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HOME of the BUCCANEERS

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

**AGENDA FOR MONDAY, JULY 30, 2018 AT 6:30 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**

_____ Mrs. Dennehy	_____ Mr. Schelhouse
_____ Mr. Evans	_____ Mr. Vezmar
_____ Mr. Miller	_____ Mrs. Wiley
_____ Mrs. Purcell	
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 July 9, 2018 Action Item (Attachment 1)**
7. **Changes and Additions to the Agenda (items that arose after posting and cannot be deferred, if any)**
8. **Public Comment**
9. **Recognition and Accomplishments**
10. **Superintendent Reports – Dr. Kevin Dickerson**
  - A. **Delaware School Boards Association (DSBA) Membership**
  - B. **Milford Middle School Committee Update**

**11. Business – Mrs. Sara Croce**

- A. Revenue and Expenditure Report as of June 30, 2018 Action Item (Attachment 2)
- B. DOE Financial Position Report Action Item (Attachment 3)
- C. Review of Board Policy 5103 Milford School District Fund Raising (Attachment 4)

**12. Personnel – Dr. Jason Peel**

- A. Personnel Action Item (Attachment 5)
- B. Approval of Morris Early Childhood Center Safety Monitor – Constable Action Item (Attachment 6)
- C. Approval of Board Policy 5404 Student Code of Conduct Secondary Schools Action Item (Attachment 7)
- D. Approval of Board Policy 5414 Student Code of Conduct Elementary Schools Grades K through 5 Action Item (Attachment 8)
- E. Approval to delete Board Policy 5401 Required Dissemination Action Item (Attachment 9)
- F. Approval to delete Board Policy 5406 Superintendent's Disciplinary Hearing Action Item (Attachment 10)
- G. Approval to delete Board Policy 5409 Student Initiated Appellate Process Action Item (Attachment 11)
- H. Approval to delete Board Policy 5410 Suspension and Expulsion of Pupils – Elementary Schools Action Item (Attachment 12)
- I. Approval to delete Board Policy 5411 Criteria for Readmission Following Expulsion Action Item (Attachment 13)
- J. First Read of Board Policy 4309E Sports Program Volunteer Coaching Assistant (Attachment 14)

**13. Instruction and Student Programs**

- A. **Director of Student Learning – Dr. Bridget Amory**
  - 1. Field Trips Action Item (Attachment 15)

**14. Administrative Services**

- A. **Buildings, Grounds and Operations – Dr. Glen Stevenson**
  - 1. Facilities Management Board Policy 3101 Action Item (Attachment 16)
- B. **Transportation – Harold Walters and Jon LoBiondo**
  - 1. Approval of Field Trip and Athletic Summary 2018-2019 Action Item (Attachment 17)

**15. Adjournment**

MILFORD SCHOOL DISTRICT  
BOARD OF EDUCATION  
REORGANIZATION MEETING AND REGULAR BOARD MEETING – JULY 9, 2018  
MILFORD CENTRAL ACADEMY CAFETERIA

Board Members

Mrs. Wiley – President  
Mrs. Dennehy –V. President  
Mr. Evans  
Mr. Miller  
Mrs. Purcell  
Mr. Vezmar  
Mr. Schelhouse  
Dr. Dickerson, Exec. Secretary

Admin. Present

Dr. Peel  
Dr. Amory  
Mrs. Croce  
Ms. Manges  
Dr. Stevenson  
Mrs. Hallman  
Dr. McDaniel  
Mr. Snyder  
Mrs. McKenzie  
Mrs. Wallace

Public

S. Whaley  
S. Buford  
C. Miller  
W. Welfley  
T. Welfley  
K. Kendzierski  
R. Vezmar  
H. Vezmar  
H. Miller  
E. Miller  
R. Winkleblech  
S. Dukes  
E. Rust

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The Regular Meeting of the Milford Board of Education was called to order by President Wiley at 6:30 PM on Monday evening, July 9, 2018 in the Milford Central Academy Cafeteria.

**PLEDGE OF ALLEGIANCE**

**INTRODUCTION OF VISITORS**

**Dr. Kevin Dickerson, Superintendent, verified the Issuance of Certificate of Election to Newly Elected Board Members.**

**Mrs. Wiley administered the Oath of Office (14 Del. Code, §1053) to Mr. Jason M. Miller and Mr. David Vezmar.**

**President Wiley appointed Dr. Dickerson as Chairperson of the board.**

***Adjournment of 2017-2018 Board***

**MOTION MADE BY MRS. PURCELL/SECONDED BY MRS. DENNEHY that the 2017-2018 Milford Board of Education adjourn sine die. Motion carried unanimously.**

**Dr. Kevin Dickerson, Temporary Chairperson, called the 2018-2019 Milford Board of Education to Order.**

***Election of President***

**Mrs. Dennehy nominated Mrs. Wiley for the Office of President.**

**MOTION MADE BY MRS. PURCELL/SECONDED BY MRS. DENNEHY that nominations for the office of President be closed.**

**Mrs. Wiley was declared President of the Milford Board of Education for the 2018-2019 year by unanimous vote.**

**Mrs. Wiley assumed the Office of President.**

***Election of Vice President***

**Mrs. Purcell nominated Mrs. Dennehy for the office of Vice President.**

**MOTION MADE BY MR. SCHELHOUSE/SECONDED BY MR. MILLER that nominations for the office of Vice President be closed.**

**Mrs. Dennehy was declared Vice President for the Milford Board of Education for the 2018-2019 year by unanimous vote.**

**President Wiley, on Behalf of the Board, Designates Dr. Kevin Dickerson, Superintendent, as Executive Secretary of the Milford Board of Education for 2018-2019 School Year.**

**ADJOURNMENT OF REORGANIZATION MEETING**

**MOTION MADE BY MRS. PURCELL/SECONDED BY MRS. DENNEHY that the Reorganization Meeting of the Milford Board of Education is adjourned at 6:45 PM. Motion carried unanimously.**

**REGULAR BOARD MEETING**

**President Wiley called the Regular Board Meeting to order at 7:00 PM.**

**ROLL CALL**

**INTRODUCTION OF VISITORS**

**MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. SCHELHOUSE to approve the minutes of the July 18, 2018 Regular Board Meeting. Motion carried unanimously.**

**BUSINESS**

***Sussex and Kent County Tax Rate Proposal***

**MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. VEZMAR to approve the Sussex and Kent County Tax Rate Proposal. Motion carried unanimously.**

**ESTABLISHMENT OF SCHEDULE OF REGULAR MEETING DATES AND TIMES FOR 2018-2019**

**MOTION MADE BY MR. SCHELHOUSE/SECONDED BY MRS. DENNEHY** to approve the Schedule of Regular Meeting Dates and Times for 2018-2019. **Motion carried unanimously.**

**INSTRUCTION AND STUDENT PROGRAMS**

***Director of Student Learning***

**MOTION MADE BY MR. EVANS/SECONDED BY MRS. DENNEHY** to approve the field trips as presented. **Motion carried unanimously.**

**MOTION MADE BY MRS. PURCELL/SECONDED BY MRS. DENNEHY** to approve the AP Government Textbook selection. **Motion carried unanimously.**

**SCHOOL CLIMATE**

Dr. Peel led discussion with the Board in regards to the changes of the First Read of Board Policy 5404 Student Code of Conduct Secondary Schools and Board Policy 5414 Student Code of Conduct Elementary Schools Grades K through 5.

**MORRIS EARLY CHILDHOOD SECURITY**

Dr. Dickerson and the Board discussed employment possibilities, responsibilities and qualifications for security at Morris.

**ADMINISTRATIVE SERVICES**

***Buildings, Grounds and Operations***

***Facilities Management Board Policy 3101***

Dr. Stevenson presented the Second Read of Board Policy 3101 Facilities Management. The Board provided feedback for the Second Read of the policy.

Dr. Dickerson recognized and welcomed Mr. Seth Buford, Milford Education Association (MEA) President.

**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 MRS. DENNEHY** to adjourn into Executive Session at 8:41 PM. **Motion carried unanimously.**

**MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. EVANS** to adjourn Executive Session at 9:23 PM.

**PERSONNEL**

***Personnel Reports***

RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT\*

SARABIA, Dianna

Morris – Immersion Kindergarten Teacher

Effective: August 22, 2018

TYNDALL, Meaghan

High School – Science Teacher

Effective: August 22, 2018

BRYAN, Erin

Central Academy – English Learner Teacher

Effective: August 22, 2018

FITZGERALD, Jordan

Central Academy – School Counselor (11 mo.)

Effective: August 22, 2018

VANN, Lauren

High School – Public and Community Health Teacher

Effective: August 22, 2018

HERD, Kathryn

Mispyllion – Elementary Teacher

Effective: August 22, 2018

LEHMAN, Ashley

High School – Science Teacher

Effective: August 22, 2018

AMEND EFFECTIVE DATE – ADMINISTRATIVE CONTRACT

MESSICK, Jodi

Morris – Assistant Principal with one-year contract ending June 30, 2019

Effective: July 9, 2018

TRANSFER

LYNCH, Kate

Transfer from High School Science Teacher to High School Secondary School Counselor (11 mo.)

Effective: August 27, 2018

JOSEPH, Kevin

Transfer from 11 mo. High School Special Education Teacher to 10 mo. High School Special Education Teacher

Effective: August 27, 2018

COVERDALE, Allen

Transfer from Morris Night Custodian to Central Academy Night Custodian

Effective: July 1, 2018

HINTON, Bernard

Transfer from High School Night Custodian to Ross Night Custodian

Effective: July 1, 2018

CARTWRIGHT, Cheryl

Transfer from Morris Full-Time Paraprofessional to Ross Full-Time Paraprofessional

Effective: August 27, 2018

#### RETIREMENT

LAU, Deborah

Mispillion – Grade 1 Teacher

Effective: June 30, 2018

Years of Service to MSD: 18

#### RESCIND EMPLOYMENT – 2018-2019 LIMITED CONTRACTS FOR PERSONAL SERVICES\*

Mispillion	Instructional Coach, Grade 1	Lau, Debbie
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#### RECOMMEND EMPLOYMENT – 2018-2019 LIMITED CONTRACTS FOR PERSONAL SERVICES\*

District	Lead, School Nurse	Smith, Sue
Mispillion	Instructional Coach, Grade 1	Blizzard, Kristine
High	Basketball Girls Coach, Head	Sudler, Eric
High	Swim Coach, Head	Tyndall, Meaghan

\*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. DENNEHY/SECONDED BY MR. VEZMAR** that the Board approve the Personnel Report as written. **Motion carried unanimously.**

#### **ADJOURNMENT**

**MOTION MADE BY MR. EVANS/SECONDED BY MRS. PURCELL** that the Regular Meeting of the Milford Board of Education held on Monday, July 9, 2018 adjourn at 9:24 PM. **Motion carried unanimously.**

