional's office before communication may take place according to HIPPA and FERPA guidelines.
2. If a parent refuses to sign a release form at school the school will review this policy with them, explaining the reasons the release would be advantageous to the parent's child.
3. After confirmation that a child has been involved in a bullying incident, if the principal or designated person recommends a mental health evaluation be completed, the school may:
 - a. Require that return to school will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
 - b. Require that the student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
4. A summary of the evaluation shall be shared at a meeting with student, parent/guardian and school principal or designated person prior to return to school or the general population.

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

XIII. Implementation

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

XIV. Accountability

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

XV. School Ombudsperson Information

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

XVI. Informing Students of Electronic Mediums

Upon implementation of this policy, and again at the beginning of each academic year, each school district and charter school shall inform students in writing of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. From implementation of this policy, postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at minimum, be included in each district's and charter's school list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. This list is not considered exclusive and any social media outlet which allows for communications that may be viewed by the intended victim or refers to the victim shall be considered an electronic medium for the purposes of enforcing the electronic bullying aspects of this policy. Internet sites such as "blogs" which may be used by individuals for the specific purpose of bullying as defined above shall also be treated in the same manner as other publicly accessible internet portals.

XVII. Policy Notification

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

XVIII. Rules and Regulations

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

XIX. Other Defenses

- A. The physical location or time of access of a 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 district policy and with the approval of the superintendent.

XX. Relationship to Other Laws

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 any state or federal laws concerning special education or individuals with disabilities.

Attorney General's Report: Any charges received by a student either in school or out of school are reported to school district officials from the Attorney General's office. School district officials are provided access to view specifics of each charge against a student via a state crime database. The Milford School District may take disciplinary action on the charges to ensure the safety and welfare of the student body even if the charges have not been adjudicated and in accordance with Due Process procedures.

Students who end the school year with 45 or more demerits will be placed on a behavioral contract for

the following school year. This includes students going from grade 8 to 9.

GLOSSARY ACTIONS AND CONSEQUENCES

Action A:	Verbal Warning
Action B:	Written Warning/Parent Contact
Action C:	Teacher Intervention(s)/Parent Contact; May Include Seat Change or Other Options
Action D:	School Detention & Parent Contact; Detention Assigned Before/After School
Action E:	Verbal Reprimand & Parent Contact
Action F:	School Detention & Parent Contact
Action G:	Two School Detentions & Parent Contact
Action H:	One Day ISS & Parent Contact
Action I:	Two Days ISS & Parent Contact; May Include Parent Conference
Action J:	Three Days ISS & Parent Contact; Parent Conference to Return
Action K:	Specified Long Term ISS/Pre-Alternative School; Mandatory Parent Conference
Action L:	One Day OSS & Parent Contact
Action M:	Two Days OSS & Parent Contact
Action N:	Up to three Days OSS & Parent Contact; Parent Conference to Return
Action O:	Behavior Contract With Student & Parent; May Include Attendance Clause
Action P:	Referral to Police or Other Agency and/or Central Review; Suspension from School --- up to five days, possible Central Review Referral, Alternative Placement Team Meeting
Action Q:	Referral to School Discipline – Options: Contract, Class Placement/Change, School Service, Central Review Referral, Student Activities/Athletics Suspension 1-4 Weeks; Police Referral, Alternative Placement Team Meeting
Action R:	Suspension up to Ten Days Pending Central Review Committee - Options: Contract, Class Change, Extend Suspension, School Service, Alternative School Referral, Student Activities/Athletics Suspension; Police Referral; Alternative Placement Team Meeting ; Recommend Expulsion Hearing
Action S:	Referral for Expulsion Hearing, police contact, if required – suspension for up to 10 days.
Action T:	Change of Class Schedule and Parent Conference
Action U:	Restitution; Payment for Damages May be Required
Action V:	Principal's Probation, Loss of Driving Privileges
Action W:	Utilize MSD Bus Discipline Policy Rules & Regulations
Action X:	Confiscation by School Staff and Item to be Returned to Parent/Guardian Only
Action Y:	Loss of Privileges.
Action Z:	Required Action for Academic Cheating: Zero for work & required Parent Meeting. Assignment still must be completed.

The principal or designee may offer community service to a student to replace a disciplinary consequence listed above.

If the principal believes that an infraction by a student is so severe as to warrant more serious consequences than outlined in the Student Code of Conduct, the principal may call for a Central Review of the case. The Central Review Committee may assign any level of consequences from A through Z based on their determination of the magnitude of the seriousness of the infraction.

Principal's/Behavioral Contract - When repeated inappropriate behaviors occur or when a student fails to respond to recommended or required consequences for inappropriate behaviors, the student may be placed on a principal's/behavioral contract. A principal's/behavioral contract is an agreement between a student, the student's parent(s) or guardians, and an administrator. The

principal's/behavioral contract will specifically state the conditions that, unless met, will result in a recommendation for further disciplinary action.

Central Review Committee – Central Review Committee is a school-based committee to consider students who have repeatedly and/or seriously violated school rules and regulations and have been referred by an administrator. Committee is headed by the Principal/designee and identifies possible interventions and determines next steps in the discipline process. ~~appropriate Director/designee~~
~~Director of Secondary Education Designee and is made up of school personnel from throughout the district.~~

Alternative Placement Team Meeting – The Alternative Placement Team follows Regulation 616 and is led by the appropriate school district Director/Designee. The Alternative Placement Team decides on the placement of students in an alternative setting, long-term suspension or expulsion.

Code - the Student Code of Conduct.

Crime – includes a felony, misdemeanor or violation defined in the Delaware Code, as well as behavior of a person under 18 years of age which would be considered a felony, misdemeanor or violation if it had been committed by an adult.

Detention - an established time when a student is detained in a supervised area.

Behavioral Contract Principal's Probation - a student must fulfill specific commitments for a specified time. If the student fails to fulfill the commitments, student will face consequences as outlined in the contract, which may include a referral to the Central Review Committee or the possibility of a recommendation for expulsion.

Notification – direct contact by telephone, email, in person, or by certified mail, unless otherwise designated.

Parent – includes natural parent, adoptive parent, or any person, agency, or institution that has temporary or permanent custody or guardianship over a student under 18 years of age.

Parent Contact or Conference - means a telephone contact, written communication or meeting with a parent/legal guardian in person unless otherwise designated.

Restitution - seeking the payment for or restoration of damaged property from the student(s) responsible. In no event is the District responsible for the restitution.

School Employee/Official – includes all persons 18 years of age or older hired by a school district; subcontractors such as bus drivers or security guards; substitute employees; and persons hired by or subcontracted by other state agencies to work on school property.

School Function – includes any field trip or any officially sponsored public school event in the State.

School Volunteer – a person 18 years of age or older who, without compensation, renders service to a public school. "School Volunteer" includes parents who assist in school activities or chaperone school functions.

DDOE Regulation 614 - Uniform Definitions for Student Conduct Which May Result in Alternative Placement or Expulsion.

The regulation can be found at the following link:

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

STUDENT DISCIPLINE – SCHEDULE OF SINGLE OFFENSES, DEFINITIONS AND ACTIONS

INFRACTION CODE	OFFENSE	DEFINITIONS	Number of Year Offenses (A new record is started each year)				
			1st	2nd	3rd	4th	5th
			ACTION	ACTION	ACTION	ACTION	ACTION
C0101 C0163	Criminal Violent, Sexual, Weapons, Dangerous Instrument Felony Offense	Commission by a student of any violent felony as specified in 11 Del.C. §4201(c).	R	R	R	S	S
C0122 C0125	Rape/Attempted Rape	Sexual intercourse and attempted Sexual Intercourse without consent of the victim in both cases.	R	R	R	S	S
C0133 C0134 S0152	Arson/Reckless Burning	A person recklessly or intentionally damages a building by intentionally starting a fire or causing an explosion. A person intentionally or recklessly starts a fire or causes an explosion and recklessly places a building or property in danger of destruction or damage or places another person in danger of physical injury.	R	R	R	S	S
C0141	Extortion	To obtain or attempt to obtain money, goods, services, or information from another by force or the threat of force.	R	R	R	R	S
C0201	Assault III	A person intentionally or recklessly causes physical injury to another person or With criminal negligence the person causes physical injury to another person by means of a Deadly Weapon or a Dangerous Instrument.	P	P,R	P,R	S	S
C0301	Unlawful Sexual Contact III	When a student has sexual contact with another person or causes the victim to have sexual contact with the student or a third person and the student knows that the contact is either offensive to the victim or occurs without the victim's consent.	R	R	R	S	S
C0621	Dangerous Instrument(s) Possession/Concealment/Sale	Possession/concealment/sale by a student in the School Environment of any instrument, article or substance which is readily capable of causing serious physical injury or death.	R,S	R,S	R,S	R,S	R,S
C0625 C0601 C0626	Deadly Weapon Possession/Concealment/Sale	Possession, concealment, or sale of a Deadly Weapon in the School Environment. Any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet, or BB shot by compressed air or by spring discharge; a knife of any sort; switchblade knife; billy club; blackjack; bludgeon; metal knuckles; slingshot; razor, bicycle chain; ice pick; xacto knife; mace; pepper gas; taser; non-functional weapons; box cutter; or any other article commonly used or designated to inflict bodily harm or to intimidate others, or using in an aggressive and threatening manner articles commonly used for other purposes. Also, any dangerous instrument, as defined in this Code, will be considered a weapon/deadly weapon when used, displayed in a threatening manner, or attempted to be used, to cause death or serious physical injury.	R	R	R	S	S
C0121	Sexual Harassment/	Any unwanted sexual behavior committed by a perpetrator who is a stranger to the victim or by a perpetrator who is known by the victim or related to the victim by blood, marriage or civil	R to S	R to S	R to S	R to S	R to S

	Assault	union. Behaviors that fall under this definition include but are not limited to: sexual harassment as defined in §763 of Title 11; sexual contact as defined in §761(f) of Title 11; Sexual Intercourse as defined in §761(g) of Title 11; sexual penetration as defined in §761(i) of Title 11; and child sexual abuse as defined in §901 of Title 10.					
C0713	Distribution of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications	The sale, transfer, or Distribution in school, on school property, or on school field trip of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Nonprescription Medication or Prescription Drugs and/or look-alike substances.	R	R	R	R	S
D0101	Pornography: Possession & Production	Possession, sharing, or production of any known obscene material in the School Environment.	N	N,I	N	R	S
D0301	Criminal Mischief (Vandalism)	A student, in the School Environment, intentionally or recklessly: (1) Damages tangible property of another person or entity; or (2) Tamper with tangible property of another person so as to endanger person or property. This includes student and school property.	Up to R,U	Up to R,U	R,U	S,U	S,U
D0401	Tampering with Public Records	A person knowingly without valid authorization removes, mutilates, destroys, conceals, makes a false entry in or falsely alters any original record or other written material filed with, deposited in or otherwise constituting a record of a public office or public servant.	N to R	R	R	R	R
D0501 D0502 D1301 D1201 D1601 C0701 C0719	Use and/or Possession of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications	In the School Environment, a student unlawfully Possesses, Uses or is under the influence of Alcohol, a Drug, Drug Paraphernalia, or any substance or paraphernalia consistent with the definitions of these substances or paraphernalia. Unlawful Use or Possession of drug or alcohol look-alike substances. Unlawful Use or Possession of steroids. Unlawful Use or Possession of chemical vapors that are inhaled for their mind-altering effects. Possessing or using Nonprescription Medication or Prescription Drugs of any type in the School Environment in violation of 14 DE Admin. Code 612.	R	R	R	S	S
D0601	Felony Theft (\$1000++)	(a) When a person takes, exercises control over or obtains property of another person intending to deprive that person of it or appropriate it; or (b) When a person, in any capacity, legally receives, takes, exercises control over or obtains property of another which is the subject of Theft, and fraudulently converts the property to the person's own use. The Theft is considered a felony when the value of the property received, retained, or disposed of is \$1500 or more or the victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902(2) of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12.	R,U	R,U	S,U	S,U	R
D0701	Bullying / Cyberbullying	Any intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of: (1) Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or (2) Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or (3) Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or (4) Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee. 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	L	N	R	S	S,U

		severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.						
D0801 D0802	Offensive Touching	Intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or Intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.	M to R	N to R	R	S	S	
D0901 D0902	Terroristic Threatening	When a person makes a false statement or statements: (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment; (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment. A person threatens to commit any Crime likely to result in death or in serious injury to person or property; or A person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.	R	R,P	S,P	S,P	S,P	
D1001	Sexual Harassment	A threat to engage in conduct likely to result in the commission of a sexual offense against another individual. The offender suggests, solicits, requests, commands, demands or otherwise attempts to induce another individual to have sexual contact or sexual intercourse or unlawful sexual penetration knowing that it is likely to cause annoyance, offense or alarm to that individual.	R	R	S	S	S	
D1101	Fighting/ Disorderly Conduct	Any aggressive physical altercation between two or more individuals. Conduct in the School Environment which causes public inconvenience, annoyance or alarm or creates a risk thereof by: engaging in fighting or violent tumultuous or threatening behavior or making an unreasonable noise or an offensively coarse utterance or gesture or display or addressing, abusive language to any person present.	P,R,I	P,R	P,R	S	S	
D1401	Tobacco Possession and/or Use	Possession or distribution of any tobacco product and/or lighted cigarette (cigar, pipe, vape pipe, Juul, e-cigarette, etc.), inhaling or exhaling smoke, chewing or using tobacco products	N	N	N	N	N	
D2001	Teen Dating Violence	Assaultive, threatening or controlling behavior, including stalking as defined in 11 Del.C. §1312, that one person uses against another person in order to gain or maintain power or control in a current or past relationship. The behavior can occur in both heterosexual and same sex relationships, and in serious or casual relationships.	E to R	E to R	E to R	E to R	E to R	
S0011	Profanity, Use of	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar.	D	H	I	L	M	
S0021	Unexcused Absence/ Truancy	An unexcused absence; refer to MSD Attendance Policy #5403. Chronic Truants will be referred to Truancy Court	H	H	H	H	H	
S0032	Tardiness: Late to Class	Late to class without authorization or approved reason (every 3rd tardy)	F	F	G	G	H	
S0041	Skipping Class	Absence from a class for more than 10 minutes without authorization or approved reason. Students must have prior written approval from sending and receiving staff for arrangements to miss an assigned class to attend another class during that time.	H	I	J	J	R	
S0051	Leaving School Grounds w/o Permission	Leaving the school grounds, after arriving on school grounds, without authorization prior to the end of the student's scheduled day.	H	I	J	J	R	

