

HOME *of the* BUCCANEERS

906 Lakeview Avenue Milford, DE 19963

Phone: (302) 422-1600

AGENDA FOR MONDAY, JUNE 5, 2017 AT 6:15 PM

SPECIAL PUBLIC MEETING

It is anticipated that the board will open a regular session meeting and immediately adjourn into executive session returning to a regular session meeting at 7:00 pm.

1. **Call to Order by President**
2. **Roll Call**

_____ Mrs. Dennehy	_____ Mr. Rust
_____ Mr. Emory	_____ Mr. Schelhouse
_____ Mr. Fry	_____ Mrs. Wiley
_____ Ms. Kirby	
3. **Adjournment to Executive Session**
 - A. Personnel Matters – See 29 Del. C. § 10004(b)(9)
4. **Introduction of Visitors**
5. **Pledge of Allegiance**
6. **Approval of Minutes**
 - A. Regular Meeting Minutes for May 8, 2017 **Action Item** (Attachment)
7. **Recognition and Accomplishments**
 - A. Recognition of Secretary of Education Scholar
 - B. Banneker Library Donation
 - C. Edmentum's Inspirational Educator for 2017
8. **Public Comment**
9. **Superintendent Reports – Dr. Kevin Dickerson**
 - A. Graduation
 - B. Lacrosse
10. **Budget Presentation – Mrs. Sara Croce & Dr. Kevin Dickerson**
11. **Communication of Open Tax Meetings**
 - A. Milford High School, Thursday, June 8, 2017 at 7:00PM
 - B. Ross Elementary, Monday, June 12, 2017 at 7:00PM
12. **Personnel – Dr. Paul Walmsley**
 - A. Personnel **Action Item** (Attachment)
 - B. Discrimination Board Policy #4101 – First Read (Attachment)
 - C. Salary Schedule: Substitutes Board Policy #4308 – First Read (Attachment)

13. Instruction and Student Programs

A. Director of Secondary Education – Dr. Jason Peel

1. Student Code of Conduct Secondary Schools Policy #5404 **Action Item** (Attachment)
2. Student Code of Conduct Elementary Schools Grade K through Policy #5414 – **Action Item** (Attachment)

B. Director of Elementary Education – Dr. Bridget Amory

1. Field Trip Approval **Action Item** (Attachment)
2. Morris Grant

14. Business – Mrs. Sara Croce

- A.** Revenue and Expenditure Reports as of April 30, 2017 **Action Item** (Attachment)

15. Administrative Services

A. Buildings, Ground and Operations – Dr. Glen Stevenson

1. Morris Paving **Action Item** (Attachment)

16. Adjournment

MILFORD SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR MEETING – MAY 8, 2017
MILFORD ANNEX BUILDING

Board Members Present

Mrs. Wiley – President
Mr. Fry – Vice President
Mrs. Dennehy
Mr. H. Emory
Ms. Kirby
Mr. Rust
Mr. Schelhouse
Dr. Dickerson, Exec. Secretary

Admin. Present

Dr. Peel
Dr. Walmsley
Dr. Amory
Mrs. Croce
Ms. Manges
Mr. Snyder
Mrs. Alfaro
Mrs. McKenzie
Mrs. Hallman
Mr. Hilligoss
Mrs. Wallace

Public

S. Whaley
K. Stahl
D. Vezmar
C. Peterson
R. Evans
J. Purcell
R. Winkleblech
J. Cineli-Miller
S. Firch
M. Firch
M. Peterson
A. Peterson
J. Miller
E. Rust

The Regular Meeting of the Milford Board of Education was called to order by President Wiley at 5:46 PM on Monday evening, May 8, 2017 in the Annex Board Room.

ROLL CALL

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. EMORY to adjourn into Executive Session at 5:48 PM. **Motion carried unanimously.**

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

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

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

INTRODUCTION OF VISITORS

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. SCHELHOUSE for the Board to approve the minutes of the April 10, 2017 Regular School Board Meeting. **Motion carried unanimously.**

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. SCHELHOUSE for the Board to approve the minutes of the May 1, 2017 Special School Board Meeting. **Motion carried unanimously.**

RECOGNITION AND ACCOMPLISHMENTS

Secretary of Education Scholars Recipients

Alexis Peterson, daughter of Michele and Charles Peterson, and Daniel Zang, son of George and Karen Zang, were recognized at the Secretary of Education Scholars Dinner. Alexis is currently ranked #1 in the class of 2017 and maintains a 4.8 GPA and Daniel is ranked #2 and maintains a 4.76 GPA.

Sumdog's Sussex County Math Contest Winner

Mrs. Smith's 3rd grade class at Banneker Elementary won the Sumdog Sussex County Math Contest for the 3rd time this school year. In total, 219 students answered 67,495 questions correctly. Mrs. Smith's class won with a total score of 637.

Kent County Honors Band

Members of the Kent County Honors Band are Gloria Bontrager Thomas, Valeria Coverdale, Brandon Foster, Melina Hudson, Chris Lankford, Alexis Legates, Nick Mentzer, Alex Palmer, Sam Rauch and Ben Sobota.

Recognition of Teacher Appreciation Week

Dr. Dickerson acknowledged Teacher Appreciation Week and expressed thanks for all our teachers do on a daily basis for our students, families and the community.

Recognition of National Nurses Day

The school nurses, Lisa Fidler – Morris Early Childhood Center, Ann Nash – Banneker Elementary, Sue Smith – Mispillion Elementary, Jackie Wolfe – Ross Elementary, Kimberly Cole – Central Academy, Cheryl Rash – High School and Yvonne White – Floating Nurse were recognized for their special day.

Dr. Dickerson stated that the Bug and Bud Festival was an awesome event, and was glad to see so many students, families and people from the community.

The House of Representatives recognized the Wrestling Team on May 4. The Senate also recognized the team. The team was also provided a tour of Legislative Hall.

The School Board Elections are May 9th and voting will take place at Morris Early Childhood Center, Banneker Elementary, Ross Elementary and Milford High School from 10AM-8PM.

SUPERINTENDENT REPORTS – Dr. Kevin A. Dickerson

District administrators presented Newsletters and individual school information.

Mrs. Hallman, Principal, reported Diane O'Hara, paraprofessional who maintains the library, wrote a grant and received \$700 from TangerKIDS Grants program. This grant supports the Using Math Manipulatives to Strengthen Young Minds program.

Mrs. Alfaro, Assistant Principal, stated that Banneker's 2nd grade students were on stage at the Bug and Bud Festival and had a wonderful time. Lots of art work was on display for the community to view.

Fourth grade students participated in the 2017 National Dental Society Poster contest. Brenda Bamaca-Ramos was the overall winner.

Mrs. McKenzie, Principal, reported that Ross Elementary held a Carnival on May 6th and thanked the MHS Honor Society students for volunteering at the petting zoo.

Mrs. Wallace, Principal, said Mispillion Elementary's Eryn O'Brien was selected to attend the 2017 Student Ambassador Summit in Minneapolis, MN as the Fuel Up to Play 60 State Ambassador. Jasmine Neal is the 1st Mispillion P.R.I.D.E. Safety Patroller to receive the golden badge for always volunteering to help in any safety patrol position.

Mr. Hilligoss, Assistant Principal, stated the Central Academy Awards Ceremony will be June 5th from 9:30-11:00AM. The Chorus Concert will be May 22nd at 6:30PM and the Band Concert will be May 24th at 6:30PM.

Mr. Snyder, Principal, commented the Jazz Band performed at the Bug and Bud Festival. For the first time the MHS Choir will perform at the Senior Awards Ceremony on May 23rd at 7:00PM. Jacob Bryan placed 2nd in the State in Driver's Education Competition. Academic signings for college bound students will be May 10th at 8:00AM and Military signings will be May 17th at 8:15AM. Prom will be at Heritage Shores on May 13th.

Athletics

Brion Murray was recognized as Kent County's top male senior athlete and was awarded a \$250 scholarship from the Kent County African Sports Hall of Fame.

Rajene Bowe was awarded a \$500 scholarship from Delaware Women Alliance of Sport and Fitness (DWASF).

Spring Report: Baseball 8-5, Softball 8-4, Lacrosse 8-2 and Soccer 6-6.

Track Conference Championship will be May 11th and 12th at Polytech. Tennis Conference Championship will be May 11th & 12th at Sea Colony. Golf Conference Championship will be May 23rd at Maple Dale Country Club.

On Wednesday, May 17th approximately 120 student athletes will be recognized for sustaining a 3.5 GPA or higher throughout the first 3 marking periods this school year. A breakfast will start at 8am in the high school cafeteria followed by a brief ceremony recognizing the achievements of the MHS scholar athletes.

Dr. Dickerson announced the Employee of the Year recipients. Congratulations to the following:

Michele Davis - District Teacher of the Year
Paraprofessional of the Year - Brandon Gibbs
Custodian of the Year - Dale Hammond
Maintenance Employee of the Year – Chuck Caplinger
Secretary of the Year – Debby Dufendach
Counselor of the Year – Maud Forsberg-Davis
Nurse of the Year – Sue Smith
Related Services Employee of the Year – John Riley-Spillane
Child Nutrition Employee of the Year – Gladys Gardner
Technology Employee of the Year – Josh Griffin

There will be Special Board Meeting on June 5, 2017 that will focus on the budget. Community Tax Presentations will be held on Thursday, June 8, 2017 at 6:30PM in the High School Cafeteria and Monday, June 12, 2017 at 6:30PM in the Ross Elementary gymnasium.

Public Comment

Jennifer Cineli-Miller provided information regarding HB142 that will be presented for the SY2018-2019. Ms. Cineli-Miller is a parent volunteer on the task force that includes the Delaware State Police and Department of Education. This bill will require the Resource Officer training for intervention with students with disabilities.

Budget Discussion

Dr. Dickerson and Mrs. Croce provided a recap of the state budget and its effects on the Milford School District. The presentation included further information regarding budget strategies presented at the previous board meeting and another overview of projected tax rates for FY18.

PERSONNEL – Dr. Paul Walmsley

Personnel Reports

RESIGNATION

OVERSTREET, James
High School – Physical Education Teacher
Effective: June 30, 2017
Years of Service to MSD: 4

BUCKLEY, Lora
Ross – Child Nutrition
Effective: May 3, 2017
Years of Service to MSD: 11 days

RICHARDSON, Kenneth
High School – Science Teacher
Effective: June 30, 2017
Years of Service to MSD: 2

BROOKE, Kerri
Morris – Pre-K Teacher
Effective: June 30, 2017
Years of Service to MSD: 1

NEES, Donlynn
Central Academy – ESL Teacher
Effective: June 30, 2017
Years of Service to MSD: 2

JONES, Tara
Morris – Pre-K Teacher
Effective: June 30, 2017
Years of Service to MSD: 1

FMLA
Board Only

REDUCTION IN FORCE
Board Only

RECOMMEND FOR EMPLOYMENT – LIMITED CONTRACTS FOR PERSONAL SERVICES
High Softball, Girls, Volunteer Andrews, Rick (21B)

MOTION MADE BY MR. FRY/SECONDED BY MR. SCHELHOUSE to approve the Personnel Report as listed. **Motion carried unanimously.**

INSTRUCTION AND STUDENT PROGRAMS

Director of Secondary Education – Dr. Jason Peel

Student Code of Conduct Secondary Schools Policy #5404

Dr. Peel presented revisions to Student Code of Conduct Secondary School Policy #5404 for a first read. This proposal process is done to ensure alignment of the policy with State regulations and discipline codes, and to ensure the policy helps maintain a safe and orderly environment in schools and is fair to all shareholders including students.

Student Code of Conduct Elementary Schools Grade K through 5 Policy #5414

A first read was presented of Student Code of Conduct Elementary Schools Grade K through 5 Policy #5414. This policy will align with Policy #5404.

Field Trip Approval

MOTION MADE BY MRS. DENNEHY/SECONDED BY MR. FRY to approve the MHS field trip for the FFA Leadership Conference. **Motion carried unanimously.**

Director of Elementary Education – Dr. Bridget Amory

Parents as Teachers (PAT) ESL Partnership

Milford School District will partner with Polytech Parents as Teachers (PATs) next year to provide customized services to our district families. PATs works with families throughout the district; but, has traditionally not included a transition plan to the schools. Next year we will work together to provide a minimum of 6 collaborative community events to promote family engagement, kindergarten readiness and assist with access to community resources. This partnership does not require we allocate any additional funds and will work toward the following goals:

- Strengthen family engagement practices of families currently enrolled in the Milford School District with children ages birth – 5 who live in the district
- Assist the Milford School District in identifying students who are in need of early intervention
- Promote literacy and raise achievement for students who are at risk

Daily School Times

We have been reviewing the allocated amount of instructional times in each of our schools. We would like to increase the instructional time by approximately 10-15 minutes each day for a total of one hour or more of instructional time each week.

Dr. Amory reported conversations with the Milford Boys and Girls Club have begun to provide before and after care support onsite at our schools for the upcoming school year for families who are unable to participate at the actual Boys and Girls Club site. After consulting with the other local child care providers and reviewing our transportation and start/end times, we would likely have these options available:

- Before care at Morris Early Childhood Center
- After care at Banneker Elementary, Mispillion and Ross Elementary

BUSINESS – Mrs. Sara Croce
Revenue and Expenditure Reports

MOTION MADE BY MR. FRY/SECONDED BY MRS. DENNEHY to approve March 31, 2017 revenue and expenditure reports. **Motion carried unanimously.**

Child Nutrition Program Policy #3304A – First Read

Mrs. Croce presented the first read of the Child Nutrition Program Policy #3304A to comply with the final provisions of the USDA Food and Nutrition Service.

ADMINISTRATIVE SERVICES

Buildings & Grounds – Mrs. Sara Croce

Morris Paving Update

Bids are due May 23rd. Thank you to Representative Harvey Kenton for acquiring the funds for this project.