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Kevin Dickerson, Executive Secretary

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Edna Rust, Recording Secretary

**MILFORD SCHOOL DISTRICT**  
**Fiscal Year 2018 Monthly Revenue Report**  
**As of June 30, 2018**  
**100% of the Fiscal Year completed**

<b>REVENUE SOURCE</b>	<b>Final FY 2018 Budget</b>	<b>Actual to date</b>	<b>% received</b>
<b>STATE FUNDS</b>			
Formula Salaries	25,175,105	27,732,585	110.16%
Cafeteria Salaries	485,872	460,495	94.78%
Delaware Sustainment Fund	785,596	785,596	100.00%
Academic Excellence Cash Option	-	-	
Related Services Cash Option	141,821	141,821	100.00%
Division II, All Other Costs	851,086	851,086	100.00%
Division II, All Other Costs - VOC	99,443	99,443	100.00%
Division II, Energy	737,822	737,822	100.00%
Division III, Equalization	5,339,016	5,339,016	100.00%
State Transportation	2,739,236	2,729,987	99.66%
Homeless Transportation	447,895	447,895	100.00%
Foster Care Transportation	82,851	98,873	119.34%
Transportation Supply	1,000	1,000	100.00%
Unique Alternatives Transportation	268,930	268,930	100.00%
Drivers' Education	15,545	15,545	100.00%
Professional Development	-	-	
Technology Block Grant	63,068	63,068	100.00%
Educator Accountability (CPR)	1,091	1,091	100.00%
Professional Instruction - State Grant(s)	35,481	35,481	100.00%
World Language Expansion	30,000	49,143	163.81%
Readiness with a Purpose Grant	21,682	21,682	100.00%
Odyssey of the Mind	-	1,467	
Minor Capital Improvements	291,143	291,143	100.00%
Major Capital Improvements	-	-	
<b>TOTAL STATE FUNDS</b>	<b>37,613,682</b>	<b>40,173,168</b>	<b>106.80%</b>
<b>LOCAL FUNDS</b>			
Current Expense (tax rate)	7,480,925	7,991,455	106.82%
Current Expense (capitations)	500	253	50.58%
Athletics	40,000	44,325	110.81%
Interest	85,000	63,203	74.36%
Building Rental	15,000	16,060	107.07%
Other Local Revenue	18,500	16,523	89.31%
Sol - Systems	1,500	1,396	93.08%
Energy Curtailment	15,000	29,734	198.22%
CSCR	15,000	54,198	361.32%
Indirect Costs	190,000	171,786	90.41%
Cafeteria	2,070,000	2,002,374	96.73%
Net Choice Billings	(117,391)	(117,391)	100.00%
Net Charter Billings	(119,049)	(119,049)	100.00%
Social Studies Coalition/Donations	107,000	100,552	93.97%
Debt Service	1,275,000	1,290,503	101.22%
Debt Service - County Impact Fees	235,241	89,866	38.20%
Tuition	2,875,000	2,900,554	100.89%
Minor Capital Improvements	194,095	195,837	100.90%
E-Rate	26,500	26,493	99.97%
Extra Time Local Match	-	-	
Reading and Match Specialist Match Tax	-	-	
Technology Maintenance Match	-	-	
Major Capital Improvements	-	-	
<b>TOTAL LOCAL FUNDS</b>	<b>14,407,820</b>	<b>14,758,671</b>	<b>102.44%</b>
<b>FEDERAL FUNDS</b>			
IDEA Part B	1,065,421	1,065,421	100.00%
IDEA - Preschool	45,979	45,979	100.00%
IDEA - Preschool (Morris Grant)	-	-	
Title I	1,665,001	1,664,969	100.00%
Title II	333,718	334,354	100.19%
Title III English Acquisition	48,104	48,104	100.00%
Education for the Homeless	10,000	10,000	100.00%
School Based HIV/STD Prevention	-	10,000	
Perkins	140,022	140,608	100.42%
<b>TOTAL FEDERAL/OTHER FUNDS</b>	<b>3,308,245</b>	<b>3,319,435</b>	<b>100.34%</b>
<b>GRAND TOTAL ALL FUNDS</b>	<b>55,329,748</b>	<b>58,251,274</b>	<b>105.28%</b>

**Milford School District**  
**Monthly Report of Expenditures**  
**For the month ended June 30, 2018**

Operating Unit	Budget Line	Final Budget		Encumbered	Expended	Budget Remaining	% Remaining
		Amount					
9180668A	Benjamin Banneker Elementary School	\$ 60,347.00		13,574.90	34,705.67	\$ 12,066.43	20.00%
9180670A	Evelyn I. Morris Early Childhood Center	\$ 45,441.50		5,673.60	41,404.35	\$ (1,636.45)	-3.60%
9180672A	Lulu M. Ross Elementary School	\$ 73,395.00		3,247.08	66,204.47	\$ 3,943.45	5.37%
9180673A	Misphillion Elementary School	\$ 64,424.50		10,022.77	51,003.45	\$ 3,398.28	5.27%
9180675A	Milford Central Academy	\$ 121,155.00		2,804.75	118,091.46	\$ 258.79	0.21%
9180678A	Milford Senior High School	\$ 149,437.50		30,043.64	122,055.43	\$ (2,661.57)	-1.78%
99900000	Board Of Ed/District Expenses	\$ 2,000.00		-	2,137.99	\$ (137.99)	-6.90%
	School Resource Officer	\$ 160,000.00		-	161,714.00	\$ (1,714.00)	-1.07%
99900100	Legal Services, Audit and Insurance Premiums	\$ 89,459.00		2,629.00	39,297.58	\$ 47,532.42	53.13%
99900300	District Expenditures	\$ 15,000.00		25,000.00	16,451.08	\$ (26,451.08)	-176.34%
	Public Relations and Communication	\$ 1,000.00		-	727.40	\$ 272.60	27.26%
	Copy Center (District Wide)	\$ 95,000.00		-	98,671.12	\$ (3,671.12)	-3.86%
	Student Emergency Fund	\$ 4,000.00		-	2,900.00	\$ 1,100.00	27.50%
99910100	Superintendent	\$ 1,500.00		-	1,455.90	\$ 44.10	2.94%
99920000	World Language Immersion (State Grant)	\$ 30,000.00		103.86	41,324.68	\$ (11,428.54)	-38.10%
	Readiness with a Purpose (State Grant)	\$ 21,681.67		-	21,681.67	\$ -	0.00%
	Educator Accountability (State Grant)	\$ 1,090.88		-	1,090.88	\$ -	0.00%
	Instructional Advancement (State Grant)	\$ 35,481.00		-	35,481.00	\$ -	0.00%
	Odyssey of the Mind	\$ -		-	1,466.66	\$ (1,466.66)	
	Summer School	\$ 25,000.00		-	9,745.70	\$ 15,254.30	61.02%
	Translators	\$ 20,000.00		-	4,334.27	\$ 15,665.73	78.33%
	Extra Time Programs	\$ 15,000.00		-	17,976.53	\$ (2,976.53)	-19.84%
	Curriculum and Instruction	\$ 168,600.00		54,840.24	117,280.61	\$ (3,520.85)	-2.09%
99920500	State Professional Development	\$ -		-	-	\$ -	
99920700	Athletics - High School	\$ 151,050.00		1,050.00	149,653.05	\$ 346.95	0.23%
	Athletics - Milford Central Academy	\$ 24,500.00		-	24,846.72	\$ (346.72)	-1.42%
99920800	Driver's Education	\$ 15,545.00		35.33	13,485.06	\$ 2,024.61	13.02%
99930200	Tuition - Special Services	\$ 2,579,500.00		-	176,098.07	\$ 2,403,401.93	93.17%
	Tuition - Special Services - ILC	\$ 295,500.00		484.31	128,613.17	\$ 166,402.52	56.31%
	Unique Alternatives (State Funds)	\$ 268,929.50		33,901.50	235,028.00	\$ -	0.00%
99930300	Special Services	\$ 49,000.00		4,323.12	35,235.18	\$ 9,441.70	19.27%
	Special Services - State Related Services	\$ 141,821.42		44,413.92	97,407.50	\$ -	0.00%
99940200	Division I/Formula Salaries	\$ 25,175,105.40		-	27,341,581.67	\$ (2,166,476.27)	-8.61%
99940300	Division II - Vocational	\$ 99,443.00		9,723.46	76,178.26	\$ 13,541.28	13.62%
99940400	Division III/Local Salaries	\$ 9,983,600.00		-	9,074,280.30	\$ 909,319.70	9.11%
	Union agreed Limited Contracts	\$ 340,000.00		-	306,277.25	\$ 33,722.75	9.92%
99940500	Title I	\$ 1,665,001.00		74,282.27	768,424.06	\$ 822,294.67	49.39%
	Title II	\$ 333,718.00		-	139,757.28	\$ 193,960.72	58.12%
	Title III	\$ 48,104.00		2,626.19	8,678.05	\$ 36,799.76	76.50%
	IDEA Part B	\$ 1,065,421.00		12,705.50	324,962.91	\$ 727,752.59	68.31%
	IDEA Preschool	\$ 45,979.00		-	-	\$ 45,979.00	100.00%
	Perkins	\$ 140,022.00		20,664.54	63,483.75	\$ 55,873.71	39.90%
	Homeless	\$ 10,000.00		197.43	1,051.21	\$ 8,751.36	87.51%
	Other Federal Grants	\$ -		6,816.29	3,183.71	\$ (10,000.00)	
99940600	Insurance Expense	\$ 83,000.00		-	82,816.00	\$ 184.00	0.22%
99940700	Social Studies Coalition/Donations	\$ 107,000.00		-	106,235.26	\$ 764.74	0.71%
99940810	Technology Equipment & Repair	\$ 270,000.00		506.62	269,278.68	\$ 214.70	0.08%
	Technology Block Grant	\$ 63,068.00		-	63,068.00	\$ -	0.00%
99940900	Tuition Reimbursement	\$ 60,000.00		-	60,000.01	\$ (0.01)	0.00%
99950000	Personnel/Human Resources	\$ 6,500.00		190.00	8,649.79	\$ (2,339.79)	-36.00%
99960000	Child Nutrition Operations	\$ 2,070,000.00		52,134.30	2,309,868.98	\$ (292,003.28)	-14.11%
	Cafeteria Salaries	\$ 485,872.00		-	460,494.78	\$ 25,377.22	5.22%
99960100	Facilities Maintenance	\$ 90,000.00		27,388.62	62,659.98	\$ (48.60)	-0.05%
	Custodial Services and Supplies	\$ 90,000.00		11,834.61	78,150.13	\$ 15.26	0.02%
99960200	Operations and Utilities	\$ 342,340.00		13,227.79	246,763.18	\$ 82,349.03	24.05%
	Energy Division II	\$ 737,822.00		19,291.93	718,530.07	\$ -	0.00%
99960300	State Transportation	\$ 2,739,235.56		-	2,729,986.92	\$ 9,248.64	0.34%
	State Homeless Transportation	\$ 447,895.00		-	383,892.30	\$ 64,002.70	14.29%
	State Foster Transportation	\$ 82,851.00		-	98,533.00	\$ (15,682.00)	-18.93%
	Transportation Supplies	\$ 1,000.00		-	1,000.00	\$ -	0.00%
99960400	Transportation Internal Budget (Local)	\$ 23,000.00		60.86	23,936.69	\$ (997.55)	-4.34%
	Local Activities Transportation	\$ 3,000.00		-	1,451.45	\$ 1,548.55	51.62%
	Local Homeless Transportation Match	\$ 60,000.00		-	42,654.70	\$ 17,345.30	28.91%
	Local Transportation Match	\$ 300,000.00		56.25	301,843.61	\$ (1,899.86)	-0.63%
<b>Total Operating Budget</b>		<b>\$ 51,693,835.93</b>		<b>\$ 483,854.68</b>	<b>\$ 48,025,240.63</b>	<b>\$ 3,184,740.62</b>	<b>6.16%</b>
99970000	Local Debt Service	\$ 1,510,240.78		-	1,510,240.78	\$ -	0.00%
99970200	Minor Capital Improvements	\$ 485,238.00		247,658.40	146,068.45	\$ 91,511.15	18.86%
<b>Total Capital Budget</b>		<b>\$ 1,995,478.78</b>		<b>\$ 247,658.40</b>	<b>\$ 1,656,309.23</b>	<b>\$ 91,511.15</b>	<b>4.59%</b>
<b>Grand Total</b>		<b>\$ 53,689,314.71</b>		<b>\$ 731,513.08</b>	<b>\$ 49,681,549.86</b>	<b>\$ 3,276,251.77</b>	<b>6.10%</b>