S0071	Loitering	Student is present in any school area without authorization including student on school property before/after dismissal.	H	I	J	J	J
S0081	Defiance of School Authority	A verbal or non-verbal refusal to immediately comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action; or A verbal or non-verbal display of disrespect and/or uncivil behavior toward school personnel which either causes a substantial disruption or material interference with school activities.	H to L	I to M	N	N	N to R
S0091	Disruption of Educational Process	Individual or group behavior which seriously or repeatedly interferes with effective functioning of the teacher, student, or class in the classroom; individual or group behavior outside of the classroom which seriously or repeatedly interferes with effective functioning of the teacher, student, class, or school	F	G	H	I	I
S0101	Inappropriate Behavior	Violation of classroom rules not specifically covered by the student code of conduct.	F to N	F to N	F to N	F to N	F to N
S0102	Inappropriate Behavior: Safety Violation	Student does not obey safety procedures as outlined by school officials.	A	C	D	H	H
S0103	Inappropriate Behavior: Violation of Behavioral Contract	The failure of a student to comply with the provisions of any behavior contract between the student, his/her legal guardian, and the school.	R	R	R	R	R
S0105	Inappropriate Behavior: Disrespect towards a Student	Student uses, or threatens to use, language, gestures, or actions which create or might create a disturbance, including gossip and rumors; uses remarks, spoken or written, that defame the dignity or self-esteem of individuals.	F to N	F to N	F to N	F to N	F to N
S0107	Inappropriate Behavior: Careless & Reckless Behavior	Intentional/unintentional behavior that threatens to or causes personal injury or property damage. For example: shoving, horseplay.	H	I	L	M	R
S0108	Inappropriate Behavior: Consensual and/or Sexual Misconduct	Any request or suggestion of action by one or more persons involving the use or display of those parts of the body generally referred to as "private" (unacceptable in public) in which he/she knows this conduct is likely to cause alarm to another person; explicit sexual actions or display; explicit written or spoken words of a sexual nature (includes photographs, other pornography and sexually related items) A consensual sexual act(s) between two individuals within the School Environment.	F to N	F to N	N to R N	S	S
S0111	Stealing/Theft	Taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.	N,U	N,U	R,U	S,U	S,U
S0121 S0122	Unsafe Driving / Parking Violation	Student drives any vehicle on school property (or while under jurisdiction of school authority) with disregard for the safety of persons or property (including other forms of transportation). Includes, but not limited to, driving on the grass, failure to stop, or excessive speed Student violates school parking and driving agreement.	H to V	H to V	H to V	H to V	H to V
S0131	Unsafe Items	Items such as: utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration	R,X	R,X	R,X	R,X	S
S0141	Academic Cheating	To be dishonest or deceptive in order to obtain an advantage or gain for oneself or another student. Examples include, but are not limited to, giving or receiving answers, test	Z,D	H,Z	I,Z	Up to R	Up to R

		questions, work results, or projects. Use of cell phone during an assessment is classified as academic cheating. Also, plagiarism, the adoption or reproduction of original creations of another author without due acknowledgement, is considered academic cheating.					
S0151	Fire Alarm Incident	A person intentionally sets off a false school fire alarm, or call in a false 911 emergency directly or indirectly; recklessly damages or interferes with effective functioning of school's fire alarm system.	R	P,R	S	S	S
S0301	Abusive/ Inappropriate Language to Staff	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar towards an employee of the Milford School District.	L to N	N	N,R	N,R	S
S0161	Attorney General's Report/ Off Campus Conduct	Attorney General's Report shall mean the Department of Justice's report of out-of-school criminal conduct, regardless of jurisdiction, which shows disregard for the health, safety and welfare of others, including, but not limited to acts of violence, weapons offenses, and Drug offenses.	R	R	R	S	S
S0201 S0211 S0221 S0231	Failure to Report or Perform Disciplinary Action	Student does not report for disciplinary action (such as ISS, detention, etc.) and/or fails to comply with disciplinary consequence. Student does not perform properly in ISS.	N	N	R	R	R
S0241	Gambling	Student participates in games of chance for money and/or other things of value.	H	N	R	R	R
S0271	Trespassing	Entering or remaining on school property without authorization; including, but not limited to, knowing or unknowing entry upon school property by a suspended student or student from another school who does not have a legitimate reason for being there.	L	L	M	M	N
S0272	Breaking and Entering	The unauthorized entry of any locked area of the school environment during or after school; including, but not limited to, rooms, classrooms, auditorium, gym, shops, offices, lockers, cabinets and vehicles.	R	R	R	R	R
S0281	Unprepared for PE Class	Student does not dress appropriately for PE class	A	B	C	F	N
S0291	Dress Code Violation	Violation of Dress Code outlined in Milford School District Board Policy 5415	E,O	H	H	I	N
S0302	Instigation	Behavior which is likely to incite or produce aggressive or physical conflict between two or more individuals.	H to N	L to N	M to N	N	R
S0181	Acceptable Use Policy Violation Misuse of Technology	Soliciting, using or sending pornographic or obscene material, accessing unauthorized email, downloading and/or installing files with or without malicious intent, and/or damage to equipment within the school environment; or a situation in which a student tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system in the School Environment resulting in the loss or corruption of information or the ability of the system to operate; or in any way disrupts or degrades the school or District's technology infrastructure.	L or R	R	R	S	S
S0311 S0312	Unauthorized Electronic Device / Cell Phone	This includes but is not limited to tablets, computers, radios, MP3 players, electronic games, beepers, cell phones, CD players, giga pets, lasers, camera, and all electronic equipment, etc. NOTE: Cell phone power must be turned off and out of sight during the school day. Cell phone use during the school day within the school building is prohibited without permission from a school official. Use of cell phone during an assessment is classified as cheating.	O to X B, O, X	H to X H, X	I to X H, X	N to X I, X	N to X N, X
S0321 S0322	Falsification Written/Verbal	This includes but is not limited to making something false for the purpose of deception or fraud, altering something for the purpose of deception, or using a false name or identification.	C to H	H to I	I to L	J to M	R

S0333	Code of Conduct Violations: Repeated (5+)	Five or more violations of the school's Code of Conduct within a school year, excluding chronic infractions for tardiness or unexcused absences to school/class.	R	R	R	R	R
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DOE REGULATION 601. SCHOOL-POLICE RELATIONSHIPS

- A. To ensure that both students and parents are aware of the relationship between the school and the police agencies, you are advised that school officials shall promptly report to the appropriate police agency all matters which come to their attention, whether occurring on or away from the school premises, which involve pupils attending the particular school. The Milford School District has developed a Memorandum of Agreement (MOA) substantially similar to the MOA developed, approved and from time to time revised by the Delaware Department of Education with the Milford Police Department and the Delaware State Police to provide services to the District as requested. Each school district employee shall be advised, as defined in Del Code Section 4112, of his/her duty to report school crimes and the penalty for failure to so report. The Superintendent or his/her designee shall report to the Department of Education all school crimes pursuant to 14 Del Code Section 4112 and any subsequent amendment thereto. Such reports shall be made on forms as designated by DOE and filed with DOE within the time prescribed by the statute. In addition to those crimes required to be reported pursuant to statute, the Superintendent shall report to the DOE incidents of misconduct 4.1 through 4.7. Such reports shall be made on forms as designated by the DOE and filed with the DOE no later than five working days following the incident: 4.1) Pornography, Possession and Production; 4.2) Bomb Threats; 4.3) Criminal Mischief (Vandalism); 4.4) Tampering With Public Records; 4.5) Alcohol, Possession and Use; 4.6) Felony Theft (\$1000 or more); 4.7) Bullying.

For purposes of the reporting required pursuant to 4.7 of this regulation, **“Bullying” is defined as when one person, or a group of persons, targets another person with repeated direct or indirect negative actions over a period of time which are harmful to the victim either emotionally or physically. A negative action occurs when a person knowingly inflicts or attempts to inflict, physical or emotional injury or discomfort upon another person.** The following offenses should be reported to the appropriate police agency for investigation: 1) All felonies; 2) Serious assaults when any weapon is used; 3) Report of explosives, knives, firearms, ammunition, fireworks or blasting caps being brought into school; 4) Narcotic offenses or allegations; drinking; 5) Indecent assaults on pupils or staff; 6) Rape or assault with intent to rape; 7) Morals offenses (pornography, exhibitionism, peeping, etc.); 8) Organized gambling (numbers and pools; 9) Neglect or abuse of children; 10) Persons or conditions which are factors in contributing to the delinquency of minors; 11) Adults loitering on or near school property; 12) Unknown persons parked near schools at the time pupils are going to and from school; 13) Observations of reckless driving and traffic hazards endangering lives of school children; 14) Telephoned threats to the school; 15) Arson, attempted arson, or suspicion of arson; 16) Rumors or observations of gang rivalries or activities; 17) Reports of promiscuity or incest; 18) Evidence of threats or intimidation; 19) Larceny involving the personal property of school personnel; 20) Larceny of school equipment; 21) Burglary and attempted burglary of school buildings; 22) Malicious mischief and school vandalism; 23) Trespassing on school property.

- B. Police matters shall not include conduct which has been traditionally treated as a matter of discipline to be handled administratively by the schools. All school misconduct of a serious nature should be promptly reported to the parent/legal guardian of the involved student. Correlated with Delaware Department of Education Regulation 601 School/Police Relations, 2005.

REVISED: 5/24/99; 9/27/99; 5/22/00; 5/21/01; 6/24/02; 6/23/03; 6/24/04; 5/23/05; 6/26/06; 10/23/06; 1/29/07; 4/23/07; 7/9/07; 12/17/07; 05/19/08; 6/29/09; 4/26/10; 5/17/10; 8/23/10; 10/25/10; 2/28/11; 7/11/11; 1/23/12; 5/20/13; 4/29/14; 6/5/17;

**APPENDIX I:
Expulsion or Alternative School Placement Hearing Waiver**

**MILFORD SCHOOL DISTRICT
REQUEST WAIVER OF EXPULSION HEARING**

Student
Name: _____

School: _____

Grade: _____

PLEASE CHECK ONE:

_____ I am the parent/legal guardian of _____; **or**

_____ I am the student and I am eighteen years of age or older.

- I waive my right to have an expulsion hearing.
- Upon waiving my right, the expulsion hearing scheduled for _____ is cancelled.
- I understand that **(student)** will be expelled through **(time frame) with alternative educational placement.**
- I understand that I, **Student**, will not be allowed on Milford School District property for any reason for the duration of the expulsion period.
- By waiving my right to a hearing, I understand I am also waiving my right to file an appeal.

<p align="center">APPENDIX II: Bullying Reporting Form</p>
--

Student _____

Date _____

Parent/Guardian _____

Date _____

***Bullying Definition:** Any overt acts by a student, or a group of students, directed against a student victim with the intent to ridicule, harass, humiliate, intimidate or inflict bodily harm while at school, on school grounds, or at a school-sponsored activity. These acts are typically repeated against the student victim over time.*

Name(s) of victim(s):	Name(s) of students(s) accused:	Name(s) of witnesses/bystanders

Type of Incident (check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Name calling Physical | <input type="checkbox"/> Threatening | <input type="checkbox"/> Excluding (left out) |
| <input type="checkbox"/> (hit, kicked, punched) | <input type="checkbox"/> Cyber (online or text) | <input type="checkbox"/> Rumors |
| <input type="checkbox"/> Racial or demeaning | | |
| <input type="checkbox"/> comments | <input type="checkbox"/> Sexual comments | <input type="checkbox"/> Stolen or damaged possessions |
| <input type="checkbox"/> Other (explain): | | |
| <input type="checkbox"/> _____ | | |

Where did the incident happen? (check all that apply):

- | | | |
|---|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> Hallway | <input type="checkbox"/> Classroom | <input type="checkbox"/> Bathroom |
| <input type="checkbox"/> Gym | <input type="checkbox"/> Locker | <input type="checkbox"/> Cafeteria |
| <input type="checkbox"/> Bus | <input type="checkbox"/> Room Bus | <input type="checkbox"/> School Trip |
| <input type="checkbox"/> Cyber (online or text) | <input type="checkbox"/> Stop Other | |
| | _____ | |

Who have you reported the incident to? (check all that apply):

- | | | |
|--|--|--------------------------|
| <input type="checkbox"/> Teacher | <input type="checkbox"/> Counselor | <input type="checkbox"/> |
| <input type="checkbox"/> Administrator | <input type="checkbox"/> Parent/Guardian | <input type="checkbox"/> |
| <input type="checkbox"/> Other | | |
| _____ | | |

Explain the incident:

REVISED: 5/24/99; 9/27/99; 5/22/00; 5/21/01; 6/24/02; 6/23/03; 6/24/04; 5/23/05; 6/26/06; 10/23/06;
1/29/07; 4/23/07; 7/9/07; 12/17/07; 05/19/08; 6/29/09; 4/26/10; 5/17/10; 8/23/10; 10/25/10; 2/28/11;
7/11/11; 1/23/12; 5/20/13; 4/29/14; 6/5/17; 7/30/18

Based on this report of alleged bullying, an investigation will take place.

**MILFORD SCHOOL DISTRICT
POLICY 5414**

**STUDENT CODE OF CONDUCT
ELEMENTARY SCHOOLS GRADE K THROUGH 5**

**CHAPTER I
INTRODUCTION AND STUDENT EXPECTATIONS**

INTRODUCTION

The Milford School District is dedicated to developing each student's potential for learning. To achieve this, students, parents and school staff must share the responsibility for encouraging orderly, constructive student behavior. Therefore, the Board has developed this policy statement:

1. Students in the Milford School District shall respect constituted authority.
2. Citizenship in a democracy requires respect for the rights of others. Student conduct shall reflect consideration for the rights and privileges of others and demands cooperation with all members of the school community.
3. High personal standards of appearance, clothing, courtesy, decency, morality, clean language, honesty and wholesome relationships with others shall be maintained. Respect for real and personal property, pride in one's work and achievement within one's ability shall be expected of all pupils.

CODE OF CONDUCT REVIEW

The Student Code of Conduct Central Academy and High School is an official policy of the Milford School District Board of Education. The Board of Education expects that this Code will be subject to ongoing review and revision in response to:

1. Administrative, staff, student, and parent suggestions;
2. Legal interpretation; and
3. Annual Review

CODE OF CONDUCT DISSEMINATION

On an annual basis:

1. A copy of the student code of conduct shall be posted on the school website and a copy given to each student.
2. Students receive training in the discipline system at the beginning of each school year and as changes occur.
3. Administration and staff receive annual training based upon current district policies and procedures as well as changes in Regulation.

CODE OF CONDUCT AUTHORITY

The Student Code of Conduct may be enforced:

1. 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.
2. On all school campuses and property of the Milford School District.
3. When students are at a bus stop.
4. At all school sponsored events and other activities where school administrators and personnel have jurisdiction over students (ie: fieldtrips, sporting events, etc...)
5. 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.

Students who attempt to register in the Milford School District with outstanding discipline issues are subject to the consequences outlined in this document.

STUDENT EXPECTATIONS

Students are expected to:

1. Conduct themselves in an orderly, safe and responsible manner.
2. Attend all classes daily and on time.
3. Be prepared for class assignments and activities, with appropriate working materials.
4. Respect other people and their property.
5. Refrain from abusive language, defamatory, inflammatory, and demeaning actions.
6. Be clean and neat.
7. Be responsible for their own work.
8. Abide by rules and regulations of the school and individual classroom teachers.
9. Accept, understand, and respect diversity and differences among fellow students and staff.
10. Express feelings and needs in constructive, socially appropriate ways.
11. Resolve differences through acceptable, peaceful methods such as dialogue and compromise.

CHAPTER II STUDENT RIGHTS AND RESPONSIBILITIES

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. School officials have a right under the law to search students or their property whenever there is reasonable suspicion that the students have something that violates school rules or endangers the health, safety, or welfare of others. Students may be searched to maintain the ongoing educational process, to maintain order, and/or to protect people and property. Searches may include the student and his/her locker, desk, automobile, MSD owned computing resources including all data stored on the MSD network, personal belongings, book bags, purses, or any bags or containers used to carry personal property.

RIGHTS AND RESPONSIBILITIES OF POSSESSIONS

Students have the right: To privacy in their personal possessions unless the principal/designee/staff member has reasonable suspicion of a student's use, possession or distribution of alcohol, a drug, a drug-like substance, a look-alike substance, drug paraphernalia or of a student's unauthorized possession of items which include but are not limited to: electronic device, cell phone, weapon, stolen property, unsafe item, or dangerous instruments in the school environment.