Ross Chiller Update

MOTION MADE BY MR. FRY/SECONDED BY MRS. DENNEHY to award Joseph T. Richardson, Inc. the bid. **Motion carried unanimously.**

Benjamin Banneker Painting

Recognition was given to the custodians and maintenance staff for painting the front of Banneker Elementary during Spring Break.

Emergency Response Information Portal (ERIP) Data

Evelyn Brown, Director, Comprehensive School Safety, DE Department of Safety and Homeland Security, congratulated the district and schools for meeting the requirements of the Omnibus School Safety Act requirements and further acknowledged that MSD is the only district that has met the requirements at 100% so far.

Transportation

The transportation office has been relocated to the District Office as of Monday, May 8th.

Technology – Mr. Scott Whaley

Contracts were signed for E-Rate with the three awarded vendors. The next step will be a program integrity review where some additional questions will be answered about the project.

Over spring break, Ross, Mispillion and Banneker were moved to Dark Fiber. Scheduling for the High School and Central Academy cutovers are being scheduled through DTI.

ADJOURNMENT

MOTION MADE BY MR. FRY/SECONDED BY MRS. DENNEHY that the Regular Meeting of the Milford Board of Education held on Monday, May 8, 2017 is adjourned at 8:50 PM. **Motion carried unanimously.**

Kevin Dickerson, Executive Secretary

Edna Rust, Recording Secretary

RECOMMEND FOR EMPLOYMENT – PROFESSIONAL CONTRACT

LINK, Noah

High School – Special Education/Math Teacher

Effective: August 23, 2017

Bachelor's Degree: Delaware State University

Years of Experience: 3

DAVIS, Courtney

Central Academy – Language Arts Teacher

Effective: August 23, 2017

Bachelor's Degree: Delaware State University

Years of Experience: 0

ALBRIGHT, Jena

Central Academy – Math Teacher

Effective: August 23, 2017

Bachelor's Degree: University of Delaware

Years of Experience: 0

CLENDANIEL, Taylor

Morris – Pre-K Teacher

Effective: August 28, 2017

Bachelor's Degree: University of Delaware

Years of Experience: 1

LUKAS, Erin

Morris – Pre-K Teacher

Effective: August 23, 2017

Bachelor's & Master's Degree: University of Delaware

Years of Experience: 7

STAMOS, Jacqueline

Ross – Grade 1 Immersion Teacher

Effective: August 23, 2017

Bachelor's Degree: College of Mount Saint Vincent

Master's Degree: University of Albany

Years of Experience: 13

TRUNZO, Jasara

Morris/Mispillion – School Psychologist (11 mo.)

Effective: August 23, 2017

Bachelor's, Master's, and Doctorate Degree: Edinboro University of Pennsylvania

Years of Experience: 0

MOTTER, Heather
Mispillion – Speech/Language Pathologist (10 mo.)
Effective: August 23, 2017
Bachelor's & Master's Degree: Clarion University
Years of Experience: 4

ANDREWS, Amber
Morris – Pre-K Teacher
Effective: August 23, 2017
Bachelor's Degree: University of Hartford
Years of Experience: 2

MCMILLAN, Leslie
High School – Allied Health Teacher
Effective: August 23, 2017
Bachelor's Degree: Wilmington University
Years of Experience: 19

LYNCH, Kate
High School – Science Teacher
Effective: August 23, 2017
Bachelor's Degree: University of Rhode Island
Master's Degree: Wilmington University
Years of Experience: 11

THOMPSON, Jeffrey
Central Academy – Music Teacher
Effective: August 23, 2017
Bachelor's Degree: Lebanon Valley College
Years of Experience: 7

RESIGNATION

CANNON, Ron
Ross – Custodian
Effective: May 27, 2017
Years of Service to MSD: 6 yrs. 10 mos.

RETIREMENT

CAREY, Cynthia
District – P/T Paraprofessional
Effective: June 30, 2017
Years of Service to MSD: 25

FMLA

Board Only

RECOMMEND FOR EMPLOYMENT – SUMMER SCHOOL

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

Nurses

Cole, Kim

Rash, Cheryl

Substitute Nurse

Nash, Ann-Marie

Teachers

DiCostanza, Kevin

Hamilton, Michelle

Coverdale, Emily

Courtney Davis

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

4101

DISCRIMINATION

The Milford School District is an Equal Opportunity Employer and does not discriminate in employment or in educational programs, services or activities on the basis of race, color, ~~national origin, sex, sexual orientation, age, disabilities, marital status, genetic information and medical testing or Veteran Status.~~ **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.**

The district, therefore, commits itself to non-discrimination in all matters concerning staff, students, education programs and services, and persons with whom the Board does business.

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. Persons with disabilities or other special needs are encouraged to make contact as soon as possible, in order that reasonable accommodations can be made.

References:

- (1) Governor Tribbitt's Executive Order 40.
- (2) "Title IX" of Educational Amendments of 1972, Public Law 92-318 as amended by Public Law 93-568 "Nondiscrimination on Basis of Sex".
- (3) "Title VII" of the Civil Rights Act of 1964.
- (4) Agreement between Board of Education, Milford School District and the Milford Education Association.
- (5) Public Law 93-112 as amended by Public Law 93-516 and 94-142 Nondiscrimination On Basis of Handicap.
- (6) Americans with Disabilities Act
- (7) State of Delaware, Title 19, Labor General Provisions Chapter 7 Subchapter II.

ADOPTED: 8/17/70; 2/19/73; 11/10/75; 2/16/76; 7/18/77; 11/19/84; 10/23/89;
9/28/92; 12/16/02

REVISED: 6/21/10; 9/24/12; 11/25/13; 6/19/17

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

4308

SALARY SCHEDULE: SUBSTITUTES

Persons employed as substitutes shall be paid as follows:

1. Teachers: Substitute teachers will be compensated in accordance with the individual's classification as a Class A, Class B, or Class C substitute on the salary scale found in 14 Delaware Code, Chapter 13, Section 1326. ~~Substitute teachers serving in a long term capacity shall receive, at a minimum, an increase of 1.5 times their Class rate after 10 consecutive days of service.~~
2. Nonprofessional Personnel:
 - a. Paraprofessionals – to be compensated in accordance with the Class C Substitute rate found in 14 Delaware Code, Chapter 13, Section 1326. ~~Substitute paraprofessionals serving in a long term capacity shall receive, at a minimum, an increase of 1.5 times the Class C rate after 10 consecutive days of service.~~
 - b. Custodian – to be compensated in accordance with the hourly rate calculated at 0 years experience for salary scales found in 14 Delaware Code, Chapter 13, Section 1311, Custodian and MSD Board Policy 4303(a) Custodian. (The annual salary shall be divided by 261 days and then further divided by 8 hours.)
 - c. Child Nutrition – to be compensated in accordance with the hourly rate identified at 0 years' experience.
 - d. Secretaries – to be compensated in accordance with the hourly rate calculated at 0 years experience for salary scales found in 14 Delaware Code, Chapter 13, Section 1308, Senior Secretary and MSD Board Policy 4305 Senior and Financial Secretary. (The annual salary shall be divided by 261 days and then further divided by 7.5 hours.)

Hourly rate is used for personnel working less than a full work day.

3. School Nurse \$160.00 per day

ADOPTED: 7/18/77; 12/19/78; 1/21/80; 1/19/81; 10/23/89; 2/25/91; 6/21/93;
7/1/97; 5/24/99; 10/1/2000; 9/23/02; 12/16/02; 2/24/03; 7/8/13, 12/25/16; 6/19/17

**MILFORD SCHOOL DISTRICT
POLICY**

5404

STUDENT CODE OF CONDUCT – SECONDARY SCHOOLS

CHAPTER I

INTRODUCTION AND STUDENT EXPECTATIONS AND RESPONSIBILITIES

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:

- A. Administrative, staff, student, and parent suggestions;
- B. Legal interpretation; and
- C. Annual Review

STUDENT EXPECTATIONS

Students are expected to:

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

CHAPTER II STUDENT RIGHTS AND RESPONSIBILITIES

BOOKBAG / PURSE POLICY

SEARCH AND SEIZURE

Students shall be free from unreasonable search and seizure of property as guaranteed by the Fourth Amendment to the U.S. Constitution. This individual right is balanced by the school's responsibility to protect the health, safety, and welfare of others. Student lockers, desks and cubbies are the property of the school and may be subject to search by an administrator at any time with or without reasonable suspicion to protect the health, safety, and welfare of others. Searches shall be based upon reasonable suspicion that the student's person or property contains prohibited substances, items, or material detrimental to the health, safety and welfare of other students or staff, or in violation of the law or rules of the Student Code of Conduct. Students are responsible and accountable for the contents of all items found in their lockers, book bags, purses, and 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 beeper~~, cell phone, ~~or other communication mechanism~~; 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.

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 are on Free or Reduced Lunch may work for the school to clear the debt at the minimum wage rate.)~~ The school is required to begin the collection process within a week after the debt occurs when the student is delinquent in paying. The school will not allow student debts to accumulate to the end of a marking period or semester to begin the collection process.

Under \$25: After allowing one week for payment, the student will be assigned up to three individual school detentions. If the student pays the debt prior to any of the detentions, they will be cancelled.

Over \$25: After applying the same penalty as Under \$25, the student will be barred from attending all school activities, including Homecoming, Prom, and Commencement. **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 ~~Magistrates Court~~ **Justice of the Peace** for restitution of all debts over \$25. ~~50.~~

DRESS CODE

K-12 SCHOOL DRESS CODE POLICY

Milford School District School Dress Code Policy Statement

This school dress code policy will supersede any and all previous dress code policies. The required style of dress must be worn to enter the building on a normal school day from entry to dismissal unless otherwise authorized by Administration.

All Clothing is Solid Color

Approved Dress code bottoms include Khaki (definition: a pair of pants made of khaki or fabric of a khaki color; beige cloth: a tough pale brown fabric) style pants, walking shorts, capris, skorts, skirts (no slits), jumpers or dresses. Approved colors are solid black, navy or tan.

- ~~A. No denim or stretch apparel of any type will be permitted.~~
- ~~B. Shorts, skorts, skirts, jumpers or dresses must be to the knee or longer in length.~~
- ~~C. A solid color belt, for secondary students only, must be worn if pants or shorts have belt loops. The belt buckle must be plain and free of embellishments.~~
- ~~D. Clothing items must be worn at the natural waist.~~
- ~~E. Solid color (black, white, navy or tan) leggings, tights or nylons may be worn under skirts that are no shorter than the knee.~~
- ~~F. Clothing must be sized to fit the student (no loose, baggy or form fitting appearance).~~
- ~~G. Chains, wallet chains and spiked jewelry are not permitted.~~
- ~~H. Cotton or mesh gym shorts may be worn for elementary but must be to the knee.~~

Approved Dress code tops must be Maroon, Black, Gold, Yellow, Navy or White Polo Shirts (No red or other shades of blue.)

- ~~1. **All polo shirts must be collared, 2-4 buttons, and solid in color.** They must be short or long sleeve. (No sleeveless) (Shirt collar must be visible at all times)~~
- ~~2. Only top button can be unbuttoned.~~
- ~~3. Turtlenecks (mock and regular) or t-shirts (short sleeve and long sleeve) of an approved solid color may be worn **underneath** polo shirts~~
- ~~4. Anything designated as an undergarment (except t-shirts), camisoles, for example, cannot be revealed.~~
- ~~5. No skin or undergarments should be visible between the waistband of the pants and the bottom of the shirt.~~
- ~~6. Hooded apparel is not permitted.~~
- ~~7. Solid 2-4 button collared polo shirts of the approved color may have a **small** emblem on the left chest. MSD issued collared polo shirts may also be worn.~~

- ~~8. No over garments, such as sweatshirts, hoodies, or jackets may be worn over the polo during the school day.~~
- ~~9. Black, white maroon, navy and gold pull over V-neck, crew neck, or button down cardigan sweaters may be worn over the polo as long as the collar is visible. Appropriate physical education attire is determined by the physical education teacher.~~
- ~~10. Cut-offs, frayed seams and holes are not permitted on any clothing. Hats, head coverings (except for religious practices), visors, scarves/bandanas, combs/picks and sunglasses (except with a doctor prescription) may not be worn in the building.~~

Footwear

- ~~1. Students must wear appropriate footwear at all times as designated by the school administrators. No shoes with wheels or bedroom slippers are permitted. Elementary students are not permitted to wear flip flops and need to have a closed toed shoe and secured to foot by strap or shoelaces.~~

~~New students who have not been previously enrolled in the Milford School District will have (5) school days from their enrollment date to come into compliance with the uniform policy.~~

Any questions concerning this policy, please contact your child's school.

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 ~~you drive~~ a student drives to school without regard to who owns the vehicle. Before a student you brings a vehicle to school, or a school activity, he/she should carefully inspect the vehicle. If you fail to lock your vehicle, or permit the vehicle is left unlocked or others are allowed to access to your vehicle, you the student who drove the vehicle to school remains responsible for items found in the your 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.

PERSONAL EQUIPMENT (moved above)

Students are not allowed to bring or use radios, cameras, CD players, MP3 players, electronic games or other electronic devices to school. These items are too valuable to run the risk of having them damaged or stolen and are disruptive. If these items are brought to school, they will be turned into the office and must be picked up by the student's parent(s). A second offense may result in confiscation until the end of the school year.

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 AND COMMUNICATION DEVICES

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.