*Note: Budgets are based on 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.*

# Financial Position Report

as of 1-July-2018

Forecast Period: Q1-2019

District: Milford

Description	Actual Unencumbered	Encumbered	Projected Income 7/1 to 10/15	Projected Available Income through 10/15		Projected Salary 7/1 to 10/15	Projected Non- Salary 7/1 to 10/15	Projected Expenditures through 10/15	Projected Available Balance 10/15		Projected 1 month Local Payroll
Local Expenses	\$9,894,609.20	\$61,406.99	\$5,885,000.00	\$15,841,016.19		\$0.00	\$1,561,406.99	\$1,561,406.99	\$14,279,609.20		\$780,000.00
Div II	\$26,514.94	\$164,358.79	\$1,502,360.71	\$1,693,234.44		\$0.00	\$1,069,630.73	\$1,069,630.73	\$623,603.71		
Div III	\$0.00	\$0.00	\$4,748,100.00	\$4,748,100.00		\$2,340,000.00	\$0.00	\$2,340,000.00	\$2,408,100.00		
Cash Option	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00		
Other	\$0.00	\$0.00	\$710,172.00	\$710,172.00		\$0.00	\$386,302.71	\$386,302.71	\$323,869.29		
<b>Total Discretionary Fund Revenue</b>	<b>\$9,921,124.14</b>	<b>\$225,765.78</b>	<b>\$12,845,632.71</b>	<b>\$22,992,522.63</b>		<b>\$2,340,000.00</b>	<b>\$3,017,340.43</b>	<b>\$5,357,340.43</b>	<b>\$17,635,182.20</b>		

Approved by Superintendent: \_\_\_\_\_

Approved by Board President: \_\_\_\_\_

Preparer: \_\_\_\_\_

MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963  
POLICY

5103

**MILFORD SCHOOL DISTRICT FUND RAISING**

All funds raised through student activities shall be deposited in the student activities account of each school and shall be handled according to the accounting procedures established by the district.

All fund raising activities involving sales of items in the community must be approved in advance by the principal and school board in the spring of the prior school year. The following types of fund raising activities are to be submitted to the Board of Education for its approval or disapproval: all solicitations off school grounds, sales of all types of merchandise, advertisements, foods and beverages.

Those fund raising activities that do not require school board approval are to be submitted to the principal for his/her approval or disapproval. (Examples include work details, school stores, school productions, dinners, dances, sale of programs, sale of tickets, sale of yearbook, sale of student newspaper.)

Fund raisers that sell food and beverage items, whether sold in school or the community, shall meet the nutritional standards set forth in the district Wellness Policy and shall incorporate the district "Guidelines for Healthy Fund Raisers" in the planning of such events. Concession sales at school activities may continue the sale of items previously included (i.e. candy, baked goods, pizza, soda), but must include healthy alternatives (fruit juices, bottled water, fruit, vegetables, whole grain baked goods) that meet the "Guidelines for Healthy Fund Raisers." These items must be prominently displayed and equally promoted with the other items.

ADOPTED: October 18, 1976  
AMENDED: March 21, 1977  
REVISED: February 23, 2009

## **PERSONNEL REPORT – Action Item**

### **RESCIND EMPLOYMENT**

SEPULVEDA, Jesica

Banneker – Elementary/Spanish Immersion Teacher

### **RESIGNATION**

HICKMAN, Julie

Mispyllion – Grade 5 Teacher

Effective: July 13, 2018

Years of Service to MSD: 7

VOSHELL, Ron

High School – Spanish Teacher

Effective: July 11, 2018

Years of Service to MSD: 7

KNIGHT, Cary

Banneker – EL Teacher

Effective: July 11, 2018

Years of Service to MSD: 11

MCKELLOP, Holly

Central Academy – Special Education Teacher

Effective: July 17, 2018

Years of Service to MSD: 3

### **RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT\***

SILVA, Mary

Banneker – Teacher of English Learners

Effective: August 22, 2018

HOLLEGER, Carrie

Mispyllion – Elementary School

Effective: August 22, 2018

REYES - MATUZ, Francisco

Central Academy – Spanish Teacher

Effective: August 22, 2018

HENRY, Deborah

High School – Spanish Teacher

Effective: August 22, 2018

IVORY, McKenzie

Central Academy – AgriScience Teacher (12 mo.)

Effective: August 6, 2018

GAZZE, Sarah  
Ross – Reading Interventionist  
Effective: August 22, 2018

MARTIN, Ryan  
Central Academy – Special Education Teacher  
Effective: August 22, 2018

GALATI, Kristin  
Central Academy – Special Education Teacher  
Effective: August 22, 2018

TINSLEY, Sandra  
Banneker – Elementary Teacher  
Effective: August 22, 2018

#### RECOMMEND FOR EMPLOYMENT\*

NORDBERG, Carol  
Morris – Night Custodian  
Effective: August 6, 2018

DANIELS, Victor  
High School – Night Custodian  
Effective: July 31, 2018

#### TRANSFER

HARTSHORNE, Justine  
Transfer from Speech Pathologist 11 mo. to Speech Pathologist 10 mo.  
Effective: August 27, 2018

#### RETIREMENT

WILKINS, Julia  
Banneker – Grade 3 Teacher  
Effective: September 1, 2018  
Years of Service to MSD: 33

#### RETURN FROM RIF

Board Only

#### RESCIND EMPLOYMENT – 2018-2019 LIMITED CONTRACTS FOR PERSONAL SERVICES\*

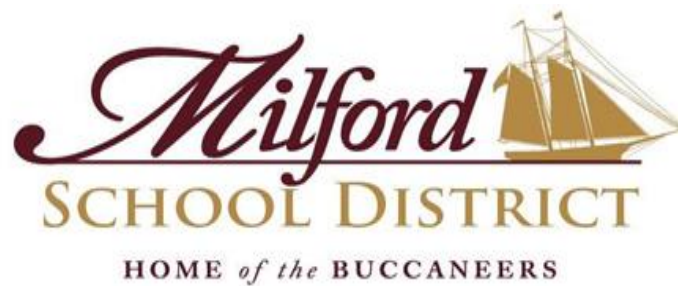
Mispyllion	Advisor, Student Council	Hickman, Julie
Central	Cross Country Coach	McKellop, Holly

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

District	Mentor Site Coordinator	Geesaman, Sherrise
District	Lead, School Counselor	Forsberg-Davis, Maud
District	Coordinator, Odyssey of the Mind Secondary	Woods, Judith
District	Coordinator, Odyssey of the Mind Elementary	Gaglione, Amanda

Central	Advisor, Student Council	Woods, Judith
Central	Advisor, Yearbook	Davis, Trish/Conaway, Jenna
Central	Band Director	Thompson, Jeff
Central	Chorus Director	Fair, Julie
Central	Coordinator, Science Olympiad	Powers, Jacqueline
Central	Instructional Coach, English	Geesaman, Sherrise
Central	Instructional Coach, Expressives	McKee, Marcy
Central	Instructional Coach, Mathematics	Cooper, Brandy
Central	Instructional Coach, Science	Woods, Judith
Central	Instructional Coach, Social Studies	Bailey, Matthew
Central	Instructional Coach, Special Education	Yun, Wendy
Central	Cross Country Coach	Thompson, Kris (21B)
Central	Cross Country Volunteer	Willey, Richard (21B)
		Phillips, Douglas (21B)
Central	Field Hockey Volunteer	Albright, Jenna
Central	Volleyball Volunteer	Darlin, Pat (21B)
High	Field Hockey Coach, Asst.	Shockley, Peyton
High	Football Coach, Asst. (Defensive Coord.)	Fisher, Tim (21B)
High	Football Coach, Asst. (Offensive Coord.)	Harris, Josh (21B)
High	Football Coach, Asst.	Deeney, Ryan/Boyd, Brian
		Franklin, Steve (21B)/Jefferson, Nick
		Mann, Devin/Zambito, Anthony
High	Football Volunteer	Strickland, Justin (21B)
		Collick, Billy (21B)
High	Field Hockey Volunteer	Silicato, Sara (21B)
		Lingo, Morgan (21B)
		Scott, Dom (21B)
High	Cross Country Volunteer	Venette, Steven (21B)
High	Boys Soccer Volunteer	Jones, Kyle
		Caranza, Antonio (21B)
High	Volleyball Volunteer	Darlin, Pat (21B)
High/Central	Cheerleading Volunteer	Walls, Kelly (21B)
		Wingo, Lisa (21B)
		Harrington, Tina (21B)
		Thompson, Kristina (21B)
		Davis, Kimberly

\*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.