Students have the responsibility: Not to carry, conceal, or possess any materials which are illegal, disruptive, dangerous, or offensive to others. Cell phones and other electronic devices must have the power turned off and be out of sight during the school day from the time the student arrives on school grounds until the end of the school day and on the bus. Cell phone use during the school day within the school building, school grounds and/or school buses is prohibited. The District is not responsible for a cell phone or electronic device which may be lost or stolen.

Lockers: The District presumes a student possesses, and is responsible for, all items found in the student's locker. Students should regularly check the contents of lockers. If students fail to lock lockers, or provide others access to personal lockers, students remain responsible for items found in personal lockers. 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.

Bookbag/Purse: The District presumes a student possesses, and is therefore responsible for, all items found in the student's bookbag, purse, or similar bag or container used to carry books or personal

property (referred to as "bookbag"). Students should regularly check the contents of their bookbags. If a student fails to secure his/her bookbag, or provide others access to his/her bookbag, the student remains responsible for items found in his/her bookbag.

DEBTS

Refusal to pay for lost, damaged, stolen school property or services rendered by a school program, such as but not limited to field trip fees, food, transportation or other services related to classes, student activities, and athletics. Families may petition to the school principal to set up a payment plan or other compensation plan.

Students who have a debt with the school may be barred from attending school activities including fieldtrips. In addition, the school shall file a claim in Justice of the Peace for restitution of all debts over \$25.

SKATEBOARDS/ROLLERBLADES/WHEELED SHOES

Students are not permitted to bring or use skateboards, rollerblades, or wheeled shoes in or directly around the school.

ELECTRONIC DEVICES AND CELL PHONES

Milford School District discourages students from bringing cell phones and other communication devices to school. Such devices include but are not limited to: cell phones, tablets, computers, giga pets, beepers, lasers, radios, cameras, CD players, MP3 players, electronic games, etc. Students are prohibited from using cell phones and other electronic communication devices during the school day without permission from a school official. All devices must be turned off and kept out of sight during the entire school day when it is absolutely necessary to bring the phone to school. Violators will receive disciplinary action in accordance with the Student Code of Conduct. Students who do not turn in an electronic device when requested may be considered in defiance of school authority.

OMBUDSPERSON

An ombudsman is made available by the state of Delaware to act as a facilitator in resolving grievances and disputes. The Delaware Department of Justice Bully Prevention and School Crime Contact (Ombudsperson) Anonymous Tip Line is: 1-800-220-5414

CHAPTER III

DISCIPLINARY PROCEDURES FOR VIOLATIONS OF STUDENT CODE OF CONDUCT

DUE PROCESS PROCEDURES & APPEAL PROCESS

- A. All students must be informed of the violation(s) and the range of disciplinary actions.
 - These items should be:
 - a. included in the Student Code of Conduct.
 - b. explained to students in person on a yearly basis.
 - c. disseminated in print and electronic copy.
- B. Each student involved in a situation which may result in a disciplinary action must be given the following due process by the administrator or designee:
 - a. informed of the allegations against him/her, the conduct which forms the basis of the allegation (s), and explained the policy, rule, or regulation violated
 - b. given an explanation of the evidence supporting the allegation(s) and an opportunity to present his/her side of the story including any evidence, witnesses, or questions

- C. A student whose presence in the school environment poses a threat to the health, safety, or welfare to persons or property within the school environment, as determined by the Principal, may be immediately removed from the school provided that, as soon as practicable thereafter, the due process procedures are followed.

D. Parent Notification

- a. Parents are to be informed of incidents as soon as possible either by phone or written notice. When obtaining written statements from witnesses, reasonable efforts may be made to notify the parent/guardian or each witness. Reasonable efforts shall be made to include the allegedly offending student or parent/guardian in an investigation.

E. Student Appeal Process to Disciplinary Responses

The essential rights involved in disciplinary procedures stem from the concept of due process as outlined above.

- a. Upon initiation of appeal process, penalties shall not be implemented until the student ceases or exhausts his/her appeal, except in cases where a student presents a threat to the health, safety, or welfare of other students and staff.
- b. Students, parents and guardians may all engage in the appeal process.
- c. Disciplinary action may only be appealed to the next administrative level for failure of the school administration to follow any of the above three procedures.
- d. The appeal process may be initiated for any of the following reasons:
 - i. Appropriate due process
 - ii. Incorrect Action
 - iii. Incorrect Charge

F. Appeal Process

1. Student shall have option to meet/discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal/private process should be followed in order to resolve differences/problems in friendly and cooperative manner.
2. Students or parents shall have the right to informally appeal staff disciplinary action to the ~~principal/assistant principal~~ **next disciplinary level** within two (2) school days after the charge. The objective is to resolve the matter informally.
3. If the matter is not resolved satisfactorily in the above manner, a written appeal to the ~~principal~~ **next disciplinary level** will be made within ~~four (4)~~ **two (2) school days of the previous disciplinary level** of the principal's decision. ~~Any complaint made to administration by any student concerning a staff member shall be immediately brought to the staff member's attention. A The principal shall conduct a parent/student conference~~ **shall be conducted** within ~~ten (10)~~ **five (5)** school days of appeal and shall give a written decision within **two (2)** ~~four (4)~~ school days of conference. ~~The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless~~

- ~~the student appeals the decision to the Superintendent or designee in writing within four (4) school days.~~
4. A final written appeal may be made to the Superintendent/designee within two (2) school days of the previous disciplinary level. The unresolved problem will be discussed in a conference with the parents/student and the Superintendent/designee. The decision of the Superintendent shall be final, except in cases governed by Regulation 616*.

As required by Regulation 616, the following is for appeals of Long Term Suspensions only. A hearing shall be granted by the Board upon receipt of a written request signed by the student stating he/she desires a hearing. The Board shall hold a hearing with the parents/student within thirty (30) days after receipt of the appeal. The Board shall submit its written decision within ten (10) school days following the hearing. The decision of the Board shall be final.

STUDENT INITIATED APPEAL PROCESS

It is the purpose of these appellate procedures to provide students' access to the appropriate school officials in regard to disciplinary matters.

~~Students or parents may only initiate the appellate process for one of the following reasons:~~

- ~~1. Incorrect charge 2. Incorrect action 3. Lack of due process~~

~~Upon initiation of appeal process, penalties shall not be implemented until the student ceases or exhausts his/her appeal, except in case of violent behavior, and except in cases under appeal to the State Board of Education.~~

~~Step 1: Student shall have option to meet/discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal/private process should be followed in order to resolve differences/problems in friendly and cooperative manner.~~

- ~~1. Student may notify parents.~~
~~2. Student may present information or interpretations on his/her own behalf.~~
~~3. Staff member shall notify student of his/her decision within one (1) school day.~~

~~Step 2: Students or parents shall have the right to informally appeal staff disciplinary action to the school principal/assistant principal within two (2) school days after the charge. The objective is to resolve the matter informally.~~

- ~~1. Students may notify parents.~~
~~2. Student shall inform the principal/assistant principal of the facts.~~
~~3. Student may present information or interpretations on his/her own behalf.~~
~~4. Principal or Principal's designee shall procure information from staff members.~~
~~5. Principal or Principal's designee shall notify student of his/her decision within two (2) school days.~~

~~Step 3: If the matter is not resolved satisfactorily in the above manner, a written appeal to the principal will be made within four (4) school days of the principal's decision. Any~~

~~complaint made to administration by any student concerning a staff member shall be immediately brought to the staff member's attention. The principal shall conduct a parent/student conference within ten (10) school days of appeal and shall give a written decision within four (4) school days of conference. The principal shall file a copy of both the appeal and decision with the Superintendent or designee for his/her information. The principal's decision shall finally resolve the problem unless the student appeals the decision to the Superintendent or designee in writing within four (4) school days.~~

- ~~1. The principal or Principal's designee shall state the nature of the offense and the appeal as noted in the written student appeal.~~
- ~~2. The student may present any information or interpretations on his/her own behalf.~~
- ~~3. The student may present witnesses sufficient to present his/her case.~~
- ~~4. The student may cross-examine witnesses.~~
- ~~5. The principal or Principal's designee may obtain information independently.~~

Step 4: ~~The unresolved problem will be discussed in a conference with the parents/student and the Superintendent, or in his/her absence, his/her designee. This conference will take place within four (4) school days of the receipt of the appeal. The superintendent shall provide within four (4) school days of the conference a written decision. The decision of the Superintendent shall be final, except in cases of Long Term Suspensions, which shall be final unless the student appeals the decision to the Board of Education within four (4) school days. (Appeal for Board Hearing will be in writing to the Superintendent.)~~

- ~~1. The Superintendent or Superintendent's designee shall state the nature of the offense and the appeal as noted in the written student appeal.~~
- ~~2. The student may present information or interpretations in his/her behalf.~~
- ~~3. The student may present witnesses sufficient to present his/her case.~~
- ~~4. The student may cross-examine witnesses.~~
- ~~5. The Superintendent or Superintendent's designee may obtain information independently.~~

Step 5: ~~As required by Regulation 616, Step 5 provisions are for appeals of Long Term Suspensions only. A hearing shall be granted by the Board upon receipt of a written request signed by the student stating he/she desires a hearing. The Board shall hold a hearing with the parents/student within thirty (30) days after receipt of the appeal. The Board shall submit its written decision within ten (10) school days following the hearing. The decision of the Board shall be final unless appealed.~~

- ~~1. The accused student shall be apprised of his/her rights.~~
- ~~2. The parents or guardian of the student shall be informed of the procedures for formal hearing.~~
 - ~~a. The appearance before Board of Education.~~
 - ~~b. The right to be represented by legal counsel or advisor.~~
 - ~~c. The right to have witnesses and to cross-examine complaining witnesses.~~
 - ~~d. The right to either a public or private hearing.~~
 - ~~e. The right to testify and present evidence.~~
 - ~~f. The date of the proposed hearing.~~

- ~~3. School officials shall assure appropriate hearing records be kept and accused be provided copy of summary report.~~
- ~~4. The accused shall be informed by written notice of the decision rendered and the basis for such action. Written notice will include the accused's right to appeal to the State Board of Education.~~
- ~~5. The accused person shall have the right to appeal final decisions by the local district Board of Education to the State Board of Education within (30) days in accordance with State Board Regulations.~~

~~Failure of a student at any level of this procedure to appeal the decision to the next level within the specified time limits shall be deemed to be acceptance of the decision at that level. If an appeal is initiated within the last 60 days of the school year: (1) the appeal shall go directly to the Principal for final determination if the policy does not require a Board hearing for that offense; (2) the appeal shall go directly to the Board for final determination if the policy requires a Board hearing for that offense.~~

SUSPENSION, ALTERNATIVE SCHOOL PLACEMENT, AND EXPULSION

The Board recognizes that exclusion from the educational program of the schools, whether by suspension, alternative school placement, or expulsion is the most severe sanction that can be imposed on a student in this district and one that cannot be imposed without due process. The primary purposes of suspension are to maintain the integrity of the education process, to give students time to reflect on their school behavior, and to defuse potentially explosive situations. Students suspended, placed at alternative school, or expelled from school are also excluded from school-related activities and are not permitted on any Milford School District property or at any off-campus event during the entire duration of their suspension, alternative placement, or expulsion.

SUSPENSION FROM SCHOOL

A. Short-Term Suspension

- a. The Principal, in accordance with the rules of the district, shall have the right to impose a Short-term Suspension on any student in the school who has violated the school's Student Code of Conduct. The duration of the Short-term Suspension shall not be more than ten (10) consecutive school days for any single conduct violation or combination of violations which occurred during a single disciplinary incident.
- b. The Superintendent, in accordance with the rules of the district/charter school, shall have the right to temporarily extend a student's Short-term Suspension beyond the ten school day limit pending a district Central Review Committee/Alternative Placement Meeting decision or the district Board of Education decision regarding an Expulsion hearing or other formalized Disciplinary Action hearing for the student.
- c. Due Process will be followed as outlined in Chapter III.
- d. Students suspended out of school are expected to make up their work. It is the responsibility of the student/parent/guardian to contact the teacher for makeup work. Students' assigned in-school suspensions are required to complete their work.
- e. A student assigned to an excessive total of in-school suspensions (more than 3) may be assigned out-of-school suspension (OSS) instead of the ISS consequences prescribed in these guidelines.
- f. In all events, parents will be notified to have the student picked up from school. Students whose parents/guardians/emergency contacts cannot be reached by telephone will be retained at school until the end of the school day. However, if this is not feasible or if the immediate removal of the student from school is necessary to protect the safety of

individuals, property, or the integrity of the educational process, the necessary notice and hearing will follow as soon as possible.

B. Long-Term Suspension

- a. The Superintendent, in accordance with the rules of the district school, shall have the right to impose a Long-term Suspension on any student in the school who has violated the school's Student Code of Conduct's listed acts of misconduct as defined in 14 DE Admin. Code 614.3. The duration of the Long-term Suspension shall not exceed the number of school days in a school year for any single conduct violation or combination of violations which occurred during a single disciplinary incident.
- b. Prior to any Suspension from school, the initial due process procedures outlined in Chapter III shall be followed.
- c. When a student receives a Suspension from school (in or out-of-school), reasonable attempts to provide verbal notification to the Parent shall be made by the Principal prior to the Suspension being served. Written notification of the Suspension and information regarding the districts/charters appeal or Grievance process shall be given or sent to the Parent as soon as practicable, but no later than three business days. The notification shall state the cause and duration of the Suspension.
- d. The Parent or student may appeal the Suspension to the next administrative level in accordance with the district's appeal or Grievance process.
- e. Prior to the student's return from an out-of-school Suspension of three (3) school days or more, the Principal shall hold an in-person or phone conference with the Parent and student. The conference shall be designated by the Principal, who may waive the conference.

ASSIGNMENT TO ALTERNATIVE PROGRAM

A student may be assigned to an Alternative Program because of serious or repeated violations of the Code. Assignment to an Alternative Program is the removal of a student from the regular school program, with placement in special alternatives designed to meet the student's particular needs. A principal may refer a student for Alternative Placement:

- a. for any severe disciplinary violation for which Alternative Placement may be a consequence as specified in the district school Student Code of Conduct and the student's behavior is within the defined conduct under Regulation 616.
- b. in conjunction with an Attorney General's Report or court disposition that indicates that the student has been charged with a Violent Felony and/or is a threat to the health, safety, and welfare of others within the School Environment.
- c. in conjunction with chronic disruptive behaviors which result in Repeated Violations of the Student Code of Conduct after all school based best practice interventions have been put into place for said student.

C. Building Level Conference

When it is alleged that a student committed a violation of the Student Code of Conduct and may be subject to a recommendation for Alternative Placement, the following procedures shall occur. The principal:

- a. shall follow due process as outlined in Chapter III
- b. shall notify the student and parent/guardian.
- c. may impose a Short-term Suspension. If the student is suspended, the student and the Parent shall be provided a copy of a Suspension form that includes a written notice of the Student Code of Conduct violation(s).
- d. shall compile an Alternative Placement Packet for the student. The Alternative Placement Packet may also include other relevant information at the discretion of the Principal.
- e. shall hold a building level conference (by phone or in person and with a third person present) with the parent/guardian and student to inform them:
 1. of the referral for Alternative Placement
 2. that the student may be suspended and;
 3. of the procedures that will take place as follow-up to the referral for Alternative Placement.

- f. shall mail a notice of the Alternative Placement Meeting to the parent/guardian at least 5 business days before the meeting is to occur.