~~Students are not allowed to bring or use other electronic devices to school. These items are too valuable to run the risk of having them damaged or stolen and are disruptive. If these items are brought to school, they will be turned into the office and must be picked up by the student's parent(s). A second offense may result in confiscation until the end of the school year.~~

VISITORS TO SCHOOL/CONFERENCES (remove to parent handbook)

Parents are welcome to visit the school. If a parent wishes to talk with or visit the classroom of a specific staff member, s/he should call for an appointment since we cannot call teachers from their classes, and our administrative and counseling staff is often unable to see an unexpected visitor because of previously made commitments. For the protection of our students, all visitors must register and obtain a visitor's pass at the school office immediately upon entering the building. Visitors are reminded not to park in areas with yellow curbs. Student-age visitors are not permitted on school grounds while school is in session unless prior permission is granted by a school administrator.

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 II

SAFEGUARDS AND CONSEQUENCES

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.
- (1) ~~These rules and the due process procedure must be explained over the public address system, designated classrooms, or at a school assembly at the beginning of the school year.~~
- (2) ~~Teachers must discuss these rules with their classes to insure that the rules are understood.~~

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 "Due Process Hearing."~~

- 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.
 - ~~(1) The student must be given a clear statement of his/her violation.~~
 - ~~(2) The student must be given an opportunity to clear himself/herself.~~
 - ~~(3) The student may:~~
 - ~~(a) give names of witnesses; b) tell his/her side of the story; c) produce evidence on his/her behalf; d) question the evidence presented against him/her.~~
- D. Parent Notification
 - a. Parents are to be informed of incidents as soon as possible. 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.

PARENT NOTIFICATION

~~, by phone, letter, or other written notification, as required by the Code.~~

STUDENT DISCIPLINE— 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

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 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.** ~~give written decision within four (4) school days of the conference.~~ 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.
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.

~~The Board may, after a proper hearing, suspend a child for such times as it deems necessary or may permanently expel him/her.~~

Students suspended, placed at alternative school, or expelled or from school are also excluded from school-related activities and are not permitted on school property while school-related activities are in progress.

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, and the Visiting Teacher will make a home visit that evening. 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.
2. ~~Student suspension should be assigned no more than two days from the date of referral. Referrals should be filed within two days of the offense unless extenuating circumstances such as, but not limited to, completing an investigation or making parent/guardian contact prevents the prompt filing of the report.~~
 3. ~~The parent/guardian/emergency contact will be notified whenever a student is suspended and a specific protocol followed by the administrator (see attachments).~~
 5. ~~Any out of school suspension greater than five days in duration will require the approval of the superintendent or his/her designee.~~
 - ~~Prior to a suspendable offense, the student will be given oral or written notice of the charges and duration of the suspension.~~
 - ~~Due process will be provided, giving the student an opportunity to tell his/her side of the story. (See Attachments)~~
 - ~~In all events, parents will be notified by telephone to request that the suspended student be~~
 - ~~Any student suspended out of school must have a student/parent conference with an administrator before being reinstated.~~

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~~ASSIGNMENT TO EDUCATIONAL ALTERNATIVES~~

A student may be assigned to ~~Educational Alternatives~~ **an Alternative Program** because of serious or repeated violations of the Code. Assignment to **an Alternative Program** ~~Educational Alternatives~~ 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 14 **DE Admin. Code** 614 §4112
- 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.

~~Assignment to an alternative school program requires Superintendent and/or Board approval. Prior to placement in Educational Alternatives, the student and the student's parents shall confer with the administration and/or administration and teachers about the student's need to be in the special program. This conference shall include a discussion of the following:~~

- ~~1. The circumstances which led to the placement recommendation;~~
- ~~2. How the special program is designed to remedy the student's needs;~~
- ~~3. The conditions which must be met in order for the student to return to the regular school programs;~~
- ~~4. If parental approval is required for the placement, the written approval of the parents shall be sought at the close of the conference; and~~
- ~~5. If parental approval of the placement is not required, the student and the student's parents shall be advised that the placement may be the subject matter of a grievance.~~

~~A Principal may refer a student for Alternative Placement for any severe disciplinary violation for which Alternative Placement may be a consequence as specified in the district/charter school Student Code of Conduct and the student's behavior is within the defined conduct under 14 DE Admin. Code 614.~~

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** ~~for the remainder of the school year,~~ 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, ~~emergency placements~~ Interim Alternative Educational Settings may be invoked by the District, including homebound instruction.

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 for the remainder of the school year, 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.~~

STEP 1

- ~~A. The student shall be suspended for up to ten (10) days.~~
- ~~B. The principal shall investigate all aspects of the discipline problem, including a conference with the student and his/her parents or guardians, if possible, at which time the student will be informed of the charges and afforded an opportunity to "tell his/her side of the story." This conference shall be held prior to the student's suspension.~~
- ~~C. The principal shall normally complete the investigation within three (3) school days of the incident under investigation.~~
- ~~D. If after the investigation the principal concludes that the student committed the offense and that the nature of the offense warrants a recommendation for the expulsion, the principal shall make such a recommendation in writing to the Superintendent. The recommendation must be accompanied by a summary of the principal's investigation and school discipline committee report, if applicable. It is recommended that in cases that do not pose an immediate threat to the orderly~~

functioning of the educational process or pose a danger to the health, safety, and welfare of other students, employees, or district property, that the principal convene the School Review Committee to hear the particulars of a case and participate in formulating the recommendation being made to the Superintendent.

- ~~E. Once a recommendation is made to the Superintendent, he/she will forward the case to the Central Review Committee for study and recommendation, unless it is a situation involving unique or severe offenses which pose an immediate threat to the orderly functioning of the educational process or pose a danger to the health, safety, and welfare of other students, employees, or district property. The Central Review Committee will review the evidence and procedures followed in the case and make a separate recommendation to the Superintendent.~~
- ~~F. The Superintendent will review the recommendations and if the Superintendent or designee concurs with a recommendation for expulsion, the student's suspension may be extended pending a formal hearing before the Board of Education.~~

STEP II

- ~~A. If the Superintendent, or designee, concurs with the recommendation from the principal and Central Review Committee, the Superintendent, or his/her designee, shall within seven (7) school days from the first date of suspension for the incident giving rise to the expulsion recommendation, notify the student and the student's parents or guardians of intent to expel and of the date, time and location for a formal hearing on the recommendation for expulsion. The notice of intent to expel shall be sent by certified mail or hand delivered and shall state the reasons for the expulsion and the time and place of the hearing. In addition, the notice shall be accompanied by a copy of the rules of procedure for the conduct of disciplinary hearings.~~
- ~~B. The formal hearing shall be held not less than three (3) nor more than ten (10) school days after the notice of intent to expel is given. The time period may be modified by agreement of both parties.~~
- ~~C. The formal hearing shall be conducted by a Hearing Officer, who is hired by the district to conduct the hearing according to the Board's regulations.~~
- ~~D. The Hearing Officer shall have full authority to control the conduct of the hearing, including authority to admit or exclude evidence. The Hearing Officer in conducting the hearing shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure. The Hearing Officer shall exclude plainly irrelevant evidence. Unduly repetitive proof shall be excluded. The witnesses shall be sworn by the Hearing Officer.~~
- ~~E. The student shall have the following rights in a hearing:~~
 - ~~1. To be represented by counsel, at the student's expense;~~
 - ~~2. To question any witnesses who testify and receive a copy of any statements and/or affidavits of such witnesses;~~
 - ~~3. To request that any witnesses appear in person and answer questions or be cross-examined. Student witnesses will not be excused from school or allowed to testify without subpoena or parent(s)/guardian(s) permission;~~
 - ~~4. To testify and produce witnesses on his/her behalf;~~
 - ~~5. To obtain, upon written request, a copy of the transcript or tape of the hearing.~~

STEP III

- ~~A. Within ten (10) calendar days following the hearing, the Board shall decide whether to expel the student following a review of the evidence produced at the hearing. The Board's decision shall state conclusions of fact and the penalty to be imposed upon the student.~~
- ~~B. The duration of an expulsion is within the discretion of the Board based upon the circumstances of each case. An expulsion shall not exceed 180 days of school.~~

STEP IV

- ~~A. The parents/guardians of a student who is expelled shall be informed that they may apply for the~~

~~student's readmission at the end of the period of expulsion and must provide verification that all conditions for readmission have been met.~~

- ~~B. The student and family will be given exit advice on the educational options and rehabilitative counseling that may be available during the expulsion period.~~
- ~~C. Upon readmission to school, the student will be placed on probation. The student will be assigned to a counselor who will monitor his/her behavior, academic performance, and provide assistance for a period of at least one semester.~~
- ~~D. A student is prohibited from being on Milford School District property during the expulsion period except when accompanied by a parent or guardian for a scheduled appointment with school officials.~~
- ~~E. A student shall only be readmitted at the beginning of a marking period.~~

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) 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, emergency placements 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. Staff is expected to use good classroom management practices and behavioral

interventions to help all students comply with the school rules and regulations. They are responsible for engaging students in appropriate learning activities and attempting to redirect off-task student behaviors before they become a violation of the code of conduct. Students are responsible for learning the code of conduct and following the rules and regulations of the school. They are responsible for following teacher directions and helping to maintain a classroom atmosphere that is conducive to learning.

SMOKING

The State of Delaware prohibits smoking by all persons within all buildings, facilities and school grounds of the District. **Smoking includes the use of vape pipes and e-cigarettes.**

COMMUNITY NOTIFICATION – SEX OFFENDER GUIDELINES (remove to student handbook)

As a result of the passage of H.B. 458 the Delaware General Assembly has determined community notification is the primary responsibility of law enforcement. The posting of this information is required by law and is available on the Delaware State Police Sex Offender Registry website (www.state.de.us/dsp/sexoff). Adults or juveniles who are convicted or adjudicated of specific sex offenses are required by law to be registered. State and local police agencies send to public schools written notification of registered sex offenders who attend the schools or reside in the community. However, to help keep children safe the following are required of schools:

1. All schools and district office in the Milford School District shall have information on sex offenders easily accessible through a binder kept in the main office available to view upon request by adults and juveniles with adult supervision. No notification shall be removed from the binder unless the school is notified of an address change informing them that the offender has moved from the community.
2. All Milford School District schools shall allow community members to have access to the State's community notification web-site in the school building.
3. It is the school's responsibility to ensure that all staff is aware of registered sex offenders in the community.
4. All Milford School District schools should regularly inform parents through existing communication methods such as newsletters of the availability of notifications if there are changes to the information enclosed in the binders.
5. All schools are prohibited from the physical posting of sex offender notifications.
6. All schools should have a significant role in educating students about personal safety and awareness, consistent with the Delaware Health Education Curriculum Framework.
7. All schools shall keep the Note to Parents (Attachment A) with any notification viewed by parents.
8. All schools shall distribute the Note to Staff (Attachment B).
9. All schools will maintain a log to document receipt of a Sex Offender Notification and appropriate distribution.

UNSAFE SCHOOL STUDENT TRANSFER OPTION PROGRAM

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

The Milford School District complies with the Federal *No Child Left Behind* 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 weapons in school. In compliance with the Federal Gun-Free Schools Act of 1994, the District adopts the following policy:

Possession of a weapon, 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.

CHAPTER III VIOLATIONS OF THE STUDENT CODE OF CONDUCT

(moved above to page 1)

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:

- D. Administrative, staff, student, and parent suggestions;
- E. Legal interpretation; and
- F. Annual Review

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. This means that the staff member is required to send a discipline referral to the office by the end of the day the student was sent out of the room. This will give the person dealing with the student the necessary information to process the student. Also, the teacher is required to make a parent contact. 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.

When students are to be removed from a class or school activity during the school day, an adult staff member will escort them to the appropriate school office. Students will not be sent out of class to report to the office alone or with another student. 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. If immediate violence is a consideration, the staff member will take whatever steps are reasonably necessary to prevent the situation from escalating and separate anyone they deem necessary. If the student refuses to leave the area and go to the area designated by the adult staff member, the police will be summoned to remove the student, with reasonable force, if necessary, at the discretion of the police. Charges will be filed at the discretion of the administration, involved faculty and police.

Removal may be permanent or temporary. The teacher and principal will determine terms of removal by applying Code of Conduct, other rules or policies and the needs of the student and the other students involved. If teacher and principal do not agree on the outcome, the principal will give a written explanation to the teacher within three working days. If needed, a formal hearing may be held before the superintendent/designee to determine status of the student relative to enrollment and/or participation in class or activity. School board policies for hearings and state law apply to these circumstances.

CHAPTER ~~III~~ IV VIOLATIONS OF THE STUDENT CODE OF CONDUCT

~~SEXUAL HARASSMENT BY DISTRICT STUDENTS OR HARASSMENT OR MISCONDUCT BY STUDENTS BASED UPON RACE, NATIONAL ORIGIN, DISABILITY, RELIGION, SEXUAL ORIENTATION, OR SIMILAR CHARACTERISTIC~~

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. Sylvia Henderson, Dr. Paul Walmsley, Director of Personnel Student Support at the administrative office. 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.

State and district policies shall apply to all students except that with respect to disabled students, the Federal Law will govern and a determination of whether the violation of the alcohol policy was due to the student's disabling condition will be made prior to any discipline or change of placement in connection with the policy.

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 referred to the Board Hearing by the administration for an expulsion hearing. The investigation leading to the recommendation for expulsion will be conducted 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 director of instruction. In cases involving special education students, the Board Hearing may, at its discretion, waive a hearing and accept the IEP Team recommendation of the particular school.
2. The act of expulsion shall be taken in accordance with due process rights and on the documented evidence presented by the administration. The student will be expelled for a term not to exceed one calendar year and credit will not be given for courses in which the student is currently enrolled. An expelled student can reenter school at the end of the term of expulsion and upon Board Hearing approval, and may be placed under a behavior contract agreed upon by the principal, Superintendent or designee, and the student and parent(s).
3. Students in grades nine through twelve who are expelled from school for offenses related to substance abuse may earn up to three credits through correspondence programs accepted by the

Milford School District. Three credits from correspondence programs are the maximum accepted by the state that can be applied toward a diploma.