## **Safety Monitor Vacancy**

**Position:** Safety Monitor  
**Location:** Morris Early Childhood Center/As Assigned.  
**Reports To:** Principal  
**Starting Date:** August 22, 2018

### **Qualifications:**

- At least ten (10) years of successful experience in law enforcement and left in good standing from a law enforcement agency
- Must possess or be able to possess State of Delaware Constable Certification
- Satisfactory Criminal Background Check
- Hold or be eligible to hold a valid license to carry a firearm from the State of DE
- Meet all requirements and participate in all required training to qualify for Firearms Certification
- First Aid/CPR certification
- Has demonstrated evidence of good habits in job attendance and punctuality

### **Performance Responsibilities:**

- Responsible for maintaining a safe and secure school campus.
- Follows directive of building and district administrators.
- Works collaboratively with the Delaware State Police and local police departments including School Resource Officers from the Milford Police Department.
- Monitors interior and exterior of the school and campus during the school day, beginning prior to student drop off and extending throughout the school day, to ensure the safety and welfare of students, staff, volunteers, families and visitors.
- Patrols the interior and exterior of the school building, including parking lots.
- Assists in supervision of students within and outside of the school building.
- Ensures the security of school facilities and assets.
- Is responsible for ensuring that the school doors are secure throughout the school day.
- Assists administration with emergency/school safety plans and drills.
- Maintains, and keeps updated, the emergency drill records through the school and state Emergency Response Portal.
- Responds to assist with school safety threats.
- Deploys various levels of intervention to ensure the safety and security of the school campus.
- Assists with escorting of students and visitors if necessary.
- Assists with bus duty and student drop-off/pickup.
- Assist with school safety investigations as necessary.
- Maintains familiarity with and follows the Student Code of Conduct.

- Maintains accurate and completed security records pertaining to visitor warnings, parking control and criminal events.
- Attend ongoing training to maintain skills and safety practices.
- Assists with safety and security at evening school activities as requested. (ie: Open House/Family Nights)
- Communicates respectfully with students, staff, families and the public.
- Participation in all training relative to maintaining qualifications for Delaware Constable.
- Performs other duties as assigned.

**Terms of Employment:** 185 day school year / 8 hours daily (includes 30 minute paid lunch). Position is at-will and subject to termination at any time.

**Salary and Benefits:** \$25.00 per hour

**Evaluation:** Performance will be evaluated annually in accordance with the Board's policy on evaluation of non-certified personnel.

#### **Application Process:**

Internal applicants must submit the following:

- Letter of interest
- Resume
- Three separate letters of recommendation

External applicants must follow the application process. All qualified and interested persons are invited to complete the online application at [www.milfordschooldistrict.org](http://www.milfordschooldistrict.org). A paper version of the application is available upon request. Only completed packets will be considered. The following items must be included:

- Letter of interest
- Resume
- Copy of unofficial transcripts
- Copy of pertinent certification verifications
- Three separate letters of recommendation

**Application Deadline:** **August 14, 2018**

For more information contact: Jason Peel, Director of Human Resources and School Climate, 906 Lakeview Avenue, Milford, DE 19963 Tel: 302-424-6393 or Email: [jpeel@msd.k12.de.us](mailto:jpeel@msd.k12.de.us)

Employment with the Milford School District is contingent upon successful:

- Execution and delivery of all preemployment and postemployment forms
- Satisfactory Criminal Background Check
- Satisfactory Child Protection Registry Check
- Physician's Health Certification
- TB Test (within last five years)
- Verification of Credentials and Past Employment
- Agreement to adhere to School District Policies
- Milford Board of Education Approval

Further to the at-will nature of this position, Milford School District reserves the right to take disciplinary action up to and including termination upon discovering false or misleading statements and/or documents after an offer of employment has been accepted. The Human Resources staff will assist in completion of all required documentation.

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, 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.

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.

**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.

**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 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

- 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.

#### 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**

- 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, ~~Dr. Paul Walmsley, Director of Personnel.~~ 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.

#### **DRUG, ALCOHOL, AND STEROID POLICY**

The Milford School District believes that drugs, 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 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.

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.
6. 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.

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.

The Milford School District is 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, ~~and/or school psychologist in-district elementary schools and~~ and/or school counselors ~~and/or nurse~~ 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.

### **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.

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 ~~created or~~ 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.

## GLOSSARY ACTIONS AND CONSEQUENCES

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

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 functions as the Alternative Placement Meeting. 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 Director of Secondary Education Designee and is made up of school personnel from throughout the district.

**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 <del>N</del>	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	H to X	I to X	N to X	N to 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.

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**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"><b>APPENDIX II: Bullying Reporting Form</b></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.

**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**

- 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:
  1. 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
  2. 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.

### **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, pPenalties 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.

## 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.

## 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, Dr. Paul Walmsley, Director of Personnel. 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.

### **DRUG, ALCOHOL, AND STEROID POLICY**

The Milford School District believes that drugs, 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 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.

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.
6. 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.

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.

The Milford School District is 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, ~~and/or school psychologist in district elementary schools and~~ and/or school counselors ~~and/or nurse~~ 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.

### **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 ~~through the end of 2013-14 school year,~~ postings on Facebook, Twitter, MySpace, YouTube, and Pinterest shall, at minimum, be included in each district's and charter's school list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. 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 ~~created or~~ 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** - To consider students who have repeatedly and/or seriously violated school rules and regulations and have been referred by a school review committee or administrator. Committee is headed by the appropriate school district Director and is made up of school personnel from throughout the district. Committee will pass on its recommendation to the Superintendent/Designee.

**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 ( <del>maximum 1 hr.</del> ) 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
2	A	Up to 3 hrs. in-school reflection time Parent contact Restrict or provide alternate class activities
3	A	School Suspension/In-School - up to 1 day Parent contact Restrict or provide alternate class activities
4+	A	School Suspension/In-School - up to 2 days Parent contact - required conference with administrators and teachers. Restrict or provide alternate class activities

### **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	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.

#### **Parent Meeting Request and Parent Communication**

Teachers are required to attempt to contact parents and/or building administrator of PreK, kindergarten and 1<sup>st</sup> 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.

#### **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.

1<sup>st</sup> 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.

2<sup>nd</sup> 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:

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***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

5401

**STUDENT CODE OF CONDUCT - REQUIRED DISSEMINATION**

- A copy of the Student Code of Conduct shall be included in student and faculty handbooks.
- Administration, staff and students will receive training in the discipline system at the beginning of each school year.
- New students and staff will receive copies and training concerning the entire discipline system.
- Students and staff will receive information concerning changes as they occur.

IMPLEMENTATION: Pilot implementation, May and June of 1975.

Full implementation will begin on the first class day of the school year 1975-76. Elementary school implemented September 1987.

ADOPTED: 4/24/75

AMENDED: 3/21/77; 5/18/87; 11/28/94; 7/30/18

MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963

POLICY

5406

**SUPERINTENDENT'S DISCIPLINARY HEARING**

Whenever a decision is reached by a school disciplinary review team to request a student expulsion hearing before the Milford Board of Education, the Superintendent or his/her designee shall conduct an interview with the student, parent, and school officials to determine the merits of the case, if due process has been served, and if there exists any mutually agreed upon satisfactory course of action (between student, parent, and school/district officials) other than a board hearing for the expulsion of the student. If an agreement can be reached on an appropriate course of action other than expulsion and both the student and parent agree to waive their right to a hearing before the Board of Education, the Superintendent's decision to implement the action shall be final and binding on all parties.

The Superintendent or designee shall prepare a report to the Board of Education detailing the particulars of the case, the decisions made, and all disciplinary actions taken.

ADOPTED: 8/21/00

AMENDED: 7/30/18

MILFORD SCHOOL DISTRICT

Milford, Delaware 19963

POLICY

5409

**STUDENT DISCIPLINE - STUDENT INITIATED APPELLATE 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

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

Step 1 Students shall have the option to meet and discuss with staff members their proposed disciplinary actions within one (1) school day after the charge. This informal and private process should be followed in order to resolve differences and problems in a 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 or designee of the facts.
3. Student may present information or interpretations on his/her own behalf.
4. Principal or designee shall procure information from staff members.
5. Principal 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 decision of the principal. Any complaint made to the 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 the appeal and shall give a written decision within four (4) school days of the conference. The principal shall file a copy of both the appeal and decision with the Superintendent for his/her information. The decision of the principal shall finally resolve the problem unless the student appeals the decision to the Superintendent in writing within four (4) school days.

1. The principal 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 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 give written decision

within four (4) school days of the conference. The decision of the Superintendent 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 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 may obtain information independently.

Step 5

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. The school officials shall assure that appropriate records of the

hearing be kept and that the accused be provided a copy of the summary report.

4. The accused shall be informed by written notice of the decision rendered and the basis for such action.
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.

**IMPLEMENTATION:** Pilot implementation, May and June 1975.

Full implementation will begin on the first class day of the year 1975-76. Elementary school implemented September 1987.

ADOPTED: 4/14/75

REVISED: 1/26/76; 4/26/76; 3/21/77; 8/22/77; 12/19/78; 5/18/87; 6/27/88; 6/27/94; 5/17/10;  
7/30/18

MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963

POLICY

5410

**SUSPENSION AND EXPULSION OF PUPILS - ELEMENTARY SCHOOLS**

Any elementary principal in the Milford School District may temporarily suspend a pupil for not more than three (3) consecutive school days when unacceptable behavior continues after all of the available school resources and services have been tried, or upon the commission of an exceptionally serious act that warrants such action. At the principal's discretion, in-school or after school detention may be used in lieu of suspension. The Superintendent of Schools may extend a temporary suspension period until an expulsion hearing can be arranged. The hearing shall be held within fifteen school days. The Board of Education may, after a proper hearing, suspend a pupil for such time as it may determine or may permanently expel.

ADOPTED: 1/11/71

AMENDED: 3/21/77; 6/27/94; 5/19/08; 7/30/18

MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963

POLICY

5411

**STUDENT DISCIPLINE - CRITERIA FOR READMISSION FOLLOWING EXPULSION  
OR SUPERINTENDENT'S WITHDRAWAL**

1. The student shall request a Board hearing through his/her school principal.
2. The Board shall not consider an expelled student for readmission to school prior to July 1 of the next school year.
3. Rehabilitation and potential for academic success constitute grounds for readmission.
4. The burden of proof of a lack of potential for academic success rests with the school.
5. The burden of proof of rehabilitation rests with the student.
6. As a minimum, all readmissions will be upon the condition of probation (peculiar to the expulsion offense).
7. A single alleged violation of one's probationary status automatically results in a Board hearing to determine if a violation has occurred.
8. A copy of these criteria is to be given to each expelled student.
9. This policy shall apply to expelled students moving into the Milford School District from another school.
10. If the student was expelled or withdrawn by the Board or Superintendent for nonviolent offenses and the decision of the Board or Superintendent does not state otherwise, then the student will be allowed to reenter school at the beginning of the next school year, provided that the student and parent have a readmission conference with the school principal. Students who have been expelled/withdrawn more than once must have a Board conference before readmission can be considered.

IMPLEMENTATION: Pilot implementation, May and June 1975.

Full implementation will begin on the first class day of the school year, 1975-76.