In lieu of a formal Expulsion hearing, a student may elect to waive the hearing and admit to the student's violation charge(s). The student and Parent shall submit a signed written hearing waiver which indicates that the student is knowingly and voluntarily waiving their right to the hearing. Such election may be exercised until the commencement of the hearing. This waiver does not absolve the student from required consequences under Federal or State Law or the Student Code of Conduct. (See Appendix II)

D. Central Review Committee Meeting/District Alternative Placement Meeting

- a. The Central Review/Alternative Placement Team includes: a representative of the Alternative Program Staff, a district level coordinator who will be designated by the superintendent; the building level principal, assistant principal or other person as appropriate; the student's Parent; guidance counselor or school social worker
- b. A district Central Review Committee/Alternative Placement Meeting shall take place to determine if an alternative setting is appropriate for a referred student.
- c. The Parent and student shall receive verbal and written notification of the district/charter school's Central Review Committee/Alternative Placement Meeting within one day of the meeting. Parents and student may, but are not required to, attend the meeting.
- d. The Parent and student shall be informed of the district/charter school Central Review Committee/Alternative Placement Team's decision for placement within one (1) business day of the meeting.
- e. If the decision is to assign to an Alternative Placement, the Superintendent shall send follow-up written notice within three (3) business days to the Parent describing the circumstances which led to the placement, identifying the Alternative Program to which the student is being assigned, and the conditions which must be met in order for the student to return to the Regular School Program.

E. Student Assignment to Alternative Placement

- a. Milford School District contacts the Alternative Program to set up a date and time for an Intake Meeting.
- b. The Intake Meeting shall not occur unless all required participants are present, unless excused by the Superintendent, and documentation from the Alternative Placement Packet is provided.
- c. Participants required to be present at the Intake Meeting include, but are not limited to, the student, the Parent, a district representative, the Alternative Program administrator, and other appropriate Alternative Program staff.
- d. A student assigned to a Consortium Discipline Alternative Program must be registered in Milford School District before the Intake Meeting is held.
- e. The Intake Meeting will include the completion of necessary forms, including the Intake Form, which requires student and Parent signatures.
- f. During the Intake Meeting, Milford School District representative shall communicate, to all in attendance, the district/charter school's individualized goals and expectations for the alternatively placed student, including the Individualized Service Plan (ISP) under 14 DE Admin. Code 611, if applicable. The individualized goals and expectations shall be recorded on the Intake Form.
- g. The Intake Form shall be signed by all parties, copied and distributed to the student and Parent, Alternative Program administrator, and Milford School District representative and shall become part of the student's educational record as defined by 14 DE Admin. Code 252.
- h. Milford School District shall maintain all alternatively placed students' enrollment status in Delaware Student Identification System (DELSIS) and eSchool PLUS database systems or successor Delaware Department of Education approved student database management system. A student placed in a Consortium Discipline Alternative Program shall have both an "active" and "service" status designation in DELSIS.

- i. Students suspended, placed at alternative school, or expelled from school are also excluded from school-related activities and are not permitted on any Milford School District property or at any off-campus events.

EXPULSION

Only the Board of Education may expel a student from school for violation of District Policy. In general, the act of expulsion shall be taken in accordance with due process rights and on the documented evidence presented by the administration. A student will be expelled up to 180 school days and credit will not be given for courses in which a student is currently enrolled.

Re-entering: Students will begin the school year with a clean discipline record with the exception of students who have been previously expelled from school and those operating under a behavior contract that might extend into the new school year. An expelled student may re-enter school upon the completion of their term of expulsion. Parents and student are required to meet with a school administrator to review and sign a behavior contract before attending classes.

Students who end the school year with 45 or more demerits will be placed on a behavioral contract for the following school year. This includes students going from grade 8 to 9.

F. Expulsion Process:

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

STEP I – Investigation and Recommendation for Expulsion

1. The principal or designee investigates the violation and follows due process from Chapter III of this policy.
2. After the student has been afforded initial due process procedures, if the Principal decides that disciplinary action in the form of a recommendation for Expulsion will be made, the following procedures shall be afforded:
 - a. The student shall be given a Short-Term Suspension.
 - b. The Principal shall hold a Building Level Conference with the Parent and the student. The Principal shall explain to the Parent and the student the purpose of the meeting is to inform them: 1) of the recommendation for Expulsion; 2) that the student will be serving a Short-term Suspension pending the outcome of the Expulsion hearing and; 3) of the procedures that will take place as follow-up to the recommendation for Expulsion. The conference is held by phone or in person and notes are recorded by a second person.
3. All documentation related to the recommendation for Expulsion shall be delivered to the Superintendent within two (2) business days of the Building Level Conference or seven (7) business days of the incident, whichever is sooner.

STEP II – Expulsion Hearing Determination

1. Upon receipt of a recommendation following the Building Level Conference, the Superintendent shall review documentation to affirm that appropriate discipline procedures were followed. The Superintendent shall, within ten (10) business days of the date of the incident, notify the student and the Parent by letter that a district-level Expulsion hearing will be held to consider the recommendation. The Superintendent shall not have been a participant in the disciplinary investigation or Building Level Conference resulting in the recommendation for Expulsion.
2. In lieu of a formal Expulsion hearing, a student may elect to waive the hearing and admit to the student's violation charge(s). The student and Parent shall submit a signed written hearing waiver which indicates that the student is knowingly and voluntarily waiving their right to the hearing. Such election may be exercised until the commencement of the hearing. This waiver does not absolve the student from required consequences under Federal or State Law or the Student Code of Conduct. (Appendix I)

- a. Within five (5) business days following the waiving of hearing rights and admission of violation charges, the Superintendent shall prepare a report for the Board of Education's action at its next public board meeting or an additional scheduled public board meeting for the sole purpose of deciding on the student disciplinary matter in question.

STEP III – Expulsion Hearing

1. Written notice shall, at a minimum, be sent by regular U.S. and certified mail to the Parent describing the circumstances which led to the recommendation for Expulsion and shall give the date, time, and location of the hearing.
2. The hearing shall be held not less than seven (7) business days or more than twenty (20) business days after receipt of written notice. The written notice shall be deemed to be received on the fourth business 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 and Parent at the district/charter school office prior to the mailing.
3. The student and Parent may also be given copies of the following: (reason for the recommendation, names of witnesses who may appear, and copies of information that may be submitted as evidence).
4. The Expulsion Hearing shall be conducted by a district Board of Education or Hearing Officer.
5. The Board of Education or Hearing Officer:
 - a. shall have full authority to admit or exclude evidence.
 - b. is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure except as herein stated.
 - c. may exclude plainly irrelevant, immaterial, insubstantial, cumulative and privileged evidence.
 - d. may limit unduly repetitive proof, rebuttal and cross examination.
6. In conducting the hearing, the district shall:
 - a. submit evidence first followed by the response of the student, if any.
 - b. allow further evidence by either party to be presented at the hearing if the Board of Education or Hearing Officer determines such evidence is necessary.
 - c. be recorded in a manner that will permit transcription.
 - d. Not allow the Superintendent presenting the case on the part of the District to testify.
7. The student shall have the following rights:
 - a. To be represented by legal counsel at the student's expense;
 - b. To cross-examine witnesses;
 - c. To testify and produce witnesses on his/her behalf; and
 - d. To obtain, at the student's expense, a copy of the transcript of the hearing.

STEP IV – Expulsion Decision by Board of Education

1. Within five (5) business days following the conclusion of an Expulsion hearing conducted by a Hearing Officer, a written report shall be prepared by the Hearing Officer for the Superintendent. The report shall frame the issues, summarize the evidence, state conclusions of fact, and make a recommendation as to whether the student should be expelled.
2. The Board of Education shall:
 - a. conduct a review of the Hearing Officer's recommendation, the transcript and all evidence, and then may accept, reject, or modify the recommendation of the Hearing Officer.
 - b. report to the Delaware Department of Education within five (5) business days of the Board's decision to expel.
 - c. grant a decision in writing, within ten (10) business days of the decision by the Board of Education, to the Superintendent, Parent and student. The written decision shall include notice of the right to appeal to the State Board of Education. When a Board of Education expels a student, but determines the student shall not be placed at a Consortium Discipline Alternative Program, the written decision shall address with specificity the reason for non-placement and the evidence in support thereof. Such decisions shall be submitted to the Delaware Department of Education's Office of School Climate and Discipline within five business days of such decision, with a copy to the student's Parent.

- ~~d. notify the Delaware Division of Motor Vehicle of the beginning and ending date of Expulsion for students who are expelled from the School district/charter school as a request for suspension of driving privileges in accordance with 14 Del.C. §4130(e)(1).~~
- ~~e. forward a copy of the Delaware Division of Motor Vehicle form to the Delaware Department of Education's Office of School Climate & Discipline.~~

STUDENTS WITH DISABILITIES

- A. In the case of a known or suspected disabled student, as defined in federal and state regulations, being considered for expulsion or change in placement, an Individual Educational Placement (IEP), Manifestation Determination (MD) or Section 504 (as appropriate) team meeting will be convened before change in placement or expulsion.
- B. The IEP Team will determine whether (1) the alleged conduct is a manifestation the student's disability, or (2) the student's programming and placement was appropriate at the time of the offense. A disabled student's conduct is a manifestation of the disability if the IEP/MD/Section 504 Team so determines. If the IEP Team determines that the offense is a manifestation of the student's disability, the student's program and/or placement may be changed by the team, but not as a disciplinary consequence, and only to provide appropriate services and placement.
- C. If the IEP Team determines that the offense is not a manifestation of the student's disability, the principal will follow the Student Code of Conduct, and continued services and placement shall be determined by the IEP Team.
- D. In instances where the student presents a danger to himself or others as afforded by law, Interim Alternative Educational Settings may be invoked by the District, including homebound instruction.

CORPORAL PUNISHMENT

The use of corporal punishment is not permitted in the Milford School District. This does not prohibit an official or professional employee of the Milford School District from:

- 1. Using reasonable and necessary physical contact to quell a disturbance or prevent an act that threatens physical injury to any other person.
- 2. Using reasonable and necessary physical contact to obtain possession of a weapon, other dangerous object, controlled substance, or drug paraphernalia within a pupil's control.
- 3. Using reasonable and necessary physical contact for the purpose of self-defense or the defense of others.
- 4. Using reasonable and necessary physical contact for the purpose of protecting public school property.
- 5. Using reasonable and necessary physical contact for the purpose of removing a disruptive pupil from school premises or motor vehicle or from school-sponsored activities.
- 6. Using reasonable and necessary physical contact to prevent a pupil from inflicting harm on himself or herself.
- 7. Using reasonable and necessary physical contact to protect the safety of others.
- 8. Using incidental, minor, or reasonable physical contact to maintain order and control.

In determining whether or not an employee of the Milford School District was acting within the above exceptions, deference shall be given to reasonable, good faith judgment made by an official or employee of the school board.

DISCIPLINARY REFERRALS

Disciplinary referrals should occur only when students have clearly and willfully violated the District's Code of Conduct.

SMOKING

The State of Delaware prohibits smoking by all persons within all buildings, facilities and school grounds of the District. Smoking includes any delivery system whether electronic or non-electronic (ie: vape pipes, juuls and e-cigarettes.)

UNSAFE SCHOOL STUDENT TRANSFER OPTION PROGRAM

Milford Elementary Schools have been declared safe schools.

The Milford School District complies with legislation by providing transfer options to those students enrolled in a District school that has been identified as “persistently dangerous” pursuant to the provisions of DDOE Regulation 608, Unsafe School Choice Option for Students in Persistently Dangerous Schools and for Students Who Have Been Victims of a Violent Felony. Students who have been victims of a violent felony under these provisions may also elect the transfer option program.

Option A: Schools Identified As Persistently Dangerous

- Within ten school days of receiving a persistently dangerous designation from the Department of Education, the District will notify parents of eligible Unsafe School Transfer Option Program students by mail. A Transfer Option Application will be attached to the notification letter. Parents of students moving to a persistently dangerous school at the end of their grade level cluster will also be notified by mail. All parents registering students at a designated school will receive a notice and Transfer Option Application at the time of registration.
- The District will accept Unsafe School Student Transfer Option Applications for fifteen school days following date of the notification mailing. Applications for in-coming kindergarten students will be accepted through first day of new school year.
- Parents will have the option to transfer to another District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- Transfers of students will occur within 30 school days of Department of Education notification to the District. Transferring students will be assigned to bus stops currently servicing their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.
- A corrective action plan will be developed and filed with the Department of Education within 20 school days from the date that the District learns that a school has been identified as persistently dangerous.

Option B: Victim of a Violent Felony at a School

- Within five school days from the date of the acknowledgement of a violent felony charge that occurred in or on the grounds of a District school, the District will notify the victim’s parents by certified mail of the Unsafe School Student Transfer Option. A Transfer Option Application will be attached to the notification letter.
- Parents have 10 school days from the date of the certified mailing to exercise their option to transfer to a safe District school that is making adequate yearly progress and has not been identified as being in school improvement, corrective action, or restructuring. School options available will be listed on the application form.
- The student will be transferred within 30 school days of the District’s notification of violent felony charges being filed. Transferring students will be assigned to bus stops currently servicing their option school by the District Transportation Department. Parents will be responsible for providing transportation to and from their assigned bus stop.

The Milford School District Student Transfer Option Program components are subject to amendments as may be required by law.

WEAPONS – GUN FREE SCHOOLS ACT OF 1994 The Milford Board of Education recognizes that students and staff must be provided with a safe and secure environment for learning, free from fear, harassment or injury caused by the possession of firearms in school. In compliance with the Federal Gun-Free Schools Act of 1994, the District adopts the following policy:

Possession of a firearm, as defined by Delaware Code, on school property, in a school bus, at any school-sponsored co-curricular activity, shall result in expulsion for a period of not less than 180 school days. The superintendent shall modify the expulsion requirement to the extent a modification is required by Federal or state law in respect to students who have been determined to have disabilities. The procedures and definitions

by which this policy will be implemented are contained in the Student Code of Conduct and Delaware Code.

COMBINATION OF OFFENSES

In single instances where more than one violation of the Code occurs prior to disciplinary action given, the student may be dealt with at the highest level and may be given the most severe action allowed for any of the offenses committed.

In separate incidents of violations of the Code, offenses cannot be combined prior to disciplinary action in order to determine the appropriate level and action for the latest offense. Offenses are to be considered separate, except as may be provided elsewhere in this policy. If several separate instances of the same offense occur prior to disciplinary action, all of the offenses should be processed at the appropriate level of action specified for each violation.

REMOVAL OF STUDENTS FROM CLASS OR OTHER SCHOOL ACTIVITY

Faculty and administration have authority over student conduct at all times during school and school related activities outside the school day, including riding buses. Students will be removed from class or school activity based upon the judgment of teachers and administrators. Criteria for removal of students include the safety of student and others, any form of violence, persistent disruption that interferes with learning, prevention of such situations and compelling need to speak to student privately. In using their judgment to remove a student, staff will use the Student Code of Conduct as the guide for their decisions. When a punishment or penalty is given to a student, it will be at the discretion of school authorities and based upon the Code of Conduct. If a student needs to be removed, the teacher will contact the office/follow procedures established in that school to summon assistance to remove a student.

Parent Meeting Request and Parent Communication

Teachers are required to attempt to contact parents and/or building administrator of PreK, Kindergarten and 1st grade students prior to the first write-up. This is to enlist the assistance of parents in correcting the problem before a write up is issued. Teachers are encouraged to contact parents of children in grade 2-5 and/or building administrator prior writing up the students, particularly before the first write-up.