4. 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 and identify the time and place of the student's hearing before the school Board Hearing. This hearing before the school Board Hearing should be held within ten school days from the beginning of the student's suspension. If an exception is made to the time line, the school Board Hearing will provide homebound instruction to the student until such time as the Board Hearing can convene to hear the student's case.
5. 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.
6. 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.
7. 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. All suspensions covered under this policy may be appealed to the Milford School Board Hearing. All appeals must be made in writing within ten (10) days of initial suspension. In addition, the student is also subject to discipline and punishment under Delaware Code and the Milford School District's Discipline Policy.
8. 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.

The Discipline Hearing realizes that a policy that supports the recommendation of expulsion on the first offense for all drug and alcohol violations may have some undesired consequences because when a student is out of school for any reason, both the school and student are not fulfilling their primary purpose. However, an overriding consideration in proposing expulsion is the desire and need to provide as safe and positive an environment as possible for all students in the school, which sometimes necessitates the removal of students who commit certain serious offenses.

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. No record of the request will be made by the administration. 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 Discipline Hearing 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 Discipline Hearing has also designated the school nurse and/or psychologist in district elementary schools and guidance counselors and/or nurse in the secondary schools 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. Each school contact person will keep a directory of available community and school resources for counseling and substance abuse treatment. It will be the responsibility of the contact person to work with staff to make them aware of available resources and to help them to encourage students to seek support and assistance.

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.

Once intent to use, possess, or transfer a non-controlled substance as a controlled substance is established, refer to #40 for appropriate penalties.

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

To further these goals, and as required by 14 Del. C. 4112D, 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.¹

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.

¹ Legal or Regulatory Requirements are in *italics* throughout.

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: Unwanted touching of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is 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. An electronic system will be established whereby a person can email or call in anonymous complaints of bullying that only designated persons will have access to.
 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.

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.

MILFORD SCHOOL DISTRICT SECONDARY SCHOOLS INFRACTION CODES

Abusive Language to Staff	M030, S030
Academic Cheating	M014
Acceptable Use Policy Violation	M018, S018
Alcohol, Possession or Use	D05
Assault III	C02
Attorney General Report/Off Campus Conduct	M016, S016
Biting/Scratching – Broken Skin	M115
Bomb Threats	D02
Bullying	D07
Bus Violation(s)	M017
Criminal Mischief (Vandalism)	D03
Defiance of School Authority	M008
Disruption of Educational Process	M009
Dress Code Violation	M029
Drug Paraphernalia	D11
Extortion – School Violation	M107
Failure to Obey Safety Procedures	M108
Failure to Perform Properly During ISS	M020, S020
Failure to Provide Requested Identity	M021, S021
Failure to Report for Disciplinary Action - Office	M023, S023
Failure to Report for School Detention	M022, S022
Failure to Report to ISS	M104
Felony Theft (\$1000+)	D06
Fighting/Disorderly Conduct	D11
Group Fighting/Premeditated Assault	D11a
Fire Alarm Incident	M015, S015
Forgery or School Correspondence Destruction	M105
Gambling – School Violation	M024, S024
Harassment	M113
Horseplay and/or Reckless Play	M110
Inappropriate Behavior	M010, S010
Inappropriate Sexual Behavior	M116
Inflammatory Actions	M010a
Inhalants	D12

Leaving School Grounds w/o Permission	M005, S005	
Littering	M109	
Loitering	M007, S007	
Misrepresenting the Truth/Lying	M101	
Offensive Touching – School Violation	M114	
Offensive Touching – Employee Victim	C04	
Offensive Touching – Student Victim	D08	
Open Display of Affection	M102	
Pornography: Possession and Production	D01	
Possession of Unauthorized Comm/Electronic Devices	M103	
Profanity, Use of	M001, S001	
Prohibited Controlled Substances (Title 16)	C07	
Sexual Harassment – Student Victim	D10	
Skippping Class (Class Cutting)	M004, S004	
Stealing/Theft	M011, S011	
Tampering with Public Records	D04	
Tardiness	M003, S003	
Terroristic Threatening – Employee Victim	C05	
Terroristic Threatening – Student Victim	D09	
Tobacco	M006, S006	
Trespassing	M027, S027	
 Truancy	 M002	 Refer to MSD Attendance
Policy #5403,	S002	
Unauthorized Use of Technology	M106	
Unlawful Sexual Contact III	C03	
Unprepared for PE Class (Chronic)	M028, S028	
Unsafe Driving	M012, S012	
Unsafe Items	M013, S013	
Violent Felony (Listed in Title 14, Section 4112)	C01	
Weapons Offenses (Listed in Title 14, Section 4112)	C06	

STUDENT DISCIPLINE – SCHEDULE OF SINGLE OFFENSES AND ACTIONS

INFRACTION CODE NUMBER	OFFENSE	Number of Year Offenses (A new record is started each year)				
		1st	2nd	3rd	4th	5th
		ACTION	ACTION	ACTION	ACTION	ACTION
M030, S030 SO301	Abusive Language to Staff Abusive/Inappropriate Language	L to N	N	N	N, R	S
M014 SO141	Academic Cheating	Z, D	H, Z	I, Z	Up to R	Up to R
M018, S018 S0181	Acceptable Use Policy Violation	L or R	R	R	S	S
D05 D0501	Alcohol, Possession or Use	R	R	R	S	S
G02	Assault III	P	P, R	P, R	S	S

C0201						
M016, S016 S0161	Attorney General Report/ Off Campus Conduct	R	R	R	S	S
M115	Biting/Scratching — Broken Skin	H	I	M	R	R
D02 D0901/D0902	Bomb Threats Terroristic Threatening Student/Employee	R	R	R	S	S
D07 D0701	Bullying	L	N	R	S	S
D03 D0301	Criminal Mischief (Vandalism)	Up to R,U	Up to R,U	R,U	S,U	S,U
M008 S0081	Defiance of School Authority	H to L	I to M	N	N	N to R
M009 S0091	Disruption of Educational Process	F	G	H	I	I
M029 S0291	Dress Code Violation	E,O	H	H	I	N
D11 D1301	Drug Paraphernalia	R	R	S	S	S
M107	Extortion — School Violation	R	R	R	R	S
M108	Failure to Obey Safety Procedures	A	G	D	H	H
M020, S020 S0201	Failure to Perform Properly in ISS	L	M	N	R	R
M021, S021 S0211	Failure to Provide Requested Identity	I	L	M	R	R
M023, S023 S0231	Failure to Report Disciplinary Action	N	N	R	R	R
M022, S022 S0221	Failure to Report — School Detention	H	I	I	J	J
M104	Failure to Report to ISS	N	N	R	R	R
D06 D0601	Felony Theft (\$1000++)	R,U	R,U	S,U	S,U	S,U
D11 D1101	Fighting/Disorderly Conduct	P,R,I	P,R	P,R	S	S
D11a	Group Fighting/Premeditated Assault	R,S	S	S	S	S
M015, S0-15 S0151	Fire Alarm Incident	R	P,R	S	S	S
M105 S0321/S0322	Forgery, School Correspondence Destruction Falsification Written/Verbal	H	I	L	M	R
M024, S024 S0241	Gambling — School Violation	H	N	R	R	R
M113	Harassment	H	L	N	N	R
M110	Horseplay and/or Reckless Play	H	I	L	M	R
M010, S010	Inappropriate Behavior	F to N	F to N	F to N	F to N	F to N
M116	Inappropriate Sexual Behavior	N	N	N	S	S
M010a S0302	Inflammatory Actions Instigation	H to N	L to N	M to N	N	R

D12 D1201	Inhalants	R	R	R	S	S
M005, S005 S0051	Leaving School Grounds w/o Permission	H	I	J	J	R
M109	Littering	A	B	C	D	G
M007, S007 S0071	Loitering	H	I	J	J	J
M101	Misrepresenting the Truth/Lying	G to H	H	I	J	J
M114	Offensive Touching/Pushing/Shoving	H	L	M	R	R
C04 D0802	Offensive Touching-Employee	P to R	R	R	S	S
D08 D0801	Offensive Touching—Student Victim	M	N	R	R	R
M102	Open Display of Affection	F	F	F	G	H
M014a	Plagiarism Is this Academic Cheating?	H,Z	I,Z	Up to R	Up to R	Up to R
D01 D0101	Pornography: Possession & Production	N	N,I	N	R	S
M103 S0311	Unauthorized Comm./Electronic Device	O,X	H,X	I,X	N,X	N,X
M001, S0011	Profanity, Use of	D	H	I	L	M
C07 D0502	Prohibited Controlled Substance Title 16 Drug Use/Influence	R	R	S	S	S
D10A D1001	Sexual Harassment—Staff Victim	R	R	S	S	S
D10	Sexual Harassment—Student Victim	N	N	N	R	R
M004, S004 S0041	Skiping Class (Class Cutting)	H	I	J	J	R
M011, S011 S0111	Stealing/Theft	N,U	N,U	R,U	S,U	S,U
D04	Tampering with Public Records	N to R	R	R	R	R
M003, S003 S0032	Tardiness: Late to Class (every 3rd tardy)	F	F	G	G	H
C05 D0902	Terroristic Threatening—Employee Victim	R	R	S	S	S
D09 D0901	Terroristic Threatening-Student Victim	R	R,P	S,P	S,P	P
M006, S006 D1401	Tobacco	N	N	N	N	N
M027, S027 S0271	Trespassing	L	L	M	M	N
M002, S002	Truancy-Unexcused absence/skipping school	H	H	H	H	H
M106 S0311	Unauthorized Use of Technology	H	J	N	R	R
C03 C0301	Unlawful Sexual Contact III	R	R	R	S	S
M028, S028 S0281	Unprepared for PE Class (Chronic)	A	B	C	F	H

M012, S012 S0121	Unsafe Driving	✓	✓	✓	✓	✓
M012A S0122	Parking Violation	H	†	L	N	N
M013, S013 S0131	Unsafe Items	X,N	X,N	X,N	X,N	S
C01	Violent Felony (listed in Title 14, Sec 4112)	R	R	R	S	S
C06	Weapon Offense (listed Title 14 Sec 4112)	R	R	R	S	S

LEVELS AND **GLOSSARY** ACTIONS AND CONSEQUENCES

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

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.

GLOSSARY — As used in this Code; Guided by DOE Reporting School Crimes & Delaware Code, Title 14, Section 4112:

Abusive 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.

Administrative Referral — disciplinary student conference with the principal or assistant principal for the purpose of eliciting student improvement and determining consequences for inappropriate actions.

Assault III (Misdemeanor) — intentionally or recklessly causes physical injury to another person.

Assignment to Educational Alternatives — the placement of the student in an appropriate alternative situation until the student has satisfied the requirements to return to the regular program.

Attorney General Report and Off Campus Conduct — The Code of Conduct shall also apply to all **Attorney General Reports** and to **Off Campus Conduct** (Out-of-School Conduct) of a student if the District believes that the student presents a threat to the health, safety or welfare of other students and staff. In such cases, the District may take appropriate action including expulsion. Such conduct shall include, but is not limited to: 1) acts of violence which are punishable by law; 2) sexual offenses which are punishable by law; 3) the sale and/or transfer of drugs which is punishable by law; and 4) terroristic threats against the school and/or school personnel. The District may take appropriate action including expulsion.

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.

Bus Violation(s) — individual or group behavior which seriously or repeatedly interferes with effective functioning of the bus driver.

Bullying — defined as when one person or group of persons, targets another person with repeated direct or indirect negative actions over a period of time which is harmful to the victim either physically or emotionally. A negative action occurs when a person knowingly inflicts, or attempts to inflict physical or emotional injury or discomfort upon another person.

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 a **school review committee** or administrator. Committee is headed by the Director of Secondary Education or Instruction/Designee and is made up of school personnel from throughout the district. Committee will pass on its recommendation to the Superintendent/Designee.

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.

Class Cutting (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.

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.

Defiance of School Authority—student uses defiant verbal or non-verbal behavior towards school personnel.

Disobedience—Refusal by a student to comply with a directive given by school personnel.

Disruption of the 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.

Behavioral Contract-Disciplinary/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**, she/he will be referred to the School Review Committee for a decision about further actions, which may include a referral to the Central Review Committee or the possibility of a recommendation of **for** expulsion. and/or alternative placement, and a hearing before the Board.

Extended School—an established time after school when a student is detained in a supervised area.

Extortion—School Violation—student attempts to obtain money or goods from another by threat or force.

Failure to Report for Detention—not showing up for a detention without prearranged permission.

Failure to Report for Disciplinary Action—not showing up for ISS without prearranged permission or failing to go to office or refusal to give name.

Fighting—two or more students are involved in an aggressive physical contact (mutual exchange of blows).

Fire Alarm Incident—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.

Forgery or School Correspondence Destruction—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.

Harassment—sexual harassment or harassment is defined as misconduct by students based upon race, national origin, disability, religion, sexual orientation, or similar characteristic.

Horseplay and/or Reckless Play—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.

Inappropriate Behavior—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 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.

Inappropriate Sexual Behavior—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).

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

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.

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

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

~~**Obscene** – to use lewd, disgusting, offensive, or repulsive materials, language or gestures.~~

~~**Open Display of Affection** – this includes but is not limited to hugging, kissing, or any display of affection.~~

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.

~~**Unauthorized Communication/Electronic Device** – this includes but is not limited to 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. Use of cell phone during an assessment is classified as cheating.~~

~~**Profanity, Use of** – student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar.~~

~~**Provoke** – to incite, stimulate, or encourage a student or students to fight by verbal or physical activity.~~

~~**Referral to Social Services Agencies** – a recommendation that the student seek help from a public or private social services agency.~~

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.