References: MSD Policies #5401, #5413, #1315, #4116.2

ADOPTED: April 14, 1975

Amended: 1/12/76; 3/21/77; 8/22/77; 2/27/78; 8/20/79; 9/17/79; 6/27/88; 7/30/18

MILFORD SCHOOL DISTRICT  
Milford, Delaware 19963  
4309E

**SPORTS PROGRAM – VOLUNTEER COACHING ASSISTANTS**

The Milford School District believes the success of our sports programs are enhanced through the volunteer efforts of parents and others. The District supports volunteerism and greatly appreciates this additional support for our students and our sports programs. The following Board Policy is meant to help define the important role of our volunteer coaching assistants and establish some parameters to help reduce liability for our volunteers and the district.

Volunteer ~~C~~oaching ~~A~~ssistants ~~may~~:

- ~~approved by the Board may~~ provide support with in-season supervision and skill training in practices under the supervision of a paid coach. ~~Volunteer assistants may~~
- provide limited on-field, sideline, bench and dugout coaching assistance during **practices and** games providing they do so under the direction of the head coach and adhere to the requirements of this policy. ~~In addition, they may~~
- maintain records and statistics for the team; ~~may~~
- assist with scouting teams that the district will play; ~~and may provide off-season practice opportunities for student athletes. This policy does not apply to parent volunteers who are assisting with activities such as running a time clock, making announcements, timing races at track and swim meets, or keeping records for the team.~~
- may intervene between student-athletes to prevent or curtail a physical **disagreements or** confrontations. Any difficulties with student athletes must be reported to the head coach for resolution. ~~Volunteer coaching assistants~~

Volunteer ~~C~~oaching ~~A~~ssistants ~~may~~ not:

- initiate a reprimand or administer disciplinary action toward a student-athlete. ~~They may not~~
- verbally engage with game officials.
- ~~and must maintain~~ **display** improper language ~~and or~~ decorum with ~~our~~ students, **parents/guardians, school staff and/or spectators** at all any times.

Prior to working with student-athletes Volunteer coaching assistants must:

- be at least 20 years of age. ~~and~~
- have a **satisfactory** certified criminal background check.
- **have a satisfactory child protection registry check.**
- **receive Milford School Board approval.**
- **sign the Volunteer Agreement and Volunteer Coaching Assistant Agreement.**

All volunteer coaching assistants must sign a copy of this policy agreeing to comply with its requirements prior to any in-season participation with student-athletes on the team.

~~This policy goes into effect on January 28, 2008.~~

I, \_\_\_\_\_, do agree to comply with all stipulations and requirements in accepting this position as a ~~V~~olunteer **Coaching A**ssistant for the sport of \_\_\_\_\_ for the \_\_\_\_\_ season. I understand that failing to comply with this policy at any time will result in immediate termination as a ~~V~~olunteer **Coaching A**ssistant.

\_\_\_\_\_  
Volunteer Coaching Assistant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Recommending Head Coach

\_\_\_\_\_  
Date

## Milford SCHOOL DISTRICT VOLUNTEER agreement

~~It is the policy of the Milford School District~~ **strives** to make every reasonable effort to provide a safe learning environment for students working with Volunteers. Subsequently, the District requires the following confidential information from Volunteers who directly work with students.

I understand the Milford School District reserves the right to deny my application to serve as Volunteer.

I, as a Volunteer working in the Milford School District, fully understand that this position is, as stated, on a volunteer basis, which inherent in its meaning, entitles me to no pay or any form of compensation for my services.

I understand that **my status as an approved Volunteer** ~~the volunteer agreement~~ can be terminated without notice at any time by ~~either the school district or volunteer~~.

I understand that any misrepresentation **of my credentials, qualifications or background** ~~on any of the volunteer enrollment form~~ **can result in termination as a Volunteer without notice at any time by the school district.** ~~may result in immediate disqualification from any volunteer service within the district.~~

**I agree to respect confidentiality when dealing with students, parents/guardians and school staff.**

**I agree to abide by the rules and policies of the Milford School District.**

I hereby release the District, its board and its agents as well as all providers of information, from any liability related to furnishing and receiving information related to this process.

\_\_\_\_\_  
Signature of Volunteer

\_\_\_\_\_  
Date

ADOPTED: 1/28/08

REVISED: 7/12/10; **7/30/18**

**MILFORD SCHOOL DISTRICT**  
**Milford, Delaware 19963**

**POLICY**

**3101**

**FACILITIES MANAGEMENT**

To assure and continue the positive and mutually supportive relationship between the Milford School District and the community it serves, the Milford Board of Education supports reasonable and practical utilization of all school facilities to responsible individuals, groups and organizations sponsoring activities in educational, cultural, civic, political or recreational areas as defined and limited in 14 Del. C. § 1056 relative to the use, control and management of public school property.

The Superintendent or Designee will provide and maintain clear procedures to provide equal and consistent service regarding use of Milford School District facilities.

Milford School District buildings and grounds may be used for holding public gatherings of a character not detrimental to the civic welfare of community, State or nation. The Superintendent through the operations department will maintain procedures to implement this Policy. These procedures shall include, but are not limited to, procedures for securing the use of a facility, charges for facility use, restrictions of use, cancellation of scheduled activities, use of playgrounds, and use of outside recreational areas.

**REVIEW AND REPORTING:** The Superintendent or Designee will report each year to the Board on the status of this policy.

**REFERENCES:** 14 Del. C. §1056 et al., Internal Revenue Service Certification of Section 501(c)(3) Exempt Status; Title 36 of the United States Code.

Adopted: 09/24/12

Amended: 11/24/14, 7/30/18

## Operational Procedures and Guidelines for Facilities Use and Rentals Applications

- A. Use of school facilities is restricted to residents of the Milford School District. The district will **not** approve facilities use and rentals from organizations located outside the Milford School District unless the requesting organization can document ~~that~~ at least ~~75%~~ **50%** of the participants in their organization's programs or activities are students or residents of the Milford School District. In order for an outside organization's application to be considered, the organization must forward evidence of the number of Milford School District participants in their organization to the Superintendent or Designee.
- B. Building Use/Rentals are not desirable during regular school day hours, and shall be limited, for the security, safety and welfare of all students and staff on campus. School day rentals for organizations may not interfere with regular school day classroom and facility use, or disrupt regular school day instruction.
- C. An "Application For Use of School Facilities" must be completed and on file ~~30~~ **45** days prior to the rental date. A Certificate of Insurance, with the District listed as an additional insured, must be on file with the application prior to initial approval being granted for Category III, IV, V, and VI activities.
- D. Requests to use athletic facilities and/or equipment will require the additional approvals of the Principal and the Athletic Director. The utilization of the district's Carey-Simpson facility, weight-training facility, competition baseball and softball fields will be restricted to school district programs due to the expenses associated with field maintenance, specialized equipment, limited availability and trained district staff availability. Athletic facilities at Milford Middle School, located on Lakeview Avenue, will be available on a first come, first served basis.
- E. Alcoholic beverages, drugs, smoking and gambling are prohibited on all school property. The use of improper and/or offensive language is cause for exclusion from the facilities.
- F. The Milford School District prohibits the use of any Milford School District facilities by any person or for-profit organization for personal or private gain, financial or other matter compensation, without prior written permission of the Milford Board of Education.
- G. It is understood by the Milford Board of Education that the requesting organization assumes full responsibility and liability for any organizational negligence which may result in any personal injuries, damage to equipment, furnishings, buildings, or grounds.
- H. The Milford School District reserves the right to cancel or postpone any event based on, but not limited to, **security concerns**, weather conditions, availability of district personnel, school events, condition of the buildings and/or grounds.
- I. Violations of the rules and regulations of the Milford School District in connection with the use of school facilities and equipment will result in immediate cancellation of the privilege granted to use facilities and/or equipment. Costs for repair or replacement of lost or damaged property and the cost of the extra services shall be charged to the responsible organization. School personnel shall have access to facilities as authorized.
- J. Organizations must provide appropriate security measures as part of the rental agreement. Appropriate security is at the discretion of the Milford School District and may require the organization to secure police coverage, not covered within the rental fee and at the organization's expense, through the Milford Police Department. Any non-Milford School District organization approved to utilize any part of a school's campus during regularly scheduled school hours must provide police coverage during their event or activity. The organization must designate one person who will be in charge of the event or activity and remain at the event, throughout the entirety, in a supervisory capacity.

K. All non-school organizations, staff and volunteers are required to have annual criminal background checks prior to facilities use and rental approvals being granted. The organization must verify, within their building use form request, that ~~all of their~~ staff utilizing the facilities have had acceptable criminal background checks. A copy of an acceptable criminal background check must be submitted for the person, within the supervisory role, with the application.

L. Milford School District does not engage in permanent rentals or agreements for use of District Facilities. District Facilities are not to be used as a permanent campus, throughout a school year or calendar year, for any non-affiliated Milford School District organization. Milford School District reserves the right to terminate a rental at any time.

M. Summer Time rentals or agreements for use of District Facilities are limited due to building maintenance schedules and building shutdowns relative to energy conservation during the summer months.

N. Any Delaware Interscholastic Athletic Association or Henlopen Athletic Conference events in which Milford is not a participant must ~~have an "Application for Use of School Facilities" form submitted by the sanctioning body and be approved by the Milford School District Athletic Director and Superintendent or Designee.~~

O. The fee system will cover operational costs of the facilities to be used and may be modified or waived at the discretion of the Superintendent or Designee for activities involving individuals and organizations which provide benefit to the educational process and activities of the governing bodies of the Milford School District and State of Delaware.

P. All pre-paid facilities/equipment rental fees and custodial charges will be refunded by the Milford School District Office if written notice is received of the cancellation within 72 hours in advance of the scheduled event. Custodial charges, but not the facilities/equipment rental fee, will be refunded by the Milford School District Office if written notice of the cancellation is received prior to the day of the event, but not before 72 hours.

### User Classifications:

**Category I – Milford School District sponsored events or Milford School District activities** not charging admission. Includes student activities sponsored by the district and parent-teacher activities directly related to school activities or child welfare. Event or activity scheduled at time when custodial staff normally on duty.

**Category II – Events sponsored by Milford School District-related organizations** where *admission is charged or a collection is taken*. Event or activity scheduled at time when custodial staff is normally on duty.

**Category III – Official meetings of the Milford School District, civic or government organizations and events held by non-profit organizations** located in the District where *no admission is charged or collection is taken*. Event or activity scheduled at time when custodial staff is normally on duty.