STUDENT RECORD

All discipline offenses ~~shall be~~ **are** made a part of the student's discipline record. **The discipline referral process will start over at the beginning of each school year.** ~~A new record for the student will be started each school year.~~

CHAPTER IV VIOLATIONS OF THE STUDENT CODE OF CONDUCT

HARASSMENT

Sexual harassment by district students or harassment or misconduct by students based upon race, color, creed, religion, gender (including pregnancy, childbirth and related medical conditions), national origin, citizenship or ancestry, age, disability, marital status, veteran status, genetic information, sexual orientation, gender identity, or upon any other categories protected by federal, state, or local law.

Sexual harassment is a form of sex discrimination and illegal under Title VII of Civil Rights Act of 1964, which protects persons in work place, and Title IX of Education Amendments of 1972, which protects persons from sex discrimination at school. Sexual harassment can be defined as any unwelcome attention of a sexual nature that interferes with a person's work (school) performance or creates a hostile, intimidating work (school) environment. It may include, but is not limited to: demeaning remarks about one's clothing, body, or sexual activity based on gender; unnecessary touching, patting, or pinching; leering at another person; demanding sexual favors accompanied by threats relating to job or school performance and evaluation; and physical assault. It is important to remember that no person deserves to have his/her individual freedoms violated and that persons who have experienced sexual harassment often feel guilty, angry, powerless, and fearful. Such sexual harassment or misconduct, whether the harasser is another student or adult: shall include, but is not limited to the following:

- **written contact**--suggestive or obscene letters, notes, invitations, graffiti, and electronic messages of a sexual nature.
- **visual contact**--sexually suggestive looks or gestures, displaying sexually suggestive or explicit objects or pictures, cartoons, photographs, electronic images, posters, magazines, or other materials.
- **verbal contact**--sexually suggestive gestures or obscene comments including, but not limited to, those about a person's body, body parts, or sexual characteristics that are used in a negative or embarrassing way; verbal advances or sexually explicit statements which may take the form of threats, jokes, teasing, phone calls, or pressure for sexual contact or favors.
- **physical contact**--uninvited and intentional touching, blocking, or cornering of a person's freedom of movement; pinching, patting, invasion of the person's privacy by leaning over him/her or brushing up against the other person's body; or actual sexual contact, assault, or rape.
- **retaliation**--any action taken or threatened against another person for complaining about any of the behaviors described above.

Harassment based upon a person's race, national origin, disability, religion, sexual orientation or similar characteristics by a student directed against or toward another person that occurs on the school district's premises or at school activities off the school premises is a form of conduct which is prohibited. Such harassment or misconduct shall include, but is not limited to:

1. Any assault, offensive touching, menacing, or reckless endangering of another person that is motivated by the victim's race, national origin, disability, religion, sexual orientation, or similar characteristic;
2. Oral or written words communicated by any student to another person that attack, degrade, stereotype, or offend based on the person's race, national origin, disability, religion, sexual orientation, or similar characteristic;
3. Any oral, written or symbolic communication that can reasonably be perceived and considered as offensive, including slurs, jokes with negative connotations, apparel decorated with negative or degrading words or symbols, negative stereotyping, or other communications that are based upon race, national origin, disability, religion, sexual orientation, or similar characteristic.
4. The use of threats, coercion, or intimidation to prevent a person from reporting such harassment or misconduct as set forth in #s 1-3 above.

If you believe you or another person are the subject of such harassment or misconduct or sexual harassment or if you witness such actions or communication in general, you should report the circumstances immediately to a teacher or the principal or assistant principal at your school, to a parent or guardian, or to any employee of the school district who is in a position of authority. Persons are urged to report violations of these policies and no one will, in any way, use threats, coercion, or intimidation to prevent a person from reporting harassment or sexual harassment. All complaints made to district staff must be reported by such staff to the Milford School District Title IX Coordinator. Upon receiving notice of a complaint of harassment, sexual harassment or misconduct based upon race, national origin, disability, religion, sexual orientation, or similar characteristic, an investigation will be conducted as soon as possible. Confidentiality of the person and/or witnesses to the prohibited conduct will be maintained to the fullest extent possible. A school district student, who is found to have committed harassment or misconduct based upon race, national origin, disability, religion, sexual orientation, or similar characteristic, will be subject to appropriate disciplinary action, and all reports of such harassment or misconduct will be actively and diligently investigated. Appropriate action will be taken consistent with the provisions of the student disciplinary code and/or state law. The type of disciplinary action taken will depend upon the seriousness of the offense committed and may include placing the offending student on probation, suspension, expulsion, or imposing other disciplinary alternatives. Follow-up inquiries may be made to ensure that harassment, including sexual harassment, has not resumed and that the complainant and witnesses have not suffered retaliation for their actions.

~~DRUGS AND ALCOHOL, AND STEROID POLICY~~

The Milford School District believes that drugs **and** alcohol ~~and steroids~~ have no place in the school environment and are prohibited. The Milford School District supports a zero tolerance policy tempered by the desire to encourage students with substance

abuse problems to come forward and seek help with treatment and counseling.

The **Milford School District strives to:** ~~objectives of this policy are fourfold:~~

1. ~~To~~ promote student awareness/education concerning the dangers of substance abuse in the schools;
2. ~~To~~ make known the availability of drug and alcohol counseling, rehabilitation and student assistance programs;
3. ~~To~~ provide a fair and equitable framework for administering consequences to students who violate the policy;
4. ~~To~~ provide prior notice to all students of the District's position that the use of drugs, alcohol or steroids in the school environment is destructive of the educational process and will not be tolerated.

~~The policy on possession, use or distribution of drugs and alcohol shall apply to all Milford School District schools:~~

~~The Board Hearing recognizes~~ The misuse of drugs and alcohol is a serious problem with legal, physical and social implications for the school community. ~~The Board Hearing, accordingly, prohibits the possession, use and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance and/or drug paraphernalia because they are wrong and harmful to students.~~

In cases of drug use, possession and/or distribution of drugs and/or alcohol and/or paraphernalia and/or inhalants and/or medications, the Milford School District will:

1. **Follow the code of conduct to administer consequences to students.**
2. Alert law enforcement of possible criminal violations.
3. Turn over all substances and paraphernalia to law enforcement officials.
4. Request analysis of the substance if necessary.
5. **Suspend from participation** any student who violated the above policy more than one time during his/her period of eligibility to participate in extracurricular activities ~~shall be suspended from participation in all extracurricular activities, including sports, clubs and marching band, for one calendar year from the date of the second incident. This policy applies to all students while on school property or at a school-sponsored activity.~~
6. **Require** that all prescription or non-prescription drugs ~~are~~ to be handled through the office of the school nurse. Authorized drugs are those prescribed to a student by a licensed physician or that which can be purchased over the counter and for which the student has written permission from his/her parent or guardian. Both are to be brought in the original labeled container to the school environment in the dosage or amounts prescribed, or for which written permission has been obtained. In all cases, they are to be delivered to the school nurse and administered as per the physician's/parent's/guardian's written order. Violations of the policy could result in disciplinary action. All medications not reported to the nurse will be considered unauthorized.
7. Offer help and assistance to any student who feels that she/he has a problem with drugs or alcohol. ~~may request help from School personnel, who will offer assistance, assessment and/or identify appropriate outside resources without penalty, unless a violation of this policy has occurred. In cases involving student assistance, cost for~~

such treatment are the responsibility of the parent, but the school administration will be an active partner at the parent's request in securing help of a limited cost nature.

8. ~~The Milford School District is~~ Be committed to developing preventative strategies for dealing with this issue through counseling efforts, instructional programs and many other related activities. ~~As one part of this program each year, this policy will be reviewed by the school administration with the total student body at the beginning of school. The Milford School District has also designated the school nurse, school psychologist and/or school counselors as the professionals to which staff can refer students to receive initial counseling and to obtain information or counseling/treatment services available to the student in need. Issues involving student rights to services and confidentiality should be directed to the school principal.~~

~~The Board Hearing considers offenses related to drugs and alcohol very serious both for the individual involved and for the welfare of other students in the district. Therefore, the following rules and regulations have been developed:~~

1. ~~Any 9-12 student who buys, sells, uses, consumes, is impaired by or is in possession of drugs, a drug-like substance, alcohol, a look-alike substance and/or drug paraphernalia while on school property or at school-related activities will be investigated at the school level by the discipline team led by the principal or designee. The school recommendation will be reviewed at the district level by the Central Review Committee, chaired by the appropriate district~~
2. ~~All violations of this policy are to be immediately reported to the school principal who will verbally notify the student's parent(s) of the investigation. In all cases, the Youth Aid Division of the Milford Police will also be contacted. At all times the student's due process rights and confidentiality rights are to be respected but after an informal hearing with the student, the principal has the authority to suspend the student for up to ten school days to allow for investigative procedures to be conducted. At the conclusion of the school investigation, the student's parent(s) will be notified in writing of the school findings and recommendation(s). The school recommendation on the occurrence should be made in writing to the appropriate director who will then convene a meeting of the Central Review Committee. If the violation will result in a recommendation for expulsion, the appropriate director will so notify the student's parent(s) in writing.~~
3. ~~All alcohol, drugs, drug-like substances, look-alike substances and/or drug paraphernalia found in a student's possession shall be turned over to the principal or designee and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and turned over to the police as potential evidence. A request for analysis shall be made where appropriate.~~
4. ~~Students of majority age, i.e., age 18 or older, are responsible for their own actions. All such students will be treated as adults for purpose of reporting violations of this policy and of the law to the police. Such students shall also be on notice that their parent(s) and/or guardian(s) will be notified (if their addresses and/or telephone numbers are known to the school) of the student's actions in accordance with this policy.~~

- ~~5. Any student who is found consuming beyond the prescribed or recommended dosage, being under the influence of, selling or distributing any substance which alters or is intended to alter performance such as steroids, stimulants, amphetamines, diuretics and related compounds, any of which are found on the NCAA list of banned drugs and posted in the school offices, she/he may be suspended from school for a minimum of five days and suspended also from all participation in extracurricular activities, including sports and marching bands. Any student who violated the above policy more than one time during his/her period of eligibility to participate in extracurricular activities shall be suspended from participation in all extracurricular activities, including sports and marching band, for one calendar year from the date of the second incident. This policy applies to all students while on school property or at a school-sponsored activity.~~

NONCONTROLLED SUBSTANCES

The act of possessing or transferring a drug-like or look-alike substance (includes all substances which fall under the definition set forth in the Uniform Controlled Substance Act 16 Del. D. 4701 et seq.) shall constitute intent to use, possess, or distribute if any of the following conditions is present:

1. The express representation that the substance is a controlled substance; or
2. The express representation that the substance is of such nature or appearance that the recipient of said delivery will be able to distribute said substance as a controlled substance; or
3. Circumstances which would lead a reasonable person to believe that the substance was a controlled substance.

It is prima facie evidence of such circumstances if any two of the following factors are established:

- A. The non-controlled substance is packaged in a manner normally used for the illegal delivery of controlled substances.
- B. The delivery or attempted delivery included an exchange of or demand for money or other valuable property as consideration for delivery of the substance, and the amount of such consideration was substantially in excess of the reasonable value of the non-controlled substance.
- C. The physical appearance of the finished product containing the substance is substantially identical to a specific controlled substance.

AGGRESSIVE GROUPS AND GANG POLICY

The Milford School District recognizes that the harm done by the presence and activities of gangs and aggressive groups in public schools exceeds the immediate consequences of such activities such as violence and destruction of property. Gang and aggressive group activities also create an atmosphere of intimidation in the entire school community. Both the immediate consequences of this activity and the secondary effects are disruptive and obstructive of the process of education and school activities.

It is therefore the policy of the Milford School District that gangs and aggressive groups are prohibited in the Milford School District Schools, according to the following:

I. Definitions for Purposes of this Policy

An "aggressive group" is any group of two or more students who act collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district.

An "organized aggressive group" act collectively in an aggressive, confrontational, or territorial manner toward other students within the school or in violation of disciplinary rules of the school district have one or more of the following characteristics: An action against a single member of the group is responded to by multiple members of the group, the group identifies itself with a name, similar clothing or colors, established symbols and handshakes, similar hairstyles, or other identifying characteristics

A "gang" is any group of two or more students whose purposes include the commission of illegal acts; "gang related activity" includes but is not limited to the prohibited conduct set forth below.

II. Prohibitions

No student on school property or at any school activity on or off campus shall:

1. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign or other items that evidences or reflects membership in or affiliation with any gang or aggressive group.
2. Engage in any act, either verbal or nonverbal, including gestures or handshakes, showing membership or affiliation with any gang or aggressive group.
3. Engage in any act to further the interests of any gang or aggressive group, including, but not limited to:
 - a. soliciting membership in, or affiliation with, any gang;
 - b. soliciting any person to pay for "protection," or threatening any person, explicitly or implicitly, with violence or with any other illegal or prohibited act;
 - c. painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols, or signs, on school property;
 - d. engaging in violence, extortion, or any other illegal act or other violation of school policy;
 - e. soliciting any person to engage in physical violence against any other person.

III. Procedures

1. WATCH: the same students are noted to be persistent in aggressive group behavior
 - a. A list of the students is established and maintained
 - b. Record all relevant actions, interactions, reports, and rumors
2. INTERVENTION: When sufficient documentation has accumulated
 - a. Interview, set limits, and warn individually
 - b. Send letter to parents
 - c. Apply appropriate discipline for all group activity: Inflammatory Actions, Bullying, and Defiance
3. GANGS AND ORGANIZED AGGRESSIVE GROUPS
 - a. Prohibited from assembly on school grounds
 - b. Arrests off campus will result in a referral under M016.
 - c. Expulsion hearing for all acts of violence or intimidation

IV. Application and Enforcement

1. In determining, as part of the application and enforcement of this policy, whether acts, conduct, or activities are gang related, school officials are encouraged to exercise discretion and judgment based upon current circumstances in their schools, neighborhoods, and areas.
2. This policy is intended to work in conjunction with the Bullying Policy found elsewhere in the MSD Code of Conduct.
3. The removal of graffiti shall be a priority in maintenance of school property. All such graffiti on school property shall be removed or covered within twenty-four (24) hours of its first appearance to school officials, or as soon thereafter as possible.
4. School officials are strongly encouraged to work closely with local law enforcement officials in controlling gang-related activities. Local law enforcement can provide school officials with information regarding gang-related activities in the area, including names and characteristics of local gangs.
5. The superintendent, in consultation with the appropriate building principals, should report instances of gang-related criminal acts or acts of serious disruption to School Board and local law-enforcement authorities for further action.

V. Violations of Policy

Students who violate this policy shall be subject to the full range of school disciplinary measures, in addition to applicable criminal and civil penalties.

SCHOOL BULLYING & CYBERBULLYING PREVENTION

The Milford School District (the "District") recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The District strives to provide safe learning environments for all students and all employees.

I. Prohibition of Bullying Which Includes Cyberbullying

The District 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 District from grades kindergarten through grade twelve. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying shall be treated by each school district and charter school in the same manner as incidents of bullying. The District further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

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 school 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.
- E. As used in this policy, cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
 1. Whether speech constitutes cyberbullying will be determined from the standpoint of a reasonable student of the same grade and other circumstances as the victim.
 2. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school or district materials.

Explanation: Bullying is usually defined as involving repeated acts of aggression that aim to dominate another person by causing pain, fear or embarrassment. However, one act alone may constitute bullying if the requisite intent and effect set forth in the definition are met. Bullying may be perpetuated by an individual or a group. It may be direct or indirect. Although a person may be repeatedly bullied, a different person might be doing the bullying each time, which may make it difficult to recognize that bullying is occurring. An act is intentional if it is the person's conscious objective to engage in conduct of that nature. The actions listed below are some examples of intentional actions which may become bullying depending on their reasonably foreseeable effect.