~~**Stealing/Theft** – act of possessing or transferring the property of another without the consent of the owner. This includes failure to pay for lost, damaged, or non-returned goods. The District is not responsible for student property which is lost, damaged or stolen on school property or at school sponsored activities.~~

~~**Tardiness** – late to class without authorization or approved reason.~~

~~**Tobacco** – possession or distribution of any tobacco product and/or lighted cigarette (cigar, pipe, etc.); inhaling or exhaling smoke, chewing or using tobacco products.~~

~~**Trespassing** – the student does not have a legitimate reason or permission from a school administrator, for being on school property or remains unlawfully upon school property.~~

~~**Truancy** – an unexcused absence; refer to MSD Attendance Policy #5403. Chronic Truants will be referred to Truancy Court.~~

~~**Unauthorized Use of Technology** – it is a violation of Delaware Law for persons to make unauthorized computer access, make theft of services or equipment, cause interruption of services, alter, delete, tamper with, or destroy computer hardware or software. Includes but not limited to: accessing inappropriate internet sites, downloading large files without permission, broadcasting network messages, logging in to another person's directory.~~

~~**Unsafe Driving** – 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.~~

~~**Unsafe Items** – utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration.~~

~~**Weapon/Dangerous Instrument** – 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; 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.~~

~~**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>.

STUDENT DISCIPLINE – SCHEDULE OF SINGLE OFFENSES, DEFINITIONS AND ACTIONS

NUMBER	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
M115		Biting/Scratching— Broken Skin	No state code (Reckless behavior/horseplay)	H	I	M	R	R
D11a		Group Fighting/Premeditated Assault	No state code (Assault III/Fighting)	R,S	S	S	S	S
M109		Littering	No state code (Criminal Mischief/Vandalism)	A	B	C	D	G
M114		Offensive Touching/Pushing/Shoving	No state code (Fighting/Disorderly Conduct)	H	L	M	R	R
C07		Prohibited Controlled Substance Title 16 Drug Use/Influence	Included with "Drugs"	R	R	S	S	S
D42		Inhalants	Included with "Drugs"	R	R	R	S	S
D44		Drug Paraphernalia	Included with "Drugs"	R	R	S	S	S
M113		Harassment	(Bullying)	H	L	N	N	R
M012A		Parking Violation	(Combined above)	H	I	L	N	S
G04	C0101 C0163	Criminal Violent, Sexual, Weapons, Dangerous Instrument Felony Offense (listed in Title 14, Sec 4112)	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

M107	C0141	Extortion School Violation	student attempts to obtain money or goods from another by threat or force 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
C02	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
C03	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
C06	C0625 C0601 C0626	Deadly Weapon Possession/Concealment/Sale Weapons Offense	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
	CO121	Sexual Harassment/Assault	Any unwanted sexual behavior committed by a perpetrator who is a stranger to the victim or by a perpetrator who is known by the victim or related to the victim by blood, marriage or civil union. Behaviors that fall under this definition include but are not limited to: sexual harassment as defined in §763 of Title 11; sexual contact as defined in §761(f) of Title 11; Sexual Intercourse as defined in §761(g) of Title 11; sexual penetration as defined in §761(i) of Title 11; and child sexual abuse as defined in §901 of Title 10.	R to S	R to S	R to S	R to S	R to S
	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
D04	D0101	Pornography: Possession & Production	Possession, sharing, or production of any known obscene material in the School Environment.	N	N,I	N	R	S
D03	D0301	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.	Up to R,U	Up to R,U	R,U	S,U	S,U
D04	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
D05	D0501 D0502 D1301 D1201	Alcohol, Possession or Use and/or Possession of Drugs and/or Alcohol	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.	R	R	R	S	S

	D1601 C0701 C0719	and/or Paraphernalia and/or Inhalants and/or Medications	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.					
D06	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
D07	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.	L	N	R	S	S,U
D08	D0804	Offensive Touching— Student Victim		M	N	R	R	S,U
C04	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.	MP to R	N to R	R	S	S
D09 C06	D0901 D0902	Terroristic Threatening Bomb Threats	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
D02	D0902	Terroristic Threatening— Employee Victim Terroristic Threatening		R	R	R	S	S

		—Security Threat						
D40A	D1001	Sexual Harassment – Staff 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.	R	R	S	S	S
D44	D1101	Fighting/Disorderly Conduct	two or more students are involved in an aggressive physical contact (mutual exchange of blows) 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
M006, S006	D1401	Tobacco Possession and/or 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	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
D40	No code	Sexual Harassment – Student Victim		N	N	N	R	R
M004, S004	S0011	Profanity, Use of	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar	D	H	I	L	M
M002, S002	S0021	Truancy-Unexcused absence/skipping school 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
M003, S003	S0032	Tardiness: Late to Class (every 3rd tardy)	Late to class without authorization or approved reason	F	F	G	G	H
M004, S004	S0041	Skipping Class (Class Cutting)	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
M005, S005	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
M007, S007	S0071	Loitering	Student is present in any school area without authorization including student on school property before/after dismissal.	H	I	J	J	J
M008 M024, S024	S0081	Defiance of School Authority-Failure to Provide Requested Identity	student uses defiant verbal or non-verbal behavior towards school personnel 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

M009	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
M010, S010	S0101	Inappropriate Behavior		F to N	F to N	F to N	F to N	N to R
M108	S0102	Failure to Obey Safety Procedures 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
M110	S0107	Horseplay and/or Reckless Play 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
M116 M102	S0108	Inappropriate Sexual Behavior Open Display of Affection Inappropriate Behavior: Consensual and/or Sexual Misconduct	Any request or suggestion of action by one or more persons involving the use or display of those parts of the body generally referred to as "private" (unacceptable in public) in which he/she knows this conduct is likely to cause alarm to another person; explicit sexual actions or display; explicit written or spoken words of a sexual nature (includes photographs, other pornography and sexually related items) A consensual sexual act(s) between two individuals within the School Environment.	F to N	F to N	N to R	N	S
M011, S011	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
M012, S012	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
M013, S013	S0131	Unsafe Items	Items such as: utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration	X,N	X,N	X,N	X,N	S
M014	S0141	Academic Cheating Plagiarism	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 academic cheating. Also, plagiarism, the adoption or reproduction of original creations of another author without due acknowledgement, is considered academic cheating.	Z,D	H,Z	I,Z	Up to R	Up to R
M016, S016	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
M030, S030	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	N,R	S
M016, S016	S0161	Attorney General's Report/	The Code of Conduct shall also apply to all Attorney General Reports and to Off Campus Conduct (Out of School Conduct) of a student if the District believes that the student	R	R	R	S	S

		Off Campus Conduct	presents a threat to the health, safety or welfare of other students and staff. In such cases, the District may take appropriate action including expulsion. Such conduct shall include, but is not limited to: 1) acts of violence which are punishable by law; 2) sexual offenses which are punishable by law; 3) the sale and/or transfer of drugs which is punishable by law; and 4) terroristic threats against the school and/or school personnel. The District may take appropriate action including expulsion. 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.					
M020, S020		Failure to Perform Properly in ISS		L	M	N	R	R
M022, S022		Failure to Report – School Detention	Not showing up for a detention without prearranged permission.	H	I	I	J	S
M023, S023	S0201 S0211 S0221 S0231	Failure to Report or Perform to ISS 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. Not showing up for ISS without prearranged permission or fails to go to office or refusal to give name.	N	N	R	R	R
M024, S024	S0241	Gambling School Violation	Student participates in games of chance for money and/or other things of value.	H	N	R	R	R
M027, S027	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
M028, S028	S0281	Unprepared for PE Class (Chronic)	Student does not dress appropriately for PE class	A	B	C	F	N
M029	S0291	Dress Code Violation	Violation of Dress Code outlined in Milford School District Board Policy 5415	E,O	H	H	I	N
M040a	S0302	Inflammatory Actions 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
M106		Unauthorized Use of Technology	A violation of Delaware Law for persons to make unauthorized computer access, make theft of services or equipment, cause interruption of services, alter, delete, tamper with, or destroy computer hardware or software. Includes but not limited to: accessing inappropriate internet sites, downloading large files without permission, broadcasting network messages, logging in to another person's directory.	H	J	N	R	R
M048, S048	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

M403	S0311 S0312	Unauthorized Comm /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
M405 M404	S0321 / S0322	Forgery, School Correspondence Destruction Misrepresenting the Truth/Lying 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

BUS DISCIPLINE

Appropriate behavior on the bus is critical to the safety of every passenger on the bus, pedestrians, and other motorists. Distractions that require the bus driver to make an unplanned stop are taken very seriously and will result in a minimum 5-day bus suspension in addition to the consequences listed in the Student Code of Conduct. Following notification of a bus violation by the bus driver to the Dean of Students, a parent/guardian/emergency contact will be notified and a letter sent home (see attachment) requiring a parent signature and an explanation of how the student will be transported to and from school during the time of the suspension. If a parent/guardian/emergency contact cannot be reached, the Visiting Teacher will do a home visit that evening. In addition, bus suspensions will be applied in accordance with the following:

- **M Codes:** 3 offenses 3-day bus suspension, fourth offense 3-day suspension and bus discipline review meeting
 - First Offense Warning
 - Second Offense one day loss of riding privileges
- **D Codes:** 5-day bus suspension each offense
- **C Codes:** 10-day bus suspension each offense

DOE REGULATION 601. SCHOOL-POLICE RELATIONSHIPS

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

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

and attempted burglary of school buildings; 22) Malicious mischief and school vandalism; 23) Trespassing on school property.

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

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

~~AFFIRMATIVE ACTION~~ EQUAL OPPORTUNITY PRACTICES

The District is an equal opportunity educational institution and will not discriminate on the basis of ~~race, color, national origin, sex, or handicap in the actions, programs, or employment practices as required by Title VI, Title IX and Section 504.~~ **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.**

**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

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.

Reporting Person (optional): _____

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"/> Dean |
| <input type="checkbox"/> Administrator | <input type="checkbox"/> Parent/Guardian | <input type="checkbox"/> Friend |
| <input type="checkbox"/> Other | | |
| _____ | | |

Explain the incident:

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

MILFORD SCHOOL DISTRICT

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

Please print: _____ **Date** _____

Name _____
Last First Middle

Address _____ Zip _____

Home Phone # _____ Age _____ Date of Birth _____
Month/Day/Year

The name(s) of the adult(s) with whom you live and who are responsible for you:

Name _____ Relationship _____ Work # _____

Name _____ Relationship _____ Work # _____

Last school attended before Milford _____

Are you employed outside of school? Yes _____ No _____

If yes, where? _____

Hours you work per week (average)? _____

Do you participate in any school sports/clubs? Yes _____ No _____

If yes, please list _____

DO NOT WRITE BELOW THIS LINE

DATE	REASON FOR REFERRAL	DISPOSITION

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

- 2 -

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

MILFORD SCHOOL DISTRICT

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

Date _____

Dear Parent/Guardian:

_____ has been suspended for _____ day(s)

for the following reason(s) _____

- ~~Because of this unacceptable behavior, your son/daughter will not be allowed to attend school during the suspension period that begins on _____, _____, _____ (day) _____ (date)~~
- ~~During the suspension your son/daughter is not allowed on any school premises. Violation of this may constitute trespassing.~~
- ~~Your child is expected to make up class work missed while absent due to the suspension.~~
- ~~You may obtain your child's missed class work by contacting _____ at (302) _____.~~
- ~~A conference has been scheduled for you on _____, _____ (day) _____ (date) at _____ a.m./p.m. to discuss your child's behavior.~~
- ~~Your child is expected to return to school on _____, _____ (day) _____ (date)~~

If you have any questions about this suspension or to arrange to pick up your child's missed class work, please call (302) _____.

_____ Sincerely,

The Milford School District is an Equal Opportunity Employer and does not discriminate in employment or in educational programs, services or activities on the basis of race, color, national origin, sex, sexual orientation, age, disabilities, marital status, genetic information or Veteran Status. If any person has a complaint alleging any action which is prohibited by this policy, he/she 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

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

Student _____

Class _____

Date _____

I understand that I have received a suspension for _____

- ~~I have had a conference with a school administrator.~~
- ~~I have been able to tell my side of the story about the incident.~~
- ~~I have been given a letter to take home to my parent/guardian explaining the suspension and scheduling a parent conference.~~

During the period of suspension:

- ~~I may not be on the school's property.~~
- ~~I am expected to make up class work missed during the suspension~~
- ~~My parent may obtain class work by contacting the school.~~
- ~~It is my responsibility to complete the class work and return it to my teacher(s) within _____ days of my return to school.~~

Student's Signature

-Witness (School Staff, if applicable)

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~~policy, he/she 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

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

SCHOOL BUS SUSPENSION FORM

School _____ **Date** _____

Name of Student _____

Grade _____ **Date of Birth** _____

Date of Suspension _____

Dear Parent/Guardian:

_____ has been suspended from riding the school
bus for _____ day(s) for the following reason(s) _____

- ~~Because of this unacceptable behavior, your son/daughter will not be allowed to ride the bus during the suspension period that begins on _____, _____.~~

_____ (day) _____ (date)

He/she may resume riding the bus on _____, _____.