- |   |   |
|---|---|
| 1. Boy Scouts of America                  | 10. Milford Lions Club  |
| 2. Girl Scouts of America                 | 11. Milford Pop Warner  |
| 3. Boys and Girls Club of Greater Milford | 12. American Cancer Society – Relay for Life                              |
| 4. Milford Little League                  | 13. Auxiliary of BayHealth – <del>Hospital Fair</del>                     |
| 5. City of Milford                        | 14. National Multiple Sclerosis Society – Bike to Bay                     |
| 6. Carlisle Fire Company                  | 15. <del>Banneker</del> 4-H Club  |
| 7. People's Place                         | 16. <del>Delaware Red Sox</del> Milford American Legion Baseball          |
| 8. Milford Elks Lodge                     | 17. <del>Delaware Umpires Association</del> DIAA Officials' Organizations |
| 9. Milford Rotary Club                    |   |

**Category IV** – Events held by **non-profit organizations that are located in the Milford School District** and where *admission is charged or a collection is taken*. Events scheduled at a time when custodial staff not normally scheduled and causes additional custodial services to be required as a result of the event.

**Category V** – Events held by **non-profit organizations that are not located in the Milford School District** and where *no admission is charged or collection is taken*.

**Category VI** – Events held by **non-profit organizations that are not located in the Milford School District** and by commercial, for-profit organizations and where *admission is charged or a collection is taken*. Board of Education approval required.

#### **Fee Requirements:**

**Category I** – No rental fees or additional insurance required; personnel expenses as required.

**Category II** – No rental fees or additional insurance required; personnel expenses as required.

**Category III** – No rental fees required. Personnel expenses as required and insurance certificate required.

**Category IV** – Rental Fees per schedule with personnel expenses as required. Insurance certificate required.

**Category V** – Rental Fees per schedule with personnel expenses as required. Insurance certificate required.

**Category VI** – Rental Fees per schedule with personnel expenses as required. Insurance certificate required.

#### **Application and Approval Procedures:**

Application for use of school facilities and/or equipment shall be made by a responsible representative from requesting organization that will complete an “Application for Use of School Facilities” and provide the district with a certificate of insurance listing the “Milford School District” as an “Additional Insured.” The completed application, certificate of insurance and initial payment shall first be submitted to the principal of the facility being requested. If the initial request is approved the application must be submitted to the Supervisor of Buildings and Grounds for final fee assignments and insurance review. Final approval will be granted when the application is in order and the proposed use is compliant with Board Policy.

#### **Fees:**

Rental fees are applicable to all events according to their User Classification category. The rental fee schedule is established and attached. A 50% down payment will be required with the application payable to the “Milford School District.” Applications will not be processed without down payment.

#### **Personnel Expenses:**

Organizations using district facilities will be charged fees to cover personnel expenses for the hours which staff are required to prepare for, monitor, and clean up after such events.

**MILFORD SCHOOL DISTRICT FACILITY RENTAL FEES – 3 HR MINIMUM**

<b>K-5</b>	<b>Category IV</b>	<b>Category V</b>	<b>Category VI</b>
Classroom	\$30.00/\$10.00	\$60.00/\$20.00	\$60.00/\$20.00
Kitchen	\$75.00/\$25.00	\$150.00/\$50.00	\$150.00/\$50.00
Cafeteria	\$75.00/\$25.00	\$150.00/\$50.00	\$150.00/\$50.00
Gym/All Purpose Rooms	\$90.00/\$30.00	\$180.00/\$60.00	\$180.00/\$60.00

<b>MCA &amp; MHS</b>	<b>Category IV</b>	<b>Category V</b>	<b>Category VI</b>
Classroom	\$30.00/\$10.00	\$60.00/\$20.00	\$60.00/\$20.00
Cafeteria	\$135.00/\$45.00	\$270.00/\$90.00	\$270.00/\$90.00
Kitchen	\$90.00/\$30.00	\$180.00/\$60.00	\$180.00/\$60.00
Gymnasium	\$150.00/\$50.00	\$300.00/\$100.00	\$300.00/\$100.00
Auditorium	\$150.00/\$50.00	\$300.00/\$100.00	\$300.00/\$100.00
Stadium – Turf w/Lights	\$225.00/\$75.00	\$450.00/\$150.00	\$450.00/\$150.00
Stadium – Turf w/o Lights	\$150.00/\$50.00	\$300.00/\$100.00	\$300.00/\$100.00
Tennis Courts	\$30.00/\$10.00	\$60.00/\$20.00	\$60.00/\$20.00
MMS Fields—BB, SB, FB Soccer or FH	\$30.00/\$10.00	\$60.00/\$20.00	\$60.00/\$20.00

**Additional Charges\***

Custodial/Security Personnel	\$40.00 Hourly Fee
Light/Sound School Personnel	\$50.00 Hourly Fee**
Light/Sound Student Personnel	\$25.00 Hourly Fee**
Food Service Personnel	\$40.00 Hourly Fee
Additional Trash Removal	\$120.00 Per Dump

\* The additional charges/hourly fee rates are not the per diem hourly rate of assigned district personnel. OEC and other charges and fees are included and applied.

\*\* Light/Sound Personnel may not be available through the district. When district Light/Sound Personnel are not available, the organization must provide a qualified person to operate the system and the district has final discretion as whether to approve the person.

MILFORD SCHOOL DISTRICT

906 LAKEVIEW AVENUE

MILFORD, DELAWARE 19963

## APPLICATION FOR USE OF SCHOOL FACILITIES

APPLICATION REQUIRED BEFORE FACILITIES CAN BE RESERVED. MUST BE FILED ~~TWO WEEKS~~ **45 DAYS** PRIOR TO RENTAL DATE.

Name of Organization or Group: \_\_\_\_\_

Name of Person Responsible for Rental: \_\_\_\_\_

Address for Mailing Permit &amp; Billing: \_\_\_\_\_

Telephone: \_\_\_\_\_ Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

Name of Event: \_\_\_\_\_

Signature of Person Responsible for Rental: \_\_\_\_\_ Date: \_\_\_\_\_

## Facilities Requested

Site: \_\_\_\_\_ High \_\_\_\_\_ Academy \_\_\_\_\_ Banneker \_\_\_\_\_ Ross \_\_\_\_\_ Mispillion \_\_\_\_\_ Morris \_\_\_\_\_

Date(s): \_\_\_\_\_ Start Time (Include Setup Time): \_\_\_\_\_ End Time of Rental: \_\_\_\_\_

Facilities/Room(s): \_\_\_\_\_ Services/Equipment Required \_\_\_\_\_

Plan for Security: \_\_\_\_\_

Does your staff have current and acceptable criminal background and Child Protection Registry checks? \_\_\_\_\_

Designated person who is in charge of event and will remain at the event in a supervisory capacity:

Name: \_\_\_\_\_ Cell phone number to be used during event: \_\_\_\_\_

Address: \_\_\_\_\_

Estimated Charges Due – All fees included in Board Policy #3101 at [www.milfordschooldistrict.org](http://www.milfordschooldistrict.org)

\_\_\_\_\_ Category I \_\_\_\_\_ Category II \_\_\_\_\_ Category III \_\_\_\_\_ Category IV \_\_\_\_\_ Category V \_\_\_\_\_ Category VI

Application Fee: \$35.00

Total: \$35.00

Area(s) to be Rented Fee(s): See Current Building Rental Fees

Total: \$ \_\_\_\_\_

Custodial Fee(s): \$40.00 Hourly Rate X Hours

Total: \$ \_\_\_\_\_

Food Service Fee(s): \$40.00 Hourly Rate X Hours

Total: \$ \_\_\_\_\_

Technician Fee(s): \$50.00 Hourly Rate X Hours

Total: \$ \_\_\_\_\_

\_\_\_\_\_ Superintendent Waiver Applicable: Deduction Amount: \$ \_\_\_\_\_ Total: \$ \_\_\_\_\_

TOTAL AMOUNT DUE: Total: \$ \_\_\_\_\_

50% Down Payment Due With Application – Amount: \$ \_\_\_\_\_ Date Paid : \_\_\_\_\_

Method of Payment: \_\_\_\_\_

Insurance Provided – **Milford School District Must be “Additional Insured”** \_\_\_\_\_

Criminal Background Check Provided: \_\_\_\_\_ Date: \_\_\_\_\_ Approved: \_\_\_\_\_

Initial Approval(s) by School Administrator(s): \_\_\_\_\_ Date: \_\_\_\_\_

Police Coverage Required: Yes \_\_\_\_\_ No \_\_\_\_\_

Final Approval by District: \_\_\_\_\_

## Final Accounting – Final Billing—NO CASH ACCEPTED

Charges	Hours Worked	Hourly Rate	Total
Rental Fees			
Custodial Fees			
Food Service Fees			
Technical Fees			
Other Fees; Specify:			
Deposit Paid			
Balance Due:			

## RULES AND REGULATIONS FOR RENTING MILFORD SCHOOL DISTRICT FACILITIES

This application must be completed and estimated: 50% cost of usage is to be paid in full at time of the submission of usage request. Certificate of Insurance and Background Checks will be required for initial approval. Refunds will be made in accordance with Regulation 1-M of Milford School District Board of Education Policy 3101. It is understood by the Milford Board of Education the requesting organization named assumes full responsibility for any damage to equipment, furnishings, building, or grounds. Promotional or other events, as deemed necessary by the Supervisor of Buildings and Grounds will require Milford Board of Education approval prior to final authorization and may be subject to rental/usage fees in excess of the fees identified in Exhibit 1 of Milford School District Board of Education Policy 3101.

*Alcoholic beverages, smoking and gambling are not permitted in school facilities or on school grounds at any time.* Falsification of information on application, rowdiness, and vandalism, abuse of property, inadequate supervision, and/or violations of Delaware Law, City of Milford ordinances, or district policies shall be grounds for eviction, cancellation of permit, and may impact continuance of future facilities/equipment usage.

Flags other than United States and State of Delaware are NOT to be displayed at any time on school buildings or grounds without the expressed written permission of the Milford School District. The Milford School District has the expressed authority to restrict the display of flags and/or promotional material as it deems necessary.

Lessee shall indemnify Milford School District against all claims and liability arising from any accident, injury, damage to person or property occurring on or about leased premises or on sidewalks or streets adjoining the leased premises and which arises out of or occurs in connection with use of leased premises by lessee, his or its agents, employees, members or guest. The word "Lessee" shall indicate person or organization leasing and requesting the use of Milford School District buildings, grounds, and facilities. The person signing this form represents that he or she has the full legal authority to act in behalf of and bind the party, parties, or organization requesting the use of property belonging to Milford School District. Lessee agrees to provide Milford School District with a Certificate of Insurance listing Milford School District as an "Additional Insured" prior to approval of this application.

Milford School District reserves the right to cancel or postpone this event based on, but not limited to, **security concerns**, weather conditions, availability of district personnel, school events, and/or condition of the buildings and/or grounds. The requesting organization is responsible to see that vehicles observe fire lane restrictions, handicapped parking, and for keeping all entrances and exits clear. We must be assured that emergency vehicles have clear access to and from the buildings and grounds.