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

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

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

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

1. Denigration: spreading information or pictures to embarrass,
2. Flaming: heated unequal argument online that includes making rude, insulting or vulgar remarks,
3. Exclusion: isolating an individual from his or her peer group,
4. Impersonation: Using someone else's screen name and pretending to be them
5. Outing or Trickery: forwarding information or pictures meant to be private.

Sexual Bullying: With the exception of physical contact which is deemed criminal and/or meets the definition of Unlawful Sexual Contact as defined in DE Code §4112, unwanted touching of a sexual nature, unwanted talking about private parts, and unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is not exhaustive. Such actions become bullying if they meet the definition with regard to intent and reasonably foreseeable effect. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the education environment. Similar behaviors that do not rise to the level of bullying may still be prohibited by other District policies or building, classroom or program rules.

III. School-Wide Bully Prevention Program

The District is committed to support each school in their adoption of a school-wide bully prevention Program. Each school is directed to develop or adopt a school-wide, research-based bully prevention program. A Coordinating Committee will be created, as described in Section IV of this policy.

IV. Coordinating Committee

Each school shall establish a site-based committee that is responsible for coordinating the school's bully prevention program including the design, approval and monitoring of the program.

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.

VI. Investigative Procedures

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

- B. All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the principal or the principal's 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)

VII. Non-Classroom Supervision

To the extent funding is available; each school must develop a plan for a system of supervision in non-classroom areas. The plan shall provide for the review and exchange of information regarding non-classroom areas.

VIII. Consequences for Bullying

The following, including a combination of the following, may be considered by administrators to be the appropriate range of consequences for bullying:

- A. Time-out.
- B. Loss of privileges.
- C. Rebuke or verbal reprimand clearly specifying what is not acceptable and consequences if repeated.
- D. Notices to parent. (REQUIRED BY LAW)
- E. Serious talk with school staff member.
- F. Serious talk with school staff member with parents present.
- G. Behavioral report cards sent home.
- H. Creation of a behavior contract.
- I. In-school suspension.
- J. Detention.
- K. In-school suspension for up to five days.
- L. Reassignment of seats in class, lunch or on bus.
- M. Forbidden to enter certain areas of school.
- N. Reassignment of classes.
- O. A referral to an external agency
- P. Reassignment to another school, or another mode of transportation.
- Q. Expulsion.
- R. Report to Law Enforcement officials

VIX. 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 administrator after consideration of the nature, severity, and circumstances of the act. The potential consequences for retaliation are as set forth in the preceding section.

Reporting Procedures

- A. The procedures for a student and parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) of this Title or legal guardian to provide information on bullying activity will be as follows:
 - 1. If a child complains of bullying while it is happening, the staff member will respond quickly and firmly to intervene, if safety permits. The staff member will report the complaint to the administration or designee.
 - 2. If a child expresses a desire to discuss a personal incidence of bullying with a staff-member, the staff-member will assist to provide the child with a practical, safe, private and age-appropriate method of doing so. The staff member will report the concern to the administration or designee.
 - 3. Written complaints shall be reasonably specific as to actions giving rise to the complaint and should include information as to:
 - a. Conduct involved
 - b. Persons involved, designated bully, target, and bystanders' roles
 - c. Time and place of the conduct alleged, number of incidents
 - d. Names of potential student or staff witnesses

- e. Any actions taken in response
- 4. Short, easy to use complaint forms can be obtained from the school administration or district office. (Appendix II – MSD Bullying Reporting Form)
- 5. The MSD Bullying Reporting Form may be downloaded from the school website, completed, and then emailed to school administration.
- 6. Anyone may report bullying. A report may be made to any staff member.
- 7. Each principal will designate a person or persons responsible for responding to bullying complaints.
- 8. Every confirmed bullying incident will be recorded in the School Register of Bullying incidents (Milford School District RAP), which will be a central record for designated staff to read. This will give an indication of patterns which may emerge of both bullies and victims.

X. Anonymous Reports

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

XI. Notification of Parents, Guardian or Relative Caregiver

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

XII. Procedure to Communicate with Medical and Mental Health Professionals.

The following procedures for communication between school staff members and medical professionals who are involved in treating students for bullying issues must be followed:

1. Pediatricians/Primary Care Physicians and Mental Health Professionals are important links in the overall wellness of the whole child. The ability to communicate appropriately to identify the optimal health care needs of the child is necessary when issues at school impact the physical and emotional health of the child. This is especially true in bullying due to the social nature of the problem. Release of information forms must be signed by the parent, guardian or relative caregiver pursuant to 14 Del. C. § 202(f) or legal guardian in order for the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both at school and at the physician or mental health professional's office before communication may take place according to HIPPA and FERPA guidelines.
2. If a parent refuses to sign a release form at school the school will review this policy with them, explaining the reasons the release would be advantageous to the parent's child.
3. After confirmation that a child has been involved in a bullying incident, if the principal or designated person recommends a mental health evaluation be completed, the school may:
 - a. Require that return to school will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
 - b. Require that the student remain in in-school suspension and that return to regular class schedule will be contingent upon the clinical evaluation providing recommendations and treatment plan if identified as appropriate.
4. A summary of the evaluation shall be shared at a meeting with student, parent/guardian and school principal or designated person prior to return to school or the general population.

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

XIII. Implementation

The school bullying prevention program must be implemented throughout the year *integrated with the*

school's discipline policies and 14 Del. C. § 4112.

XIV. Accountability

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

XV. School Ombudsperson Information

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

XVI. Informing Students of Electronic Mediums

Upon implementation of this policy, and again at the beginning of each academic year, each school district and charter school shall inform students in writing of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. From implementation of this policy, postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at minimum, be included in each district's and charter's school list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. This list is not considered exclusive and any social media outlet which allows for communications that may be viewed by the intended victim or refers to the victim shall be considered an electronic medium for the purposes of enforcing the electronic bullying aspects of this policy. Internet sites such as "blogs" which may be used by individuals for the specific purpose of bullying as defined above shall also be treated in the same manner as other publicly accessible internet portals.

XVII. Policy Notification

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

XVIII. Rules and Regulations

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

XIX. Other Defenses

- A. The physical location or time of access of a 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 district policy and with the approval of the superintendent.

XX. Relationship to Other Laws

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 any state or federal laws concerning special education or individuals with disabilities.

DISCIPLINE OFFENSE AND ACTION MATRIX

	Levels (key below): T – Teacher/Staff A – Administrator		Category	Number of Offenses			
Code	Offense	Definition		1	2	3	4 +
S0301	Abusive/Inappropriate Language	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar towards an employee of the Milford School District.	1	T	T	A	A
C0625 C0601 C0626	Deadly Weapon Possession/Concealment/Sale	Possession, concealment, or sale of a Deadly Weapon in the School Environment. Any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet, or BB shot by compressed air or by spring discharge; a knife of any sort; switchblade knife; billy club; blackjack; bludgeon; metal knuckles; slingshot; razor, bicycle chain; ice pick; xacto knife; mace; pepper gas; taser; non-functional weapons; box cutter; or any other article commonly used or designated to inflict bodily harm or to intimidate others, or using in an aggressive and threatening manner articles commonly used for other purposes. Also, any dangerous instrument, as defined in this Code, will be considered a weapon/deadly weapon when used, displayed in a threatening manner, or attempted to be used, to cause death or serious physical injury.	4	A			
C0621	Dangerous Instrument(s) Possession/Concealment/Sale	Possession/concealment/sale by a student in the School Environment of any instrument, article or substance which is readily capable of causing serious physical injury or death.	4	A			
S0141	Academic Cheating	To be dishonest or deceptive in order to obtain an advantage or gain for oneself or another student. Examples include, but are not limited to, giving or receiving answers, test questions, work results, or projects. Use of cell phone during an assessment is classified as cheating. Also, plagiarism, the adoption or reproduction of original creations of another author without due acknowledgement, is considered academic cheating.	1	T	T	A	A
S0081	Defiance of School Authority	A verbal or non-verbal refusal to immediately comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action; or A verbal or non-verbal display of disrespect and/or uncivil behavior toward school personnel which either causes a substantial disruption or material interference with school activities.	1	T	T	A	A
S0091	Disruption of Educational Process	Individual or group behavior which seriously or repeatedly interferes with effective functioning of the teacher, student, or class in the classroom; individual or group behavior outside of the classroom which seriously or repeatedly interferes with effective functioning of the teacher, student, class, or school.	1	T	T	A	A

S0291	Dress Code Violation	Violation of Dress Code outlined in Milford School District Board Policy 5415.	1	T	T	A	A
S0102	Failure to Obey Safety Procedures Inappropriate Behavior: Safety Violation	Student does not obey safety procedures as outlined by school officials.	1	T	T	A	A
S0107	Inappropriate Behavior: Careless and Reckless Behavior	Intentional/unintentional behavior that threatens to or causes personal injury or property damage. For example: shoving, horseplay, and reckless play including but not limited to: detonating caps or snaps, hair pulling, pinching, pushing or tripping, running, slamming or kicking doors, sticking, stinging, tacks on chair or floor, throwing objects, etc.	1	T	T	A	A
S0321	Falsification – Written/Verbal	This includes but is not limited to making something false for the purpose of deception or fraud, altering something for the purpose of deception, or using a false name or identification.	1	T	T	A	A
S0011	Use of Profanity	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar	1	T	T	A	A
S0312	Unauthorized Use of Cell Phone/Electronic Device	This includes but is not limited to tablets, computers, radios, MP3 players, electronic games, beepers, cell phones, CD players, giga pets, lasers, camera, and all electronic equipment, etc. NOTE: Cell phone power must be turned off and out of sight during the school day. Cell phone use during the school day within the school building is prohibited without permission from a school official. Use of cell phone during an assessment is classified as cheating.	2	T	A	A	A
D0301	Destruction of School Property Criminal Mischief (Vandalism)	A student, in the School Environment, intentionally or recklessly: (1) Damages tangible property of another person or entity; or (2) Tampers with tangible property of another person so as to endanger person or property. This includes student and school property.	2	T	A	A	A
S0321	Forgery or School Paperwork Destruction Falsification – Written/Verbal	This includes but is not limited to making something false for the purpose of deception or fraud, altering something for the purpose of deception, or using a false name or identification.	2	T	A	A	A
S0108	Inappropriate Behavior Consensual and/or Sexual Misconduct	Any request or suggestion of action by one or more persons involving the use or display of those parts of the body generally referred to as “private” (unacceptable in public) in which he/she knows this conduct is likely to cause alarm to another person; explicit sexual actions or display; explicit written or spoken words of a sexual nature (includes photographs, other pornography and sexually related items). A consensual sexual act(s) between two individuals within the School Environment.	2	T	A	A	A
D0801 D0802	Offensive Touching	Intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.	2	T	A	A	A
S0111	Stealing/Theft	Taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.	2	T	A	A	A
S0271	Trespassing	Entering or remaining on school property without authorization; including, but not limited to, knowing or unknowing entry upon school property by a	2	T	A	A	A

		suspended student or student from another school who does not have a legitimate reason for being there.					
S0052	Leaving Assigned Area Without Permission	Leaving an assigned area without authorization.	2	T	A	A	A
S0131	Unsafe Items	Items such as: utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration	2	T	A	A	A
S0181	Acceptable Use Policy Violation	Soliciting, using or sending pornographic or obscene material, accessing unauthorized email, downloading and/or installing files with or without malicious intent, and/or damage to equipment within the school environment; or a situation in which a student tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system in the School Environment resulting in the loss or corruption of information or the ability of the system to operate; or In any way disrupts or degrades the school or District's technology infrastructure.	3	A	A		
S0161	Attorney General's Report	includes a felony, misdemeanor or violation defined in the Delaware Code, as well as behavior of a person under 18 years of age which would be considered a felony, misdemeanor or violation if it had been committed by an adult. Attorney General's Report shall mean the Department of Justice's report of out-of-school criminal conduct, regardless of jurisdiction, which shows disregard for the health, safety and welfare of others, including, but not limited to acts of violence, weapons offenses, and Drug offenses.	3	A	A		
S0081	Defiance of School Authority	A verbal or non-verbal refusal to immediately comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action; or A verbal or non-verbal display of disrespect and/or uncivil behavior toward school personnel which either causes a substantial disruption or material interference with school activities.	3	A	A		
-S0201	Failure to Perform Properly during ISS/ISD	Student does not report for disciplinary action (such as ISS, detention, etc.) and/or fails to comply with disciplinary consequence. Student does not perform properly in ISS.	3	A	A		
S0151	Fire Alarm Incident	A person intentionally set off a false school fire alarm, or call in a false 911 emergency directly or indirectly; recklessly damage or interfere with effective functioning of school's fire alarm system.	4	A	A		
S0101	Inappropriate Behavior	A student uses, or threatens to use, language, gestures, or actions which create or might create a disturbance, including gossip and rumors; uses remarks, spoken or written, that defame the dignity or self-esteem of individuals or groups on the basis of their race, color, creed, sex, national origin, marital status, physical or mental disability, political or religious beliefs, family, sexual orientation, social or cultural background; after teacher has intervened and warned student, the student continues refusing to participate in class---not completing classwork and participating in group activities; possessing the property of another without the consent of the owner or	3	A	A		

		transferring the property of another without the consent of the owner; the use of bold, rude, or disrespectful insulting remarks or actions; violating classroom rules not specifically covered by the student code; entering school late without notifying the office personnel; releasing potentially dangerous chemicals or gases; possession of or igniting explosive devices; joining in a secret agreement to violate school or classroom rules, planning or discussing actions which are a violation of school or classroom rules-					
S0051	Leaving School Grounds without Permission	Leaving the school grounds, after arriving on school grounds, without authorization prior to the end of the student's scheduled day.	3	A	A		
S0111	Stealing	Taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.	3	A	A		
D1401	Tobacco Possession/Use	Possession or distribution of any tobacco product and/or lighted cigarette (cigar, pipe, vape pipe, e-cigarette, etc.), inhaling or exhaling smoke, chewing or using tobacco products	3	A	A		
S0271	Trespassing	Entering or remaining on school property without authorization; including, but not limited to, knowing or unknowing entry upon school property by a suspended student or student from another school who does not have a legitimate reason for being there.	3	A	A		
S0131	Unsafe Items	Items such as: utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration	3	A	A		
C0713	Distribution of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications	The sale, transfer, or Distribution in school, on school property, or on school field trip of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Nonprescription Medication or Prescription Drugs and/or look-alike substances.	4	A			
D0501 D0502 D1301 D1201 D1601 C0701 C0719	Use and/or Possession of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications	In the School Environment, a student unlawfully Possesses, Uses or is under the influence of Alcohol, a Drug, Drug Paraphernalia, or any substance or paraphernalia consistent with the definitions of these substances or paraphernalia. Unlawful Use or Possession of drug or alcohol look-alike substances. Unlawful Use or Possession of steroids. Unlawful Use or Possession of chemical vapors that are inhaled for their mind-altering effects. Possessing or using Nonprescription Medication or Prescription Drugs of any type in the School Environment in violation of 14 DE Admin. Code 612.	4	A			
C0201	Assault III	A person intentionally or recklessly causes physical injury to another person or With criminal negligence the person causes physical injury to another person by means of a Deadly Weapon or a Dangerous Instrument.	4	A			
D0901 D0902	Terroristic Threatening	When a person makes a false statement or statements: (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment; (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment. A person threatens to commit any Crime likely to result in death or in serious	4	A			

		injury to person or property; or A person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.				
D0701	Bullying/Cyberbullying	Any intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of: (1) Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or (2) Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or (3) Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or (4) Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee. The use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction, which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school district or charter school. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.	4	A		
D03	Criminal Mischief (Vandalism)	A student, in the School Environment, intentionally or recklessly: (1) Damages tangible property of another person or entity; or (2) Tamper with tangible property of another person so as to endanger person or property. This includes student and school property.	4	A		
C0141	Extortion	Student attempts to obtain money or goods from another by threat of force or force.	4	A		
S0111 D0601	Stealing/Felony Theft (\$1000 or More)	(a) When a person takes, exercises control over or obtains property of another person intending to deprive that person of it or appropriate it; or (b) When a person, in any capacity, legally receives, takes, exercises control over or obtains property of another which is the subject of Theft, and fraudulently converts the property to the person's own use. The Theft is considered a felony when the value of the property received, retained, or disposed of is \$1500 or more or the victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902(2) of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12.	4	A		