_____ (day) _____ (date)

- ~~During the suspension period, the parent/guardian will be responsible for making transportation arrangements for the child to and from school.~~

~~Please indicate below how your child will be transported to and from school during the time of the bus suspension (i.e. parent will drive student to and from school; student will walk to and from school; student will be dropped off by relative, etc.) and return a copy of this form to the administrator.~~

_____ Parent Signature

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MILFORD SCHOOL DISTRICT
Milford, Delaware 19963
POLICY 5414

STUDENT CODE OF CONDUCT: ELEMENTARY SCHOOLS GRADE K THROUGH 5
DISCIPLINE OFFENSE AND ACTION MATRIX
SCHEDULE OF SINGLE OFFENSES AND ACTIONS

	<p>Levels (key below):</p> <p>T – Teacher/Staff (including drivers and contractors) A – Administrator P – Police C – Committee B – Board</p>	Glossary—As used in this Code; Guided by DOE Reporting School Crimes & Delaware Code, Title 14, Section 4112:	Category	Number of Offenses			
Code	Offense	Definition		1	2	3	4 +
M030 SO301	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
C07	Prohibited Controlled Substance—Title 16 C0701—713 Specify: _____	With Drug Offense	4	A (B, P)			
C06 C0625 C0601 C0626	Weapons Offenses (C0601—626) Specify: _____ Deadly Weapon Possession/Concealment/Sale	<p>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.</p> <p>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.</p>	4	A (B, P)			

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 (B, P)			
M014 SO141	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
M008 SO081	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
M009 SO091	Disruption of Educational Process or Bus Transportation	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
M029 SO291	Dress Code Violation	Violation of Dress Code outlined in Milford School District Board Policy 5415	1	T	T	A	A
M108 SO102	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
M110 SO107	Horseplay and/or Reckless Play 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
M101 SO321	Misrepresenting the Truth 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
M001 SO011	Use of Profanity	Student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar	1	T	T	A	A
M118 SO312	Cell phone possession 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
M117	Destruction of School Property	A student, in the School Environment, intentionally or recklessly: (1) Damages	2	T	A	A	A

DO301	Criminal Mischief (Vandalism)	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.					
M119	Disruption of Bus, causing driver to stop		2	F	A	A	A
M105 SO321	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
M113	Harassment – School Violation		2	F	A	A	A
M116 SO108	Inappropriate Sexual 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
M114 D0801/ D0802	Offensive Touching – School Violation	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
M011 SO111	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
M027 SO271	Trespassing – School Violation	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.	2	T	A	A	A
M111 SO052	Unauthorized Area / Leaving Assigned Area Without Permission	Leaving an assigned area without authorization.	2	T	A	A	A
M112	<u>Under Age 9 Violations: Specify</u>		2	F	A	A	A
M013 SO131	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
S014 SO141	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.	3	A	A		
S018 SO181	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,	3	A	A		

		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.					
S016 SO161	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		
S008 SO081	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		
S020 SO201	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		
S015 SO151	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.	3	A	A		
S010 SO101	Inappropriate Behavior (M113, M114, M115, M116)	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 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.	3	A	A		
S005 SO051	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		

S011 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	
S006 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	
S027 S0271	Trespassing — School Violation w/o Permission	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	
S013 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	
CO713	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 (B, P)		
D05 D0501 D0502 D1301 D1201 D1601 C0701 C0719	Alcohol, Possession or Use Use and/or Possession of Drugs and/or Alcohol and/or Paraphernalia and/or Inhalants and/or Medications Alcohol, Possession and Use	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 (B, P)		
C02 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 (B, P)		
D02 DO901 D0902	Bomb Threats 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.	4	A (B, P)		
D07 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	4	A (B, P)		

		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.					
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 (B, P)			
D43	Drug Paraphernalia	With other drug offenses.	4	A (B, P)			
C0141	Extortion	Student attempts to obtain money or goods from another by threat of force or force.	4	A (B, P)			
D06 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 (B, P)			
D11 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	4	A (B, P)			

		language to any person present.				
D12	Inhalants	With other drug offenses	4	A (B, P)		
C04 DO801 DO802	Offensive Touching (Employee or Student Victim)	ntentionally 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 (B, P)		
D08	Offensive Touching (Student Victim)		4	A (B, P)		
D01 DO101	Pornography: Poss & Prod	Possession, sharing, or production of any known obscene material in the School Environment.	4	A (B, P)		
D10 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 (B, P)		
D04 DO401	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 (B, P)		
C05 DO901 DO902	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 (B, P)		
D09	Terroristic Threatening (Student Victim)		4	A (B, P)		
C03 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 (B, P)		

C01 C0101 C0163	Criminal Violent, Sexual, Weapons, Dangerous Instrument Felony Offense Violent Felony (C0101 – 157) Specify: =====	Commission by a student of any violent felony as specified in 11 Del.C. §4201(c).	4	A (B, P)		

GLOSSARY

As used in this Code; Guided by DOE Reporting School Crimes & Delaware Code, Title 14, Section 4112:-

Abusive 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.

Administrative Referral - disciplinary student conference with the principal or assistant principal for the purpose of eliciting student improvement and determining consequences for inappropriate actions.

Assault III (Misdemeanor) — intentionally or recklessly causes physical injury to another person.

Assignment to Educational Alternatives — the placement of the student in an appropriate alternative situation until the student has satisfied the requirements to return to the regular program.

Attorney General Report and Off Campus Conduct — The Code of Conduct shall also apply to all **Attorney General Reports** and to **Off Campus Conduct** (Out of School Conduct) of a student if the District believes that the student presents a threat to the health, safety or welfare of other students and staff. In such cases, the District may take appropriate action including expulsion. Such conduct shall include, but is not limited to: 1) acts of violence which are punishable by law; 2) sexual offenses which are punishable by law; 3) the sale and/or transfer of drugs which is punishable by law; and 4) terroristic threats against the school and/or school personnel. The District may take appropriate action including expulsion.

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.

Bus Violation(s) — individual or group behavior which seriously or repeatedly interferes with effective functioning of the bus driver.

Bullying — defined as when one person or group of persons, targets another person with repeated direct or indirect negative actions over a period of time which is harmful to the victim either physically or emotionally. A negative action occurs when a person knowingly inflicts, or attempts to inflict physical or emotional injury or discomfort upon another person.

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 Director or Instruction/Designee and is made up of school personnel from throughout the district. Committee will pass on its recommendation to the Superintendent/Designee.

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.

Class Cutting (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.

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.

Defiance of School Authority — student uses defiant verbal or non-verbal behavior towards school personnel.

Disobedience — Refusal by a student to comply with a directive given by school personnel.

Disruption of the 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.

Disciplinary Probation — a student must fulfill specific commitments for a specified time. If the student fails to fulfill the commitments, she/he will be referred to the School Review Committee for a decision about further actions, which may include a referral to the Central Review Committee, the possibility of a recommendation of expulsion and/or alternative placement, and a hearing before the Board.

Extended School — an established time after school when a student is detained in a supervised area.

Extortion — School Violation — student attempts to obtain money or goods from another by threat or force.

Failure to Report for Detention — not showing up for a detention without prearranged permission.

Failure to Report for Disciplinary Action — not showing up for ISS without prearranged permission or failing to go to office or refusal to give name.

Fighting — two or more students are involved in an aggressive physical contact (mutual exchange of blows).

Fire Alarm Incident — 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.

Forgery or School Correspondence Destruction—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.

Harassment—sexual harassment or harassment is defined as misconduct by students based upon race, national origin, disability, religion, sexual orientation, or similar characteristic.

Horseplay and/or Reckless Play—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..

Inappropriate Behavior—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 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.

Inappropriate Sexual Behavior—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).

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

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.

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.

Obscene—to use lewd, disgusting, offensive, or repulsive materials, language or gestures.

Open Display of Affection—this includes but is not limited to hugging, kissing, or any display of affection.

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.

Plagiarism—The adoption or reproduction of original creations of another author without due acknowledgement.

Unauthorized Communication/Electronic Device—this includes but is not limited to 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. Use of cell phone during an assessment is classified as cheating.

Profanity, Use of—student uses written/spoken language, materials, or gestures which are offensive, obscene, or vulgar.

Provoke—to incite, stimulate, or encourage a student or students to fight by verbal or physical activity.

Referral to Social Services Agencies—a recommendation that the student seek help from a public or private social services agency.

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 – 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.

Stealing/Theft—act of possessing or transferring the property of another without the consent of the owner. This includes failure to pay for lost, damaged, or non returned goods. the District is not responsible for student property which is lost, damaged or stolen on school property or at school sponsored activities.

Tardiness—late to class without authorization or approved reason.

Tobacco—possession or distribution of any tobacco product and/or lighted cigarette (cigar, pipe, etc.), inhaling or exhaling smoke, chewing or using tobacco products.

Trespassing—the student does not have a legitimate reason, or permission from a school administrator, for being on school property or remains unlawfully upon school property.

Truancy—an unexcused absence; refer to MSD Attendance Policy #5403. Chronic Truants will be referred to Truancy Court.

Unauthorized Use of Technology—it is a violation of Delaware Law for persons to make unauthorized computer access, make theft of services or equipment, cause interruption of services, alter, delete, tamper with, or destroy computer hardware or software. Includes but not limited to: accessing inappropriate internet sites, downloading large files without permission, broadcasting network messages, logging in to another person's directory.

Unsafe Driving—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.

Unsafe Items—utility knives, ice pick, lighter, pocket knife, scissors, and anything as deemed unsafe by the administration.

Weapon/Dangerous Instrument—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; 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.

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>.

GUN FREE SCHOOLS ACT OF 1994

WEAPONS IN SCHOOL

The 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 weapons in school. In compliance with the Federal Gun-Free Schools Act of 1994, the district adopts the following policy:

Possession of a weapon, as hereafter defined, on school property, in a school bus, at any school-sponsored co-curricular or extra-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 by which this policy will be implemented are contained in the district's Student Code of Conduct.

Weapon/Dangerous Instrument - 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; 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.

The following are required:

- Refer to Superintendent or his/her designee for a Superintendent Hearing.
- Required notification of parents about referral to Superintendent.
- Superintendent shall suspend students who are charged with "Violation of Board/Superintendent's Probation" until hearing (to be scheduled within 15 class days.)
- Administration must give a Rudimentary Hearing:
 - (1) Oral notice of charges to student.
 - (2) If charges are denied, then,
 - (A) Explanation of evidence against student, and
 - (B) Student given opportunity to tell his/her version.
- Special Education Students - Review by Psychologist and IEP Team to determine if offense due to the child's specific handicap. Refer to Board Policy #5416.
- Required one of the following Superintendent's options:
 - (1) Review Program.
 - (2) Refer to other agencies.
 - (3) Probation.
 - (4) Any penalty in this system.
 - (5) Order student withdrawn from school.
 - (6) Refer to law enforcement agency.
 - (7) In case of guilt of Board probation, execute the Board's directive to expel the student.
- Parents or students have the right to appeal the decision of the Superintendent to the Board of Education.

LEVELS:

A – Administrator C – Committee ~~IST – Instructional Support Team/Target Team~~ **SST student support team**
 T – Teacher P – Police IEP – Independent Education Plan for Special Education Students
 C – Committee B – Board
 D/C – Driver and/or Contractor

CATEGORY 1

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	T, D/C	30 minutes individual reflection time isolation with supervision (in classroom/ bus) Parent contact - by phone or by mail (administrative contact optional) Submit discipline form within 1 school day for discipline tracking purposes
2	T, D/C	Up to 60 minutes individual reflection time isolation in school (in classroom/ bus) Parent contact - conference required Administration will make contact with the student. Submit discipline form within 1 school day for discipline tracking purposes and administrator follow-up.
3	A	Up to 2 hrs in-school individual reflection time isolation (maximum 1 hr) Parent conference Classroom activities such as recess or special activities may be restricted. Loss of Privilege If the 3 offenses are bus only: 1 day suspension from the bus for students in Pre- & grade 1, and 3 days suspension from the bus for students in grades 2-5. Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.
4	A	Refer to IST/Target SST Team or IEP team (teacher). School Suspension/In-School Detention—up to one day. Parent conference Classroom activities such as recess or special activities may be restricted. If the 4 offenses are bus only: 3 day suspension from the bus for students in Pre- & grade 1, and 5 days suspension from the bus for students in grades 2-5. Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.
5+	A	School Suspension/In-School Detention—up to two days. Parent conference with administrators and teachers. Classroom activities such as recess or special activities may be restricted. If the 5 offenses are bus only: 5-day suspension from the bus for students in Pre-K, K, & grade 1, and 15-days suspension from the bus for students in grades 2-5. Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked. Parent meeting with the principal is required.

Payment for damages may be required for offenses in school ~~or on the bus.~~

NOTE: Students continuing to accrue offenses will automatically be referred for a rudimentary hearing, and will be suspended from school ~~or the bus~~ until the hearing is held. The hearing will be held within thirty (30) days.

CATEGORY 2

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	T	Up to 60 minutes individual reflection time isolation with supervision (in classroom) Parent contact - conference required Administration will make contact with the student. Submit discipline form within 1 school day for discipline tracking purposes and administrator follow-up.
2	A	Up to 3 hrs in-school detention (in office) Parent conference Classroom activities such as recess or special activities may be restricted. If the offenses are bus only: 1-day suspension from the bus for students in Pre-K, K, & grade 1, and 3-days suspension from the bus for students in grades 2-5. Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.
3	A	Refer to IST/Target Team or IEP team (teacher) School Suspension/In-School Detention up to 1 day Parent conference Classroom activities such as recess or special activities may be restricted. If the offenses are bus only: 3-day suspension from the bus for students in Pre-K, K, & grade 1, and 5-days suspension from the bus for students in grades 2-5. Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.
4+	A	Refer to IST/Target SST Team or IEP team (teacher). School Suspension/In-School Detention up to 2 days Parent conference with principal and teacher Classroom activities such as recess or special activities may be restricted.

According to 5417 SCHOOL BUS CODE OF CONDUCT POLICY.

Payment for damages may be required for offenses in school or on the bus.

CATEGORY 3

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	A	School Suspension/In-School Detention up to 2 days Parent conference required between parent and administrator, and may include teacher, contractor and/or driver. Rudimentary Hearing may be held. Classroom activities such as recess or special activities may be restricted. If the offense is bus only: 3-day suspension from the bus for students in Pre-K, K, & grade 1, and 15-days suspension from the bus for students in grades 2-5 Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed. If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.
2	A	Refer to SST IST/Target Team or IEP team (teacher). School Suspension up to 3 days

Parent conference required between parent and administrator, and may include teacher, ~~contractor and/or driver.~~

Mandatory Rudimentary Hearing by Superintendent/designee will be held.