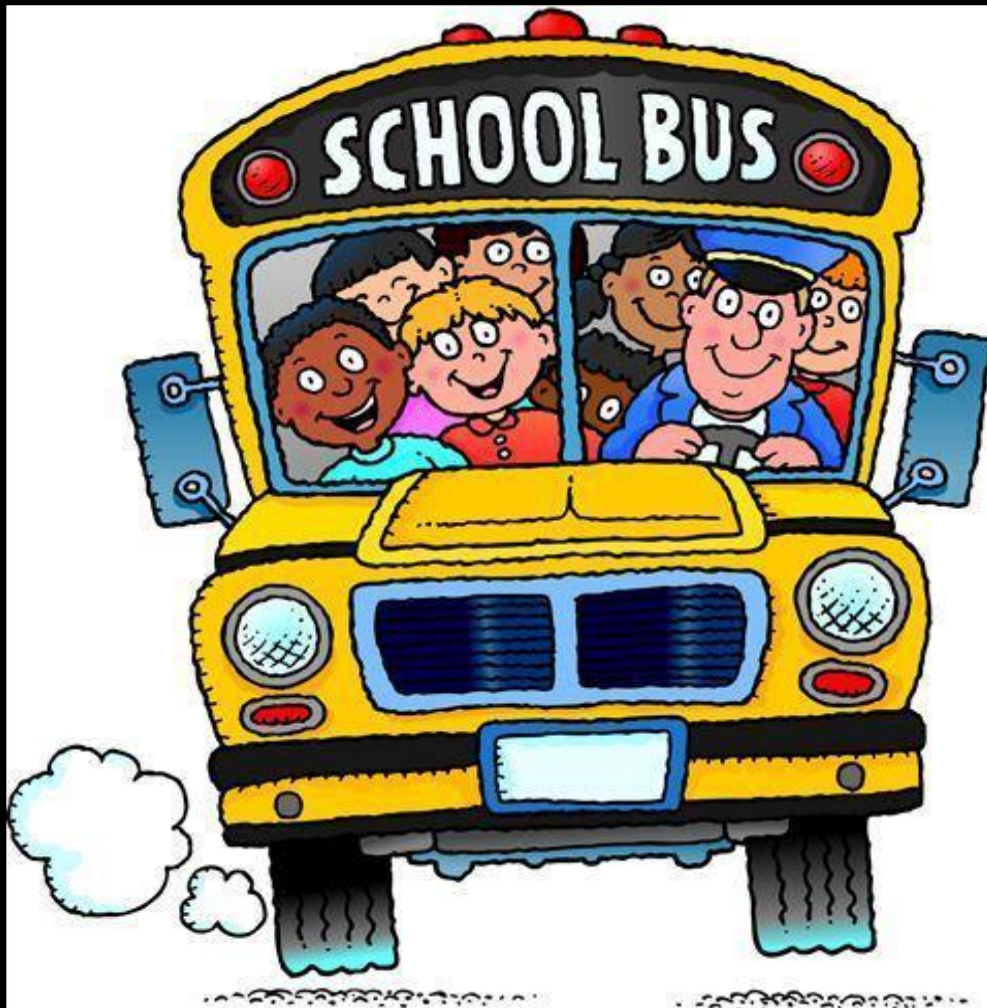
The Responsible Person noted on the front of this application and signed by such person must be present at all times during the rental. If they will not be present, or if there are more than one responsible person(s), all those responsible must be listed and all must sign the application.

**For all non-school organizations, a copy or proof of an acceptable criminal background and child protection registry checks must be submitted for the person, within the supervisory role, with the application and prior to facility use approval being granted. The organization also must indicate within their building use form request whether staff utilizing the facilities have had acceptable background checks. If the organization is not able to provide proof of background checks for an adult staff member or volunteer, individuals serving in either of these capacities must be cleared by the Milford School District through the Raptor Visitor Management System or other district-used background electronic screener prior to working the event. Violation of this part of the policy will result in immediate termination of the organization's facility use.**

All pre-paid facilities/equipment rental fees and custodial charges will be refunded by the Milford School District Administrative Office if written notice is received of the cancellation at least 72 hours in advance of the scheduled event. Custodial charges, but not the facilities/equipment rental fee, will be refunded by the Milford School District Administrative Office if written notice of the cancellation is received prior to the day of the event, but not before 72 hours. The Application fee is not subject to refund under any circumstances.

*NOTE: See Board Policy #3101. For rates: See Board Policy #3101, Exhibit #1*

**FIELD TRIP AND ATHLETIC  
BID SUMMARY  
2018-2019**



**MILFORD SCHOOL DISTRICT**

**Transportation Department  
906 Lakeview Ave  
Milford, Delaware 19963**

# TABLE OF CONTENTS

## STUDENT FIELD TRIPS

Out-of-State Cities	3
In-State Cities	4

## HIGH SCHOOL FALL SPORTS

Varsity Football	5
Varsity Band	5
Junior Varsity Football	5
Cross Country	5
Girls Volleyball	5
Boys & Girls Varsity & JV Soccer	6
Varsity & JV Field Hockey	6
High School Band	6

## HIGH SCHOOL WINTER SPORTS

Boys Varsity & JV Basketball	7
Girls Varsity & JV Basketball	7
Varsity & JV Wrestling	7
Swimming	7

## HIGH SCHOOL SPRING SPORTS

Varsity Baseball & Softball	8
JV Baseball & Softball	8
Track and Field	8
Boys & Girls Tennis	9
Varsity & JV Lacrosse	9

## MIDDLE SCHOOL SPORTS

Football	10
Boys and Girls Soccer	10
Track and Field	10
Girls Volleyball	10
Cross Country	10
Boys and Girls Basketball	11
Baseball & Softball	11
Wrestling	12
Field Hockey	12
Math League	12

# OUT OF STATE AND IN STATE FIELD TRIPS 2018-2019

## STUDENT FIELD TRIPS OUT-OF-STATE BIDS

Layover Rate – Fixed: \$20.00 per hour

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	17-18	Difference
<b>Maryland</b>								
Annapolis		325				370	325	0
Baltimore		425				460	425	0
BWI Airport		425				475	425	0
Cambridge		300				340	300	0
Chesapeake City		300				340	300	0
Largo		400				420	400	0
Mitchellville		380				450	380	0
Ocean City		250				245	240	5
Salisbury		250				245	240	5
St. Michael's		275				310	275	0
<b>New Jersey</b>								
Atlantic City		540				590	540	0
Jackson		540				590	540	0
Ocean City		540				590	540	0
Wildwood		540				590	540	0
<b>New York</b>								
New York City							No Bid	
<b>Pennsylvania</b>								
Gettysburg		500				550	500	0
Harrisburg		500				550	500	0
Hershey		500				550	500	0
Kennett Square		375				420	375	0
Philadelphia		425				470	425	0
Valley Forge		425				460	425	0
PHL Airport		500				480	490	10

<b>Virginia</b>								
Arlington		450				485	450	0
Wallops Island		390				440	390	0
Dulles Airport		575				560	560	0
<b>Washington, D.C.</b>								
Washington, D.C.		495				525	495	0

#### STUDENT FIELD TRIPS IN-STATE BIDS

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	17-18	Difference
<b>Delaware</b>								
Abbott's Mill - Drop & Go	74		74	100		85	72	2
Abt's - Morris- Drop & Go	80		74	100		85	74	0
Bridgeville	85		88	89		90	85	0
Camden-Wyoming	79		85	83	79	90	79	0
Dagsboro	107		110	120		105	105	0
Delaware City	175		195	169		170	170	-1
Delmar	145		155	150		145	130	15
Dewey Beach	110		100	120		100	100	0
Dover	84		85	81	84	90	82	2
Felton	72		80	84		85	72	0
Frederica	69		74	74		85	69	0
Georgetown	79		81	83		90	79	0
Greenwood	80		85	89		88	80	0
Harrington	70		75	75	70	80	70	0
Laurel	110		110	125		102	105	-3
Lewes	85		83	82	82	85	82	0
Lincoln - Drop and Go	80		80	100		85	79	1
Long Neck	110		115	120		115	110	0
Middletown	130		135	140		140	130	0
Milford - Drop & Go	67		66	77		80	65	1
Milford - Morris - Drop and Go	80		78	85		85	75	3
Millsboro	108		115	120		110	105	3
Milton	79		84	83	79	85	79	0
New Castle	190		200	185		200	185	0
Newark	190		200	185		200	185	0
Ocean View	130		132	135		125	125	0
Odessa	135		140	140		142	135	0
Rehoboth	94		95	99		93	93	0
Seaford	89		90	94		95	84	5
Slaughter Beach	79		78	76	75	85	75	0

Smyrna	108		115	105		108	105	0
Wilmington	230	225		225		210	200	10
Winterthur	230	225		230		210	200	10
Woodside	76		83	84		88	76	0
For Drop & Go trips, layover can be charged if there are multiples stops, buses are requested to stay on location, and/or lay-over is less than 2 hours (less than two hour layover fee is excluded for in-town Milford locations). Layover Rate – Fixed: \$20.00 per hour Bus Aide Rate - Fixed: \$30.00 plus layover								
Lowest Bid Order	First	Second	Third	Fourth				

# HIGH SCHOOL FALL SPORTS 2018-2019

## VARSITY FOOTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
DMA		255				285	NEW	
Cape Henlopen		225				245	NEW	
Seaford		235				260	NEW	
Lake Forest		225				240	NEW	
Woodbridge		225				240	NEW	
Glasgow		250				275	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1415</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1545</b>	<b>0</b>	<b>0</b>

## VARSITY FOOTBALL BAND

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
DMA		255				285	NEW	0
Seaford		235				260	NEW	0
Woodbridge		225				240	NEW	0
Cape Henlopen		225				245	NEW	0
Lake Forest		225				240	NEW	0
<b>TOTAL</b>	<b>0</b>	<b>1165</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1270</b>	<b>0</b>	<b>0</b>

## JUNIOR VARSITY FOOTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Polytech	200	225				235	NEW	
Laurel	210	245				240	NEW	
Indian River	210	245				250	NEW	
St. Andrew's	210	245				250	NEW	
Delmar	215	245				250	NEW	
<b>TOTAL</b>	<b>1045</b>	<b>1205</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1225</b>	<b>0</b>	<b>0</b>

## CROSS COUNTRY

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Brecknock Park		225				230	NEW	0
Polytech HS		225				230	NEW	0
Dover HS		235				260	NEW	0
Bellevue St Park MD.		255				275	NEW	0
Salisbury MD.		245				310	NEW	0
<b>TOTAL</b>	<b>0</b>	<b>1185</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1305</b>	<b>0</b>	<b>0</b>

## GIRLS VOLLEYBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Seaford		235	200	230		200	NEW	
Cape Henlopen		225	200	230		200	NEW	
Sussex Academy		225	200	230		200	NEW	
First State Military		240	230	240		220	NEW	
Sussex Central		235	210	230		200	NEW	
Delmar		245	230	230		220	NEW	
CR		225	210	230		200	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1630</b>	<b>1480</b>	<b>1620</b>	<b>0</b>	<b>1440</b>	<b>0</b>	<b>0</b>