D1101	Fighting/Disorderly Conduct	Any aggressive physical altercation between two or more individuals. Conduct in the School Environment which causes public inconvenience, annoyance or alarm or creates a risk thereof by: engaging in fighting or violent tumultuous or threatening behavior or making an unreasonable noise or an offensively coarse utterance or gesture or display or addressing, abusive language to any person present.	4	A			
D0801 D0802	Offensive Touching (Employee or Student Victim)	Intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or Intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.	4	A			
D0101	Pornography: Poss & Prod	Possession, sharing, or production of any known obscene material in the School Environment.	4	A			
D1001	Sexual Harassment (Student Victim)	A threat to engage in conduct likely to result in the commission of a sexual offense against another individual. The offender suggests, solicits, requests, commands, demands or otherwise attempts to induce another individual to have sexual contact or sexual intercourse or unlawful sexual penetration knowing that it is likely to cause annoyance, offense or alarm to that individual.	4	A			
D0401	Tampering with Public Reports	A person knowingly without valid authorization removes, mutilates, destroys, conceals, makes a false entry in or falsely alters any original record or other written material filed with, deposited in or otherwise constituting a record of a public office or public servant.	4	A			
D0901 D0902	Terroristic Threatening (Employee/Student Victim)	When a person makes a false statement or statements: (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment; (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment. A person threatens to commit any Crime likely to result in death or in serious injury to person or property; or A person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.	4	A			
C0301	Unlawful Sexual Contact III	When a student has sexual contact with another person or causes the victim to have sexual contact with the student or a third person and the student knows that the contact is either offensive to the victim or occurs without the victim's consent.	4	A			
C0101 C0163	Criminal Violent, Sexual, Weapons, Dangerous Instrument Felony Offense	Commission by a student of any violent felony as specified in 11 Del.C. §4201(c).	4	A			

GLOSSARY

Behavioral Contract - When repeated inappropriate behaviors occur or when a student fails to respond to recommended or required consequences for inappropriate behaviors, the student may be placed in a behavioral contract. A behavioral contract is an agreement between a student, the student's parent(s) or guardians, and an administrator. The behavioral contract will specifically state the conditions that, unless met, will result in a recommendation for further disciplinary action.

Central Review Committee – Central Review Committee **is a school-based committee** to consider students who have repeatedly and/or seriously violated school rules and regulations and have been referred by an administrator. Committee is headed by the Principal/designee and identifies possible interventions and determines next steps in the discipline process. ~~appropriate Director/designee Director of Secondary Education Designee and is made up of school personnel from throughout the district.~~

Alternative Placement Team Meeting – **The Alternative Placement Team follows Regulation 616 and is led by the appropriate school district Director/designee. The Alternative Placement Team decides on the placement of students in an alternative setting.**

Gambling – School Violation - student participates in games of chance for money and/or other things of value.

Loitering - student is present in any school area without authorization including student on school property after dismissal.

Notification – direct contact by telephone, in person, or by certified mail, unless otherwise designated.

Parent – includes natural parent, adoptive parent, or any person, agency, or institution that has temporary or permanent custody or guardianship over a student under 18 years of age.

Parent Contact or Conference - means a telephone contact, written communication or meeting with a parent/legal guardian in person unless otherwise designated.

School Employee – includes all persons 18 years of age or older hired by a school district; subcontractors such as bus drivers or security guards; substitute employees; and persons hired by or subcontracted by other state agencies to work on school property.

School Function – includes any field trip or any officially sponsored public school event in the State.

School Volunteer – a person 18 years of age or older who, without compensation, renders service to a public school. "School Volunteer" includes parents who assist in school activities or chaperone school functions.

Written Report – includes printed paper filings and electronic filings that can be printed.

DDOE Regulation 614 - Uniform Definitions for Student Conduct Which May Result in Alternative Placement or Expulsion. The regulation can be found at the following link:

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

Police Contact - Student actions which may be considered a crime will be reported to the appropriate police officials or School Resource Officer. The police determine whether a crime has been committed and if charges will be filed.

Student Support Team (SST) - Students who exhibit repetitive disciplinary actions may be referred to the school's SST. The SST is a committee of school teachers, administrators, and support staff such as school nurse, psychologist or visiting teacher who meet to discuss strategies aimed at supporting students.

Parent Contact - Whenever a student receives disciplinary actions, a parent will be contacted. This includes phone call to the parent, email/text, or a face-to-face conference. School administrators may require a face-to-face conference with a parent/guardian in order for a student to return to school.

~~**Central Review Committee** – Students with continuous code of conduct violations may be referred to a Central Review Committee which includes representation from district administrators, school officials, and school district support staff such as the visiting teacher, school counselors and/or school psychologists.~~

Attorney General's Report: Any charges received by a student either in school or out of school are reported to school district officials from the Attorney General's office. School district officials are provided access to view specifics of each charge against a student via a state crime database. The Milford School District may take disciplinary action on the charges to ensure the safety and welfare of the student body even if the charges have not been adjudicated and in accordance with Due Process procedures.

ACTION CATEGORIES

LEVELS:

A – Administrator

T – Teacher

Restitution - Payment for damages may be required for any disciplinary action which results in property damage.

CATEGORY 1

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	T	30 minutes individual reflection time with supervision (in classroom) Parent contact
2	T	Up to 60 minutes individual reflection time in school (in classroom) Parent contact
3	A	Up to 2 hrs. in-school individual reflection time Parent contact Restrict or provide alternate class activities Loss of privilege(s)
4	A	School Suspension/In-School - up to 1 day. Parent contact Restrict or provide alternate class activities
5+	A	School Suspension/In-School - up to 2 days. Parent contact - required conference with administrators and teachers. Restrict or provide alternate class activities Central Review Committee referral

CATEGORY 2

Restitution - Payment for damages may be required for any disciplinary action which results in property damage.

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	T	Up to 60 minutes individual reflection time with supervision (in classroom) Parent contact Confiscate electronic device
2	A	Up to 3 hrs. in-school reflection time Parent contact Restrict or provide alternate class activities Confiscate electronic device
3	A	School Suspension/In-School – up to 1 day Parent contact Restrict or provide alternate class activities Confiscate electronic device
4+	A	School Suspension/In-School - up to 2 days Parent contact - required conference with administrators and teachers. Restrict or provide alternate class activities Confiscate electronic device

CATEGORY 3

Restitution - Payment for damages may be required for any disciplinary action which results in property damage.

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	A	School Suspension/In-School - up to 2 days Parent contact Restrict or provide alternate class activities Central Review Committee referral

2	A	School Suspension/In-School – up to 4 days Parent contact - required conference with administrators and teachers. Restrict or provide alternate class activities Central Review Committee referral
3+	A	School Suspension up to 5 days Mandatory Central Review Committee referral

CATEGORY 4

Restitution - Payment for damages may be required for any disciplinary action which results in property damage.

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	A	School Suspension, up to 5 days Central Review Committee Referral
2+	A	School Suspension up to 10 days Mandatory Central Review Committee Referral

Student Record

~~All discipline offenses shall be made a part of the student's discipline record. A new record for the student will be started each school year.~~

CELL PHONES AND COMMUNICATION DEVICES

The Milford School District prohibits students from using cell phones and other communication devices during the school day. Violators will receive disciplinary action in accordance with the Milford School District Student Code of Conduct.

~~1st offense/Warning – Confiscation of the device until a parent/guardian picks up the device at the end of the day. Parent/guardian will sign a contract regarding future consequences based on Defiance as stated in the Milford School District Student Code of Conduct.~~

~~2nd offense and subsequent offenses – Confiscation of the device until parent/guardian picks up the device at the end of the day. Disciplinary actions for subsequent offenses of Defiance as stated in the Milford School District Student Code of Conduct.~~

**APPENDIX I:
Expulsion or Alternative School Placement Hearing Waiver**

**MILFORD SCHOOL DISTRICT
REQUEST WAIVER OF EXPULSION HEARING**

**Student
Name:**

School:

Grade:

PLEASE CHECK ONE:

_____ I am the parent/legal guardian of _____; **or**

_____ I am the student and I am eighteen years of age or older.

- I waive my right to have an expulsion hearing.
- Upon waiving my right, the expulsion hearing scheduled for _____ is cancelled.
- I understand that **(student)** will be expelled through **(time frame) with alternative educational placement.**
- I understand that I, **Student**, will not be allowed on Milford School District property for any reason for the duration of the expulsion period.
- By waiving my right to a hearing, I understand I am also waiving my right to file an appeal.

**APPENDIX II:
Bullying Reporting Form**

Bullying Definition: Any overt acts by a student, or a group of students, directed against a student victim with the intent to ridicule, harass, humiliate, intimidate or inflict bodily harm while at school, on school grounds, or at a school-sponsored activity. These acts are typically repeated against the student victim over time.

Student _____ **Date** _____

Parent/Guardian _____ **Date** _____

Name(s) of victim (s):	Name(s) of student(s) accused:	Name(s) of witnesses / bystanders:

Type of Incident (check all that apply):

☐ Name calling, Physical ☐ Threatening ☐ Excluding (left out)
☐ (hit, kicked, punched) ☐ Cyber (online or text) ☐ Rumors
☐ Racial or demeaning comments ☐ Sexual Comments ☐ Stolen or damaged possessions
☐ Other: _____

Where did the incident happen? (check all that apply):

☐ Hallway ☐ Classroom ☐ Bathroom
☐ Gym ☐ Locker Room ☐ Cafeteria
☐ Bus ☐ Bus stop ☐ School Trip
☐ **Cyber** (online or text) ☐ Other: _____

Who have you reported the incident to: (check all that apply):

☐ Teacher ☐ Counselor ☐ Dean
☐ Administrator ☐ Parent/Guardian ☐ Friend
☐ Other: _____

Explain the incident:

Based on this report of alleged bullying, an investigation will take place.

ADOPTED: 5/18/87; 11/23/87; 6/27/88; 7/10/89; 7/9/90; 7/1/91; 6/22/92; 7/12/93; 12/20/93; 6/27/94; 11/28/94; 6/26/95; 6/24/96; 6/14/99; 7/12/99; 9/27/99; 5/22/00; 6/25/01; 6/24/02; 6/23/03; 10/27/03; 6/28/04; 5/23/05; 5/19/08; 5/18/09

REVISED: 6/21/10; 5/16/11; 7/11/11; 1/23/12; 5/21/12; 4/22/13; 3/24/14; 6/05/17, 7/30/18

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY
5417

SCHOOL BUS CODE OF CONDUCT POLICY – GENERAL INFORMATION

Student Safety – Student safety is a top priority for the Milford School District. School bus drivers are considered school officials and the bus is deemed an extension of the classroom. Students should observe classroom conduct when on the bus. Students who do not follow safe procedures on the bus will be subject to disciplinary action including suspension or denial of bus privileges as outlined in this policy.

Parent Contact – Drivers and/or contractors are to make a good faith attempt to contact parents prior to writing a bus referral. This effort should be documented on the referral form when necessary. A Principal/Designee must notify the parent/guardian of any suspension or denial of riding privileges.

Contractor/Driver Meeting Request – Contractors and/or drivers may request a meeting with administration and parents of children in grades Pre-K -12 prior to writing a bus referral. ~~a student up.~~

Implementation – School Bus Drivers should take steps to organize and promote a safe school bus environment. Drivers and Principal/Designee ~~Contractors and Administrators~~ shall implement this policy in the manner specified. The implementation of this policy is in compliance with Delaware State 14 DE Reg.1150 which requires the school district assume primary responsibility for student conduct.

The following items should be implemented when carrying out the Bus Code of Conduct:

- a. For any suspension from the bus, Principal/Designee must contact the parent/guardian prior to the suspension. If there is a loss of bus privilege, it will start no later than two (2) days after the school has notified the parents.
- b. An administrator can enact or prolong a bus suspension if the student presents a threat to the health, safety, or welfare of other students and staff.
- c. Infractions are cumulative regardless of offense type or category.
- d. ~~Restrict/revoke field trip, if loss of bus privilege is on the same day as the field trip.~~
- e. If a student commits a series of related offenses on a bus trip, the offense with the highest penalty is to be chosen for action. ~~If it can be determined that more than one offense has occurred which is definitely separate from another, each may be treated as individual offenses on separate forms.~~

Bus Referrals – The Driver is responsible for maintaining discipline among all passengers. A discipline referral process is in place to support the Driver in this endeavor.

Should a student commit a disciplinary infraction the Driver should:

- a. talk to the student initially to resolve the problem and issue a verbal warning if necessary.
- b. ~~Drivers and/or Contractors must~~ turn in a bus referral discipline form to the school's Principal/Designee within **a timely manner** ~~two (2) school days~~. All referrals following the first offense will be handled at the school level. Exceptions to this requirement will be made for serious infractions or as deemed necessary for the safety of those involved.
- c. The Principal/Designee may also initiate a bus referral based on his/her investigation of a student complaint and/or parental/guardian concern regarding a bus discipline matter.
- d. Referrals will be returned to the driver/contractor within ~~two school days~~ **a timely manner**.
- e. The school Principal/Designee reserves the right to increase the consequences based on the severity of the incident on the bus. Infractions are cumulative regardless of offense type or category.

Due Process

Students must be afforded the following due process procedures: ~~Administrators must give a rudimentary hearing~~

1. ~~Oral~~
2. ~~If charges are denied, then,~~
 - A. Given notice of charges to student
 - B. **Given** explanation of evidence against student, ~~and~~
 - C. Student given opportunity to tell his/her version **of the incident**

Transportation Review Committee – This committee consists of a building administrator, school district transportation supervisor, and disciplinarian. The ~~Superintendent/designee~~ **Transportation Review Committee** may take any disciplinary action deemed appropriate including but not limited to a **long-term** suspension from the school bus and/or complete denial of bus privileges. In addition, the Transportation Review Committee may recommend to the Alternative Placement Team of each school for alternative placement, long-term suspension or expulsion in accordance with Delaware State Regulation 616. ~~pending a Board hearing to be held within thirty (30) days~~

Return to School (PreK and Kindergarten Only) – To provide safe transportation and ensure students of pre-kindergarten and kindergarten age are properly monitored, a parent/guardian or caregiver must be present when the student departs the bus.

For pre-kindergarten and kindergarten children to be released from the bus:

1. Parent/Guardian or caregiver must be at the bus stop, go to the bus door after the bus has stopped and opened the entrance door to receive his/her child. This way the bus driver can ensure that each pre-kindergarten and kindergarten student has a parent/guardian or caregiver present.
2. The bus driver may ask for the name of the child before releasing him/her. (At the start of school year or if there is a substitute driver)

In the event a parent/guardian is not present at the bus stop, the driver is required to notify the school and return children to school at the end of his/her route. School administrators should follow the list of consequences below. The consequences only apply to the bus transportation from school to home and not morning transportation.