Classroom activities such as recess or special activities may be restricted.

~~If the offenses are bus only: 5 day suspension from the bus for students in Pre-K, K, & grade 1, and 30 days suspension from the bus for students in grades 2-5.~~

~~Bus suspensions start no later than 2 days after the school has notified the parents, unless an appeal is filed.~~

~~If the bus suspension occurs on the same day as a field trip, the field trip will be restricted or revoked.~~

3+	A	School Suspension up to 5 days pending a mandatory rudimentary hearing.
		If the offenses are bus only: 5 day suspension from the bus for students in
		Pre K, K, & grade 1, and 30 days suspension from the bus for students in grades
		2-5.
		Bus suspensions start no later than 2 days after the school has notified the
		parents, unless an appeal is filed.
		If the bus suspension occurs on the same day as a field trip, the field trip will be
		restricted or revoked.
		Parent meeting with the principal is required.
		Mandatory Rudimentary Hearing by Superintendent/designee will be held.

Payment for damages may be required for offenses in school or on the bus.

NOTE: Students with four (4) or more Category 3 Offenses will be automatically referred for hearing with Superintendent or designee. Student will be suspended from school ~~or the bus~~ until the hearing is held. Hearing will be held within thirty (30) days.

CATEGORY 4

<u>Offenses</u>	<u>Level</u>	<u>Action</u>
1	A	School Suspension, up to 5 days – Pending a Mandatory Rudimentary Hearing
	B	Referral to superintendent or designee
	P	Notification of board Police
2+	A	School Suspension up to 10 days, after consultation with Superintendent or designee
	B	Referral to Superintendent or designee for a Mandatory Hearing
	P	Notification of Board Police

REQUIREMENTS

1. 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. Discipline forms must be turned in within 1 school day. If a Category 4 offense has occurred, it must be reported immediately to the building administration. Copies of referrals submitted will be processed, with a copy sent to parents and a copy returned to the teacher or driver and contractor.
2. Implementation - All employees shall implement the elementary school discipline policies as required by the schedule of offenses, levels and actions.
3. Bus Discipline - ~~Appropriate behavior on the bus is critical to the safety of every passenger on the bus, pedestrians, and other motorists. Distractions that constitute significant safety risks and require the bus driver to make a non-designated stop are taken seriously. They will result in a minimum 3-day bus suspension.~~
4. Multiple Offenses - If a student commits more than one offense, the offense with the highest penalty is to be

chosen for action.

5. Cumulative Offenses - When a student has an accumulation of four offenses, they are to be referred to IST/Target Team or IEP team.
6. Parent Meeting Request and Parent Communication – Teachers, contractors and drivers are required to attempt to contact parents and/or building administrator of preK, kindergarten and 1st grade students prior to the first write-up. This is to enlist the assistance of parents in correcting the problem before a write-up is issued. Teachers, contractors and drivers are encouraged to contact parents of children in grade 2-5 and/or building administrator prior to writing up the students, particularly before the first write-up.
7. At any point, teachers, ~~contractors and drivers~~ may request a meeting with administration and parents in order to address discipline concerns. Parents may also request a meeting in order to address concerns wherein the teachers, ~~contractors and drivers~~ will be asked to attend.
8. Rudimentary Hearing
 - a. Oral notice of charges to student
 - b. If charges are denied, then
 1. Explanation of evidence against student, and
 2. Student given opportunity to tell his/her version.
9. Parent/Student Conference - See Board Policy #5408.
10. Suspension And Expulsion Of Pupils - Elementary Schools - See Board Policy #5410.
11. For Category 4, all of the following apply:
 - Referral to law enforcement agencies if required by policy.
 - Referral to Superintendent, who may refer to Milford Board of Education.
 - Required three-day suspension by the principal.
 - Special Education Students - Review by Psychologist and IEP to determine if offense due to the child's specific disability. Refer to Board Policy No. 5416.
(Administrator may hold case in committee for procedural matters.)
 - Required notification of parents about referral to law enforcement and possibly to Board.
 - Superintendent may continue suspension until Board hearing if required (to be scheduled within 30 days.)
 - Administrators must give a rudimentary hearing:
 - (1) Oral notice of charges to student.
 - (2) If charges are denied, then,
 - (A) Explanation of evidence against student, and
 - (B) Student given opportunity to tell his/her version.
 - The Board may take any disciplinary action it deems appropriate, including expulsion.
In exercising its discretion, the Board may select from among the following alternatives, or it may fashion or impose any other discipline which is reasonable when applied to the case under consideration.
 - (1) Probation for rest of school year.
 - (2) Probation for rest of school career.
 - (3) Probation as specified above, plus any one or more of the following alternatives, with the
duration being determined by the Board:
 - (A) Detention.
 - (B) Psychological testing by a school psychologist.
 - (C) Counseling from a social service agency or private counseling service at expense
of student or parent/guardian.
 - (D) Community service (tasks to be assigned by the Principal).
 - (4) School (after school hours or on weekends).
 - (5) Community (non-profit service organizations).
 - (6) Non-participation in school activities.
 - (7) Non-attendance at school activities.

- (8) Restitution for damages caused by student.
- (9) Behavior contract or agreement prepared by the Principal or child study team (for special education students).
- (10) Suspension.
- (11) Expulsion.

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 a class or any school activity based upon the judgement of the teachers and administrators. Criteria for the removal of students include the safety of themselves and others, any form of violence, persistent disruption that interferes with the learning of anyone, prevention of such situations and a compelling need to speak to the student privately. In using their judgement to remove a student from any situation, the staff will use the Milford School District Student Code of Conduct as the guide for their decisions. Listed below are some examples of discipline infractions where a student might be removed from a class or activity. It should not automatically be assumed that every case of a student being removed from an activity will be permanent and/or will result in a disciplinary action. Due process and an examination of the facts will determine this, as with any other disciplinary situation or other circumstances. When a punishment or penalty is given to a student, it will be at the discretion of the school authorities and based upon the Code of Conduct. Corporal punishment is not one of the options within the code.

When students are to be removed from a class or school activity during the school day, an adult staff member will escort them to the appropriate school office. For the safety of themselves and others, students will not be sent out of class to report to the office alone or with another student. If a student needs to be removed from an area because of circumstances similar to those described above, the teacher will contact the office or follow the procedures established in that school to summon assistance to remove the student. If immediate violence is a consideration, the staff member will take whatever steps are reasonably necessary to prevent the situation from escalating and separate anyone they deem necessary. If the student refuses to leave the area and go to the area designated by the adult staff member, the police will be summoned to remove the student, with reasonable force, if necessary, at the discretion of the police. Charges will be filed at the discretion of the administration, involved faculty and police.

Removal from a class or activity may be permanent or temporary. The teacher and principal will determine the terms of the removal by applying the Code of Conduct, other rules or policies governing the activity and the needs of the student and the other students involved. If the teacher and principal do not agree on the outcome, the principal will give a written explanation to the teacher within three working days. In a few cases, a formal hearing may be held before the superintendent or his designee to determine the status of the student relative to enrollment and/or participation in the class or activity. School board policies for hearings and state law apply to these circumstances.

INSTRUCTIONAL SUPPORT TEAM (IST)/Target Team IEP

The Target Team or IEP team will function as a support system to classroom teachers in handling difficult and/or persistent discipline problems. The primary focus of the teams in cases of discipline will be to review discipline offenses and to make recommendations to improve the child's behavior. Brainstorming will be encouraged as a way of working out creative solutions to provide support to the regular classroom teacher and to assist the child in a behavior improvement program. In general, the teams will provide a positive, proactive approach to discipline management, rather than a punitive approach. The format of Functional Behavior Assessment/Behavior Intervention Plan (FBA/BIP) may be used to guide the discussions and work toward improvement.

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) 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 of 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.
- C. 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.

- D. 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.
- E. In instances where the student presents a danger to himself or others as afforded by law, emergency placements may be invoked by the District, including homebound instruction.

NON-SPECIAL EDUCATION STUDENTS:

IST/Target Team may consist of:

1. The building principal
2. The child's teacher
3. One other professional staff member (such as regular teacher, behavior specialist, special education teacher, or counselor).
4. Counselor from outside agency
5. School psychologist
6. Nurse

STUDENT DISCIPLINE: ALTERNATIVES FOR THE IST/Target Team/IEP TEAM

1. Behavior contract
2. Peer mediation can be used for ongoing conflicts
3. Counseling with the elementary counselor
4. Counseling at an outside agency
5. Consultation with the school psychologist
6. Referral to other agencies, such as DFS
7. Increase parental involvement
8. After school detention with parent approval (not more than one (1) hour)
9. Suspension: in- or out-of-school
10. Other unique alternatives may be developed by the team to be implemented with the principal's approval.
11. Refer to Superintendent or designee.

HARASSMENT

Sexual harassment or harassment is defined as misconduct by students based upon race, national origin, disability, religion, sexual orientation, or similar characteristic. The Milford Board of Education believes that all persons are entitled to a safe school environment where individual rights are protected, where all persons are free from intimidation, discrimination, and acts of violence, and where understanding and tolerance of individual differences are encouraged. As part of the district's efforts to foster such a learning environment and in accordance with state and federal law, the following policies on sexual harassment and harassment/misconduct based on race, national origin, disability, religion, sexual orientation, or similar characteristic have been adopted.

SEXUAL HARASSMENT BY DISTRICT STUDENTS

Sexual harassment is a form of sex discrimination and is illegal under *Title VII of the Civil Rights Act of 1964*, which protects persons in the work place, and *Title IX of the 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.

The following are examples of some types of actions that may constitute sexual harassment, whether the harasser is another student or adult:

- **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.

If you believe your child is the subject of sexual harassment or if you become aware of an instance of sexual harassment, you should report the circumstances immediately to a teacher or the principal or assistant principal of your school, to the Superintendent of the school district, 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 this policy and no one will, in any way, use threats, coercion, or intimidation to prevent a person from reporting sexual harassment. All complaints made to district staff must be reported by such staff to the Milford School District Title IX Coordinator (Director of Personnel) at the administrative office.

Upon receiving notice of a complaint of sexual harassment concerning a school district student, 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 sexual harassment toward another student or staff member will be subject to disciplinary action; all reports of sexual harassment will be actively and diligently investigated, and 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 the giving of a reprimand or warning, the placing of the offending student on probation, suspension, expulsion, or imposing other disciplinary alternatives. Follow-up inquiries may be made to ensure that sexual harassment has not resumed and that the complainant and witnesses have not suffered retaliation for their actions.

HARASSMENT OR MISCONDUCT BY STUDENTS BASED UPON RACE, NATIONAL ORIGIN, DISABILITY, RELIGION, SEXUAL ORIENTATION OR SIMILAR CHARACTERISTIC

Harassment or misconduct that is based upon a person's race, national origin, disability, religion, sexual orientation, or similar characteristic 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 Nos. 1-3 above.

If you believe your child or another person is the subject of such harassment or misconduct 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 this policy and no one will, in any way, use threats, coercion, or intimidation to prevent a person from reporting harassment. All complaints made to district staff must be reported by such staff to the Milford School District Title IX Coordinator (Director of Personnel) at the administrative office.

Upon receiving notice of a complaint of 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 has not resumed and that the complainant and witnesses have not suffered retaliation for their actions.

SCHOOL BULLY & CYBERBULLYING 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

To further these goals, and as required by *14 Del. C. 4112D*, 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.¹

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.

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 Legal or Regulatory Requirements are in *italics* throughout.

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: Unwanted touching of a sexual nature, unwanted talking about private parts, unwanted comments about target's sexuality or sexual activities.

This list should be used by way of example only, and is 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

IX. Retaliation

Retaliation for reporting bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the 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.
- 5. An electronic system will be established whereby a person can email or call in anonymous complaints of bullying that only designated persons will have access to.
- 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.

I. 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.

II. 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.

III. 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 principal or designated person prior to return to school or the general population.