**BOYS & GIRLS VARSITY & JV SOCCER**

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
CR		225				225	NEW	
Delmar		245				240	NEW	
Sussex Central		235				225	NEW	
Sussex Academy		225				225	NEW	
Lake Forest		225				210	NEW	
Sussex Tech		225				225	NEW	
Dover		235				225	NEW	
Woodbridge		225				220	NEW	
Smyrna		245				235	NEW	
Delmar		245				240	NEW	
Newark Charter School		250				270	NEW	
Queen Anne's HS		245				280	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2825</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2820</b>	<b>0</b>	<b>0</b>

**VARSITY & JV FIELD HOCKEY**

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover		235				245	NEW	
Appoquinimink		245				270	NEW	
Smyrna		245				260	NEW	
Concord		255				245	NEW	
Sussex Central		235				240	NEW	
Cape Henlopen		225				240	NEW	
Indian River		245				260	NEW	
Laurel		245				245	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1930</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2005</b>	<b>0</b>	<b>0</b>

**BAND**

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
20-29		225				175	NEW	
30-39		235				180	NEW	
40-49		240				185	NEW	
50-59		245				190	NEW	
60-69		250				195	NEW	
70-79		255				200	NEW	
80-89		265				205	NEW	
90-99		275				210	NEW	
100-109		285				215	NEW	
110-119		295				220	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2570</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1975</b>	<b>0</b>	<b>0</b>

# HIGH SCHOOL WINTER SPORTS 2018-2019

## BOYS VARSITY & JV BASKETBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Polytech		225				235	NEW	
Sussex Academy		225				240	NEW	
Delmar		245				260	NEW	
Lake Forest		225				230	NEW	
Laurel		235				260	NEW	
Seaford		235				240	NEW	
St Thomas More		225				235	NEW	
Woodbridge		225				230	NEW	
CR		225				235	NEW	
Indian River		245				260	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2310</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2425</b>	<b>0</b>	<b>0</b>

## GIRLS VARSITY & JV BASKETBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Parkside		255				250	NEW	
Smyrna		245				230	NEW	
Seaford		235				220	NEW	
Sussex Academy		225				220	NEW	
Delmar		245				230	NEW	
Cape Henlopen		225				220	NEW	
Indian River		245				230	NEW	
Lake Forest		225				200	NEW	
Laurel		235				220	NEW	
Woodbridge		225				220	NEW	
St Thomas More		225				220	NEW	
ECHS @ DSU		225				220	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2810</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2680</b>	<b>0</b>	<b>0</b>

## VARSITY & JV WRESTLING

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Smyrna		245		260		260	NEW	
Polytech		225		240		240	NEW	
Stephen Decatur		255		280		300	NEW	
CR		225		240		240	NEW	
Indian River		245		260		260	NEW	
Delmar		245		260		260	NEW	
Lake Forest		225		240		230	NEW	
Hodgson Vo-Tech		250		260		280	NEW	
Cape Henlopen		225		240		240	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2140</b>	<b>0</b>	<b>2280</b>	<b>0</b>	<b>2310</b>	<b>0</b>	<b>0</b>

## SWIMMING

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Boys and Girls - Milford		100	110	160		100	NEW	
Boys and Girls - W Sussex		225	210	225		210	NEW	
YMCA Central DE		255	220	225		210	NEW	
Sussex Academy		225	210	225		210	NEW	
Lake Forest		225	200	225		200	NEW	
Howard T. Ennis		225	220	225		210	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1255</b>	<b>1170</b>	<b>1285</b>	<b>0</b>	<b>1140</b>	<b>0</b>	<b>0</b>

## HIGH SCHOOL SPRING SPORTS 2018-2019

### VARSITY BASEBALL AND SOFTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
CR		225		200		210	NEW	
Hodgson Vo-Tech		250		230		240	NEW	
St. George's		245		230		240	NEW	
Lake Forest		225		190		200	NEW	
Tower Hill		255		250		260	NEW	
Sussex Tech		225		200		210	NEW	
Midway Softball Complex		255		230		240	NEW	
Middletown		245		210		220	NEW	
Padua		255		240		260	NEW	
Indian River		245		210		230	NEW	
Dover		235		200		210	NEW	
Seaford		235		200		220	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2895</b>	<b>0</b>	<b>2590</b>	<b>0</b>	<b>2740</b>	<b>0</b>	<b>0</b>

### JV BASEBALL AND SOFTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Woodbridge		225		210		200	NEW	
Cape		225		210		200	NEW	
Laurel		245		210		200	NEW	
Polytech		225		210		200	NEW	
Smyrna		245		220		210	NEW	
Sussex Central		235		220		210	NEW	
Delmar		245		225		220	NEW	
St. E's		255		230		230	NEW	
Hodgson Vo tech		250		230		230	NEW	
<b>TOTAL</b>	<b>0</b>	<b>2150</b>	<b>0</b>	<b>1965</b>	<b>0</b>	<b>1900</b>	<b>0</b>	<b>0</b>

### TRACK & FIELD

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Seaford		235				240	NEW	
Smyrna		245				260	NEW	
Kent Island HS		250				350	NEW	
Lake Forest		225				240	NEW	
Laurel		245				240	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1200</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1330</b>	<b>0</b>	<b>0</b>

### BOYS & GIRLS TENNIS

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
CR	190	225				195	NEW	
Dover	190	235				195	NEW	
Smyrna	195	245				205	NEW	
Lake Forest	180	225				190	NEW	
Seaford	190	235				195	NEW	
Cape Henlopen	190	225				195	NEW	
Indian River	200	245				205	NEW	
Sussex Academy	190	225				195	NEW	
Polytech	190	225				195	NEW	
<b>TOTAL</b>	<b>1715</b>	<b>2085</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1770</b>	<b>0</b>	<b>0</b>

### VARSITY & JV LACROSSE

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Lake Forest		225				225	NEW	
Woodbridge		225				225	NEW	
Delmar		245				260	NEW	
Indian River		245				240	NEW	
Sussex Academy		225				240	NEW	
Wesley College		225				225	NEW	
DMA		255				280	NEW	
Polytech		225				220	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1870</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1915</b>	<b>0</b>	<b>0</b>

# MIDDLE SCHOOL SPORTS 2018-2019

## FOOTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Fifer			195			205	NEW	
Smyrna			225			215	NEW	
Chipman			185			200	NEW	
Providence Creek			225			220	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>830</b>	<b>0</b>	<b>0</b>	<b>840</b>	<b>0</b>	<b>0</b>

## BOYS & GIRLS SOCCER

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover Air Force Base			220			190	NEW	
Woodbridge			210			200	NEW	
Millsboro			220			200	NEW	
Delmar			220			210	NEW	
Smyrna			230			210	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1100</b>	<b>0</b>	<b>0</b>	<b>1010</b>	<b>0</b>	<b>0</b>

## TRACK & FIELD

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Selbyville			220			225	NEW	
Millsboro			200			210	NEW	
Cape Henlopen High School			190			210	NEW	
Lake Forest			190			190	NEW	
Smyrna			220			210	NEW	
Fifer			195			200	NEW	
Postlewait			195			200	NEW	
Caesar Rodney High School			200			200	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1610</b>	<b>0</b>	<b>0</b>	<b>1645</b>	<b>0</b>	<b>0</b>

## GIRLS VOLLEYBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover			195	180		190	NEW	
Chipman			180	180		190	NEW	
Fifer			195	180		190	NEW	
Delmar			210	200		210	NEW	
Smyrna			220	190		200	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1000</b>	<b>930</b>	<b>0</b>	<b>980</b>	<b>0</b>	<b>0</b>

## CROSS COUNTRY

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover Central MS			195			210	NEW	
Fifer			195			210	NEW	
Chipman			180			210	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>570</b>	<b>0</b>	<b>0</b>	<b>630</b>	<b>0</b>	<b>0</b>

### BOYS & GIRLS BASKETBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Beacon						190	NEW	
Dover AFB						190	NEW	
Dover Central						190	NEW	
Fifer						190	NEW	
Georgetown						190	NEW	
Laurel						210	NEW	
Mariner						190	NEW	
Millsboro						200	NEW	
Postlewait						190	NEW	
Providence Creek						200	NEW	
Seaford						200	NEW	
Selbyville						210	NEW	
Smyrna						200	NEW	
Sussex Academy						190	NEW	
W.T.Chipman						180	NEW	
Woodbridge						190	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3110</b>	<b>0</b>	<b>0</b>

### WRESTLING

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover Central			210	190			NEW	
Postlewait			190	190			NEW	
Millsboro			210	195			NEW	
Chipman			180	190			NEW	
Selbyville			210	200			NEW	
Smyrna			220	200			NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1220</b>	<b>1165</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### BASEBALL & SOFTBALL

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Beacon				195		200	NEW	
Dover AFB				200		200	NEW	
Dover Central				200		200	NEW	
Fifer				200		200	NEW	
Georgetown				200		200	NEW	
Laurel				200		220	NEW	
Mariner				195		200	NEW	
Millsboro				200		210	NEW	
Postlewait				195		200	NEW	
Providence Creek				200		220	NEW	
Seaford				200		210	NEW	
Selbyville				200		230	NEW	
Smyrna				200		220	NEW	
Sussex Academy				200		200	NEW	
W.T.Chipman				195		190	NEW	
Woodbridge				195		200	NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3175</b>	<b>0</b>	<b>3300</b>	<b>0</b>	<b>0</b>

### FIELD HOCKEY

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Dover Air Force Base		200	195			190	NEW	
Woodbridge		200	195			190	NEW	
Millsboro		225	195			200	NEW	
Delmar		235	220			210	NEW	
Smyrna		235	220			200	NEW	
<b>TOTAL</b>	<b>0</b>	<b>1095</b>	<b>1025</b>	<b>0</b>	<b>0</b>	<b>990</b>	<b>0</b>	<b>0</b>

### MATH LEAGUE

Mileage Range - Round Trip	Bowman	D&N	Hill's	Mills	Peterman	RJK	18-19	Difference
Beacon			170	170			NEW	
Dover AFB			140	170			NEW	
Dover Central			150	170			NEW	
Fifer			150	170			NEW	
Georgetown			140	170			NEW	
Laurel			155	180			NEW	
Mariner			170	170			NEW	
Millsboro			180	180			NEW	
Postlewait			170	170			NEW	
Providence Creek			200	180			NEW	
Seaford			185	175			NEW	
Selbyville			190	180			NEW	
Smyrna			210	180			NEW	
Sussex Academy			150	170			NEW	
W.T.Chipman			150	170			NEW	
Woodbridge			150	170			NEW	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>2660</b>	<b>2775</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>