- **1st Offense:** A letter will be sent to the parent notifying him/her that the child was returned to school. The parent will be told that this is against district policy to not be present to receive his/her child. It will be explained to the parent that if this continues, transportation services can be discontinued.
- **2nd Offense:** A letter will be sent to the parent notifying him/her that the child was returned to school for a second time. The parent will be told once again that this is against district policy to not be present to receive his/her child. It will be explained to the parent that if this infraction occurs again, a five school day bus suspension will occur.
- **3rd Offense:** A letter will be sent stating that transportation services will be suspended for a period of 2 school days from school to home.
- **4th Offense:** A letter will be sent notifying the parent/guardian that transportation services will be suspended for 5 school days from school to home.
- **5th Offense:** Bus privileges suspended until Transportation Review Committee meeting. Services may be terminated for the remainder of the school year.

Carry-Over of Loss of Riding Privilege – Days off of the bus not completed by the end of the school year may be carried over to the following school year for completion at the discretion of the Superintendent/Designee and based on the nature of the offense.

~~**Rudimentary Hearing – (Required)** A rudimentary hearing shall be held by principal/designee in all instances where disciplinary action is pending. The rudimentary hearing consists of the following: 1) Oral notice of charges given to student; 2) Review evidence of charges to determine if further disciplinary action is necessary; 3) If student denies charges then the student may: a. explain the evidence against student; b. be given an opportunity to tell his/her version of the events.~~

Student Records – All student offenses reported to the school shall be made a part of the student's discipline record. The bus referral process will start over at the beginning of each school year.

Category 1 – Minor Offenses – & Category 2 – Major Offenses **M Codes – For All Offenses**

~~Drivers/contractors shall –~~

- ~~• turn in discipline form within two (2) school days~~
- ~~• talk to student to resolve problem~~
- ~~• are encouraged to contact parents as part of the referral process~~
- ~~• document attempted parental contacts on write-up form~~

~~Within two (2) days In a timely manner the school administrator or designee shall –~~

- ~~• Talk to student to resolve problem – issue verbal warning if appropriate~~
- ~~• Attempt to contact parent by telephone (administrative documentation required)~~
- ~~• Send copy of driver report to parent by regular mail and a copy home with student~~
- ~~• Return a copy of discipline form to the driver/contractor~~
- ~~• If there is a loss of bus privilege it will start no later than two (2) days after the school has notified the parents, unless an appeal is filed. Mandatory parental notification if is required prior to the loss of bus privilege.~~
- ~~• Restrict/revoke field trip, if loss of bus privilege is on the same day as the field trip.~~
- ~~• An administrator can supersede policy for potential threats that create an unsafe environment to staff, driver, and other students on the bus.~~

In addition to above:

Minor Offense 1

Issue verbal/**written** warning if appropriate (Morris – applicable for offense 1 and 2)

Minor Offense 2

Loss of bus privilege for one (1) school day

Minor Offense 3

Loss of bus privilege for three (3) school days (Morris – one (1) day)

Minor Offense 4

Loss of bus privilege for five (5) consecutive school days (Morris – min. of three (3) days)

Mandatory rudimentary hearing **conference with parent/guardian and principal/designee**

Minor Offense 5 or more

Loss of bus privilege for ten (10) consecutive school days ~~after mandatory parental notification~~ (Morris – min. of five (5) days)

Mandatory Central Review Committee meeting

Denial of bus privileges

Mandatory rudimentary hearing by principal/designee

~~Requires hearing before Superintendent/designee – may take such disciplinary action deemed appropriate, including, but not limited to loss of bus privilege for ten (10) consecutive school days after mandatory parental notification (Morris – min. of five (5) days)~~

Minor Offense 6 or more

~~Loss of bus privilege for thirty (30) consecutive school days after mandatory parental notification (Morris – min. of fifteen (15) days)~~

~~Student will be automatically be referred for a hearing with Superintendent/designee to the Central Review Committee and will lose bus riding privileges will be held within thirty (30) days.~~

Category 2 – Major Offenses – M Codes – For All Offenses

Drivers/contractors shall –

- ~~• turn in discipline form within two (2) school days~~
- ~~• talk to student to resolve problem~~
- ~~• are encouraged to contact parents as part of the referral process~~
- ~~• document attempted parental contacts on write-up form~~

Within two (2) days the school administrator or designee shall –

- ~~• Talk to student to resolve problem~~
- ~~• Attempt to contact parent by telephone (administrative documentation required)~~
- ~~• Send copy of driver report to parent by regular mail and a copy home with student~~
- ~~• Return a copy of discipline form to the driver/contractor~~
- ~~• If there is a loss of bus privilege it will start no later than two (2) days after the school has notified the parents, unless an appeal is filed. Mandatory parental notification if required prior to loss of bus privilege.~~
- ~~• Restrict/revoke field trip, if loss of bus privilege is on the same day as the field trip.~~
- ~~• An administrator can supersede policy for potential threats that create an unsafe environment to staff, drivers, and other students on the bus.~~

Category 2 – Major Offenses

In addition to above:

Major Offense 1

Mandatory rudimentary hearing by principal/designee

Loss of bus privilege for five **up to** (5) consecutive school days after mandatory parent notification (Morris – one (1) day)

Restitution

Major Offense 2

~~Mandatory rudimentary hearing by principal/designee~~

Loss of bus privilege for ten **up to** (10) consecutive school days after mandatory parent notification (Morris – min. of three (3) days)

Restitution

Major Offense 3 or More

Loss of bus privilege for fifteen (15) consecutive school days after mandatory parent notification (Morris – min. of five (5) days)

Restitution

~~Mandatory rudimentary hearing by~~ **Central Review Committee meeting.**

Major Offense 4 or more

~~Student will be automatically referred for a hearing **review** with the **Central Review Committee** Superintendent/designee and will lose bus riding privileges until the hearing **meeting** is held after mandatory parent notification. Hearing will be held within thirty (30) days.~~

Category 3 – Serious Law Violations – ~~C & D Codes~~

Major Offense 1

Loss of bus privilege for five (5) consecutive school days after mandatory parent notification (Morris – one (1) day)

Restitution

Mandatory Central Review Committee meeting

Police report

Major Offense 2

Loss of bus privilege for ten (10) consecutive school days after mandatory parent notification (Morris – min. of three (3) days)

Restitution

Mandatory Central Review Committee meeting

Police report

Major Offense 3 or more

Loss of bus privilege for fifteen (15) consecutive school days after mandatory parent notification (Morris – min. of five (5) days)

Restitution

Mandatory Central Review Committee meeting

Police report

~~**Serious Code and DOE Violations** are required to be reported immediately to a building administrator, the Supervisor of Transportation or the Director of Student Support. The school official(s) will then consult with the proper authorities and may report, as required by regulation or Delaware Code to DOE if applicable, and to law enforcement (MPD or State Police, as required) under Title 14, Section 4112.~~

Additionally, all of the following apply:

- ~~Required report and/or referral to Milford Board of Education through the Superintendent~~
- ~~Required three (3) day loss of bus riding privileges by the principal after mandatory parent notification~~
- ~~Special Education Students — Review by Psychologist and Child Study Team to determine if offense due to the child's specific handicap. Refer to Board Policy No. 5416. (Administrator may hold case in committee for procedural matters.)~~
- ~~Required Title 14, Section 4112 notification to parents about referral to law enforcement and Superintendent and/or Board of Education as applicable.~~
- ~~Superintendent may suspend and continue loss of bus riding privileges if determined to be necessary or until Board hearing (to be scheduled within thirty (30) days) after mandatory parent notification.~~
- ~~The Board may take any disciplinary action it deems appropriate, including expulsion. In exercising its discretion, the Board may select from among the following alternatives, or it may fashion or impose any other discipline which is reasonable when applied to the case under consideration.~~
 - 1. ~~Expulsion~~
 - 2. ~~Suspension~~
 - 3. ~~Probation for rest of school year, which may include one or more of following alternatives, with duration being determined by Board:~~
 - A. ~~Detention~~
 - B. ~~Withdraw driving privileges on school property~~
 - C. ~~Psychological testing by a school psychologist~~
 - D. ~~Counseling from social service agency/private counseling service at expense of student/parent/guardian~~
 - E. ~~Community service (tasks to be assigned by Principal)~~
 - F. ~~School (after school hours or on weekends)~~
 - G. ~~Community (non-profit service organizations)~~
 - H. ~~Non-participation in school activities~~
 - I. ~~Non-attendance at school activities~~
 - J. ~~Restitution for damages caused by student~~

~~K. Behavior contract/agreement prepared by Principal or child study team
(for special education student)~~

In accordance with Delaware State Regulation 1150 School Transportation 9.0 Pupil conduct on school buses, the following code violations will be used.

General ~~Bus~~ Code of Conduct Violations

No.	Offense	Category
	Failure to obey bus driver's instructions Defiance of Authority (Disobedience to Bus Driver)	1
	Failure to Obey Safety Procedures	1
	Inappropriate conduct at bus stop	1,2
M030	Improper boarding and departing procedures	1,2
	Failure to remain seated in a forward position	1
	Seated in driver's seat	1
	Unauthorized use of bus windows	1
	Throwing items inside of bus or out of bus window	1,2
	Abusive language/Profanity	1, 2
	Abusive Language to Driver/Profanity	2
	Use of Profanity	1,2
M115	Biting/Scratching – Broken Skin	2
M017	Bus Violation(s) – Other, Specify:	1,2
M008	Failure to maintain a clean, sanitary and orderly bus / littering	1
M117	Destruction of property	2
M113	Harassment	2
M110	Horseplay and/or Reckless Play	1
M010	Inappropriate Behavior	1,2
M116	Inappropriate Sexual Behavior – District Violation	2
M109	Disruption (on Bus After Ordered to Quit)	1
M137	Major Distraction Disruption: Caused Driver to Stop Bus	2
M101	Misrepresenting the Truth/Lying	1,2

	If against school official — category 2 offense	
M114	Offensive Touching – District Violation	1,2
M118	Possession of Matches, Lighter	2
M103	Possession/Use of Unauthorized Comm/Electronic Device	1
M001		
M011	Stealing/Theft	1,2
M006	Tobacco possession/use including e-cigarettes and/or possession of matches/lighter	2
M112	Under Age 9 Violation, Specify	1,2
M013	Unsafe Items	1,2
	Attorney General's Report	3
	Violent Felony (C0101—C0157)	3
	Assault III	3
	Unlawful Sexual Contact III	3
	Offensive Touching (Employee Victim)	3
	Terroristic Threatening (Employee victim)	3
	Deadly Weapons Offenses (C0601—0626)	3
	Pornography: Possession and Production	3
	Bomb Threats	3
	Criminal Mischief (Vandalism)	3
	Tampering With Public Records	3
	Alcohol, Possession and Use	3
	Felony Theft (\$1000 or more)	3
	Bullying	3
	Offensive Touching (Student Victim)	3
	Terroristic Threatening (Student Victim)	3
	Fighting/Disorderly Conduct	3

	Use and/or Possession of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications Prohibited Controlled Substances—Title 16 (C0701—C0713)	3
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NOTE: All Disciplinary Infractions listed in Policies #5404 and #5414 are applicable to transportation Code of Conduct for all students.

Category 3 Serious Code and DOE Violations – Category 3			
C01		D04	
C02		D05	
C03		D06	
C04		D07	
C05		D08	
C06		D09	
C07		D10	
D01		D11	
D02		D12	
D03		D13	

NOTE: The Board may take any action it deems appropriate, including expulsion from school. Board Policy #8504 shall be used in conducting the Board Hearing.

Actions: Compliance with Title 14, Section 4112 and Milford School District Board Policies #5404 and #5414

Gun Free School Act of 1994 The Federal Gun-Free Schools Act of 1994, described in Milford Board of Education Policies #5404 & #5414, will be applied to the Bus Discipline Code as well.

Student Appeal Process for Bus Discipline **Code of Conduct**

All appeals should follow the appeal process as outlined in MSD Policy #5414 and #5404.

~~Student alleges that he/she did not commit the offense or that the action taken is more severe than the bus discipline policy requires, an appeal may be filed, by the student or by the parent/guardian on the student's behalf. All appeals shall be made to the school principal or his/her designee for action within two (2) school days of the charge. The right of appeal shall exist for any offense described in this policy. Upon the filing of an appeal in proper form by the student and/or the student's parent or guardian, the student's bus privileges shall be reinstated pending the final outcome of the appeal, except in those circumstances where the School Principal certifies, in writing, that based upon the facts and circumstances of the incident, allowing the student to return to the bus would create the probability of physical harm to the offending student, the bus driver, or to other students on the bus. In the event of such a certification, the suspension shall remain in effect until the appeal is disposed of.~~

~~All appeal decisions by the principal shall be final, except in cases where the students would lose their ability to ride the bus for three (3) days or more. In those cases, the student shall have the right to appeal the principal's decision to the Superintendent and to the Milford Board of Education.~~

~~In appeals made to the Superintendent, the following student rights shall be observed:~~

- ~~1. Student may notify parents and parents may attend.~~
- ~~2. School district shall notify parents when an appeal is filed.~~
- ~~3. Student shall inform the Superintendent of the facts.~~
- ~~4. Student may present information or interpretations on his/her own behalf.~~
- ~~5. Superintendent may procure information from the driver and the riders.~~
- ~~6. Superintendent shall notify student of his/her decision within three (3) school days.~~

~~In appeals made to the Board, the following student rights shall be observed:~~

- ~~1. A hearing shall be granted by the Board upon receipt of a written request signed by the student or parent stating he/she desires a hearing. The Board shall hold a hearing with the parent/student within thirty (30) days after receipt of the appeal. The Board shall submit its written decision within ten (10) school days following the hearing. The decision of the Board shall be final unless appealed.~~
- ~~2. The accused student shall be apprised of his/her rights.~~
- ~~3. The parents or guardians of the student shall be informed of the procedures for a formal hearing.~~
 - ~~a. the right to appear before the Board of Education~~
 - ~~b. the right to be represented by legal counsel or advisor~~
 - ~~c. the right to have witnesses and to cross-examine opposing witnesses~~
 - ~~d. the right to either a public or private hearing~~
 - ~~e. the right to testify and present evidence~~
 - ~~f. the right to notice of the date, time, and location of the proposed hearing.~~

- ~~4. The school officials shall assure that appropriate records of the hearing be kept.~~
- ~~5. The accused shall be informed by written notice of the decision rendered and the basis for such action.~~
- ~~6. The accused person shall have the right to appeal final decisions by the Milford Board of Education to the State Board of Education within thirty (30) days in accordance with State Board Regulations.~~

~~**The Milford School District is an Equal Opportunity Employer and does not discriminate in employment or in educational programs, services or activities on the basis of race, color, national origin, sex, sexual orientation, age, disabilities, marital status, genetic information or Veteran Status. If any person has a complaint alleging any action which is prohibited by this policy, they should contact the Title IX Coordinator or the District 504 and ADA Coordinator, 906 Lakeview Avenue, Milford, Delaware 19963. Telephone (302) 422-1600.**~~

ADOPTED: 12/15/86; 7/20/87; 1/25/88; 7/11/88; 7/10/89; 7/9/90; 5/20/91; 6/3/91; 6/22/92; 7/12/93; 6/27/94; 11/28/94; 6/26/95; 6/24/96; 6/25/01; 6/20/05

REVISED: 5/24/99; 9/27/99; 5/22/00; 5/21/01; 6/24/02; 6/23/03; 6/24/04; 5/23/05; 6/20/11; 5/21/12; 4/20/15