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

IV. Implementation

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

V. 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.

VI. 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.

VII. 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.

VIII. 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.

IX. 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*.

X. 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.

XI. 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.

CELL PHONES AND COMMUNICATION DEVICES

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

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

2nd offense and subsequent offenses – Confiscation of the device until end of marking period or semester. Disciplinary actions for subsequent offenses of Defiance as stated in the Milford School District Student Code of Conduct are:

1st consequence is one (1) day ISS; Secondary/60 minutes elementary
2nd consequence is two (2) days ISS; Secondary/60 minutes elementary
3rd consequence is one (1) day OSS
4th consequence is two (2) days OSS

~~DRESS CODE~~

~~Milford School District School Dress Code Regulation Policy Statement~~

~~This school dress code policy will supersede any and all previous dress code policies. The uniform style of dress must be worn to enter the building on a normal school day from entry to dismissal unless otherwise authorized by Administration.~~

~~K-12 SCHOOL DRESS CODE POLICY~~

~~Milford School District School Dress Code Policy Statement~~

~~This school dress code policy will supersede any and all previous dress code policies. The required style of dress must be worn to enter the building on a normal school day from entry to dismissal unless otherwise authorized by Administration.~~

All Clothing is Solid Color

~~Approved Dress code bottoms include Khaki (definition: a pair of pants made of khaki or fabric of a khaki color; beige cloth: a tough pale brown fabric) style pants, walking shorts, capris, skorts, skirts (no slits), jumpers or dresses. Approved colors are solid black, navy or tan.~~

- ~~1. No denim or stretch apparel of any type will be permitted.~~
- ~~2. Shorts, skorts, skirts, jumpers or dresses must be to the knee or longer in length. A solid color belt, for secondary students only, must be worn if pants or shorts have belt loops. The belt buckle must be plain and free of embellishments.~~
- ~~3. Clothing items must be worn at the natural waist.~~
- ~~4. Solid color (black, white, navy or tan) leggings, tights or nylons may be worn under skirts that are no shorter than the knee.~~
- ~~5. Clothing must be sized to fit the student (no loose, baggy or form fitting appearance).~~
- ~~6. Chains, wallet chains and spiked jewelry are not permitted.~~
- ~~7. Cotton or mesh gym shorts may be worn for elementary but must be to the knee.~~

~~Approved Dress code tops must be Maroon, Black, Gold, Yellow, Navy or White Polo Shirts (No red or other shades of blue.)~~

- ~~1. All polo shirts must be collared, 2-4 buttons, and solid in color. They must be short or long sleeve. (No sleeveless) (Shirt collar must be visible at all times)~~
- ~~2. Only top button can be unbuttoned.~~
- ~~3. Turtlenecks (mock and regular) or t-shirts (short sleeve and long sleeve) of an approved solid color may be worn underneath polo shirts~~

MILFORD SCHOOL DISTRICT

FIELD TRIP APPROVAL FORM

(Out-of-State to be submitted to the principal by April 10th for School Board approval for the following school year)

Morris ☐

Banneker ☐

Central Academy ☐

High School ☐

Mispyllion ☒

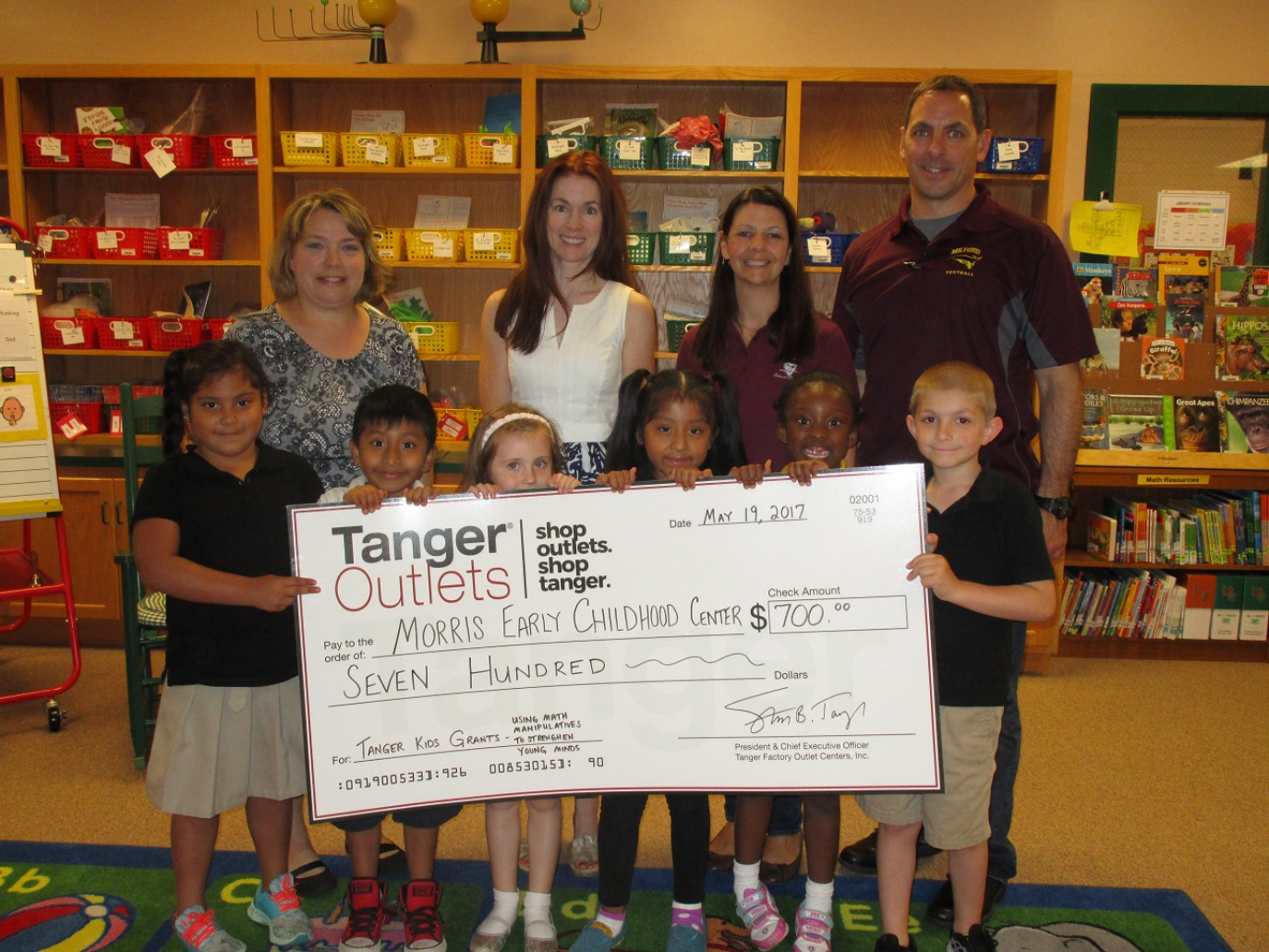
Ross ☐

In-State ☐

Out-of-State ☒

Overnight ☐

DATE(S) OF TRIP: # of School Days missed:	TRIP DESTINATION:	TEACHER(S):
NUMBER OF STUDENTS:	CONTENT AREA/COURSE:	GRADE(S):
1. Instructional Unit Title: 2. Dates of Instructional Unit: From: To: 3. Will technology be used in preparation for this trip? (Check One) Internet Virtual Tour Research Video Software Other (specify)		Field Trip Cost Transportation: Meals: Other expenses (explain): Funding Used: Individual student expense: <div style="text-align: right;">Total Cost</div>
4. Relationship of trip to instructional objective(s) (purpose of trip):		
Closest Medical Facility (with address & phone #): Nurse Initials:		
APPROVAL SEQUENCE (indicated by the proper signatures below). Field trips not approved at one level will not advance to the next level (no appeals). Comments:		
PRINCIPAL'S SIGNATURE: DIRECTOR'S SIGNATURE: SUPT'S SIGNATURE:		
For all Out-of-State or overnight field trips, except where a group of students advances in a sequential activity such as a contest, a final cost summary and detailed itinerary must be submitted 30 days prior to the trip.		
12/19/16 Liability form to be signed as well - BSA 5/2017		



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Date MAY 19, 2017

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MORRIS EARLY CHILDHOOD CENTER

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\$ 700.00

SEVEN HUNDRED

Dollars

Sam B. Taylor

President & Chief Executive Officer
Tanger Factory Outlet Centers, Inc.

FOR: TANGER KIDS GRANTS

USING MATH
MANIPULATIVES
TO STRENGTHEN
YOUNG MINDS

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MILFORD SCHOOL DISTRICT
Fiscal Year 2017 Monthly Revenue Report
As of April 30, 2017
83.3% of the Fiscal Year completed

REVENUE SOURCE	Final FY 2017 Budget	Actual to date	% received
STATE FUNDS			
Formula Salaries	\$25,857,000	\$25,694,347	99.37%
Cafeteria Salaries	430,000	460,980	107.20%
Delaware Sustainment Fund	787,122	787,122	100.00%
Academic Excellence Cash Option	-	-	
Related Services Cash Option	132,590	132,100	99.63%
Division II, All Other Costs	823,752	835,255	101.40%
Division II, All Other Costs - VOC	94,632	94,632	100.00%
Division II, Energy	734,786	734,786	100.00%
Division III, Equalization	5,155,072	5,223,737	101.33%
State Transportation	2,400,000	2,610,593	108.77%
Homeless Transportation	405,000	360,600	89.04%
Transportation Supply	1,000	1,000	100.00%
Unique Alternatives Transportation	279,468	279,468	100.00%
Drivers' Education	16,958	16,958	100.00%
Professional Development	43,597	43,597	100.00%
Technology Block Grant	62,912	62,912	100.00%
Dual Enrollment - State	-	11,640	
Educator Accountability	-	996	
College Access	16,066	16,066	100.00%
World Language Expansion	35,000	77,966	222.76%
Readiness with a Purpose Grant		21,682	
Odyssey of the Mind		1,500	
Minor Capital Improvements	296,321	301,451	101.73%
Major Capital Improvements	-	-	
TOTAL STATE FUNDS	\$37,571,276	\$37,769,389	100.53%
LOCAL FUNDS			
Current Expense (tax rate)	\$7,480,925	\$7,414,081	99.11%
Current Expense (capitations)	500	\$210	41.97%
Athletics	40,000	41,267	103.17%
Interest	50,000	83,518	167.04%
Building Rental	15,000	8,555	57.03%
Other Local Revenue	18,500	14,389	77.78%
Sol - Systems	1,500	799	53.25%
Energy Curtailment	15,000	11,602	77.34%
CSCR	17,500	3,528	20.16%
Indirect Costs	80,000	56,541	70.68%
Cafeteria	2,070,000	1,586,794	76.66%
Net Choice Billings	(128,399)	(128,399)	100.00%
Net Charter Billings	(132,547)	(132,547)	100.00%
Social Studies Coalition/Donations	250,000	79,319	31.73%
Debt Service	1,548,674	1,473,130	95.12%
Debt Service - County Impact Fees	50,000	55,204	110.41%
Tuition	3,500,000	3,344,083	95.55%
Minor Capital Improvements	203,768	194,647	95.52%
E-Rate	15,000	56,715	378.10%
Extra Time Local Match	-	-	
Reading and Match Specialist Match Tax	-	-	
Technology Maintenance Match	-	-	
Major Capital Improvements	-	-	
TOTAL LOCAL FUNDS	15,095,420	\$14,163,433	93.83%
FEDERAL FUNDS			
IDEA Part B	\$1,028,932	\$1,027,072	99.82%
IDEA - Preschool	45,978	\$45,978	100.00%
IDEA - Preschool (Morris Grant)	30,000	\$0	0.00%
Title I	1,414,938	1,409,228	99.60%
Focus School - Federal	-	-	
Title II	317,571	310,977	97.92%
Title III English Acquisition	37,815	46,897	124.02%
Education for the Homeless	10,000	10,000	100.00%
School Based HIV/STD Prevention	4,500	5,500	122.22%
Perkins	105,602	136,537	129.29%
TOTAL FEDERAL/OTHER FUNDS	\$2,995,336	\$2,992,189	99.89%
GRAND TOTAL ALL FUNDS	\$55,662,032	\$54,925,012	98.68%

Milford School District
Monthly Report of Expenditures
For the month ended April 30, 2017

Operating Unit	Budget Line	Final Budget		Expended	Budget Remaining	% Remaining
		Amount	Encumbered			
9180668A	Benjamin Banneker Elementary School	\$ 62,331.00	7,642.72	26,881.61	\$ 27,806.67	44.61%
9180670A	Evelyn I. Morris Early Childhood Center	\$ 46,873.50	819.68	27,992.20	\$ 18,061.62	38.53%
9180672A	Lulu M. Ross Elementary School	\$ 75,840.00	3,978.72	43,585.80	\$ 28,275.48	37.28%
9180673A	Mispillion Elementary School	\$ 66,241.50	7,736.27	32,145.63	\$ 26,359.60	39.79%
9180675A	Milford Central Academy	\$ 124,388.00	5,296.40	93,121.17	\$ 25,970.43	20.88%
9180678A	Milford Senior High School	\$ 147,504.50	15,731.87	91,506.63	\$ 40,266.00	27.30%
99900000	Board Of Ed/District Expenses	\$ 2,000.00	-	2,686.56	\$ (686.56)	-34.33%
	School Resource Officer	\$ 160,000.00	-	161,688.50	\$ (1,688.50)	-1.06%
99900100	Legal Services, Audit and Insurance Premiums	\$ 50,959.00	1,511.06	16,028.16	\$ 33,419.78	65.58%
99900300	District Expenditures	\$ 25,000.00	454.74	24,403.93	\$ 141.33	0.57%
	Public Relations and Communication	\$ 3,500.00	-	3,036.99	\$ 463.01	13.23%
	Copy Center (District Wide)	\$ 95,000.00	7,878.78	85,616.54	\$ 1,504.68	1.58%
	Student Emergency Fund	\$ 4,000.00	-	3,400.00	\$ 600.00	15.00%
99910100	Superintendent	\$ 2,500.00	-	2,516.59	\$ (16.59)	-0.66%
99920000	World Language Immersion (State Grant)	\$ 35,000.00	2,590.73	25,602.94	\$ 6,806.33	19.45%
	AP/College Access (State Grant)	\$ 16,066.38	263.96	10,418.76	\$ 5,383.66	33.51%
	Summer School	\$ 25,000.00		28,364.50	\$ (3,364.50)	-13.46%
	Translators	\$ 20,000.00		3,102.03	\$ 16,897.97	84.49%
	Extra Time Programs	\$ 12,000.00		8,694.92	\$ 3,305.08	27.54%
	Curriculum and Instruction	\$ 210,600.00	2,453.71	87,509.75	\$ 120,636.54	57.28%
99920500	State Professional Development	\$ 43,597.00	-	23,415.27	\$ 20,181.73	46.29%
99920700	Athletics - High School	\$ 154,550.00	28,635.69	111,885.82	\$ 14,028.49	9.08%
	Athletics - Milford Central Academy	\$ 25,000.00	5,660.69	19,238.96	\$ 100.35	0.40%
99920800	Driver's Education	\$ 16,958.00	453.74	14,178.47	\$ 2,325.79	13.72%
99930200	Tuition - Special Services	\$ 3,115,000.00	91,464.80	2,358,486.18	\$ 665,049.02	21.35%
	Tuition - Special Services - ILC	\$ 385,000.00	296.96	105,207.35	\$ 279,495.69	72.60%
	Unique Alternatives (State Funds)	\$ 279,468.00	43,855.70	235,612.30	\$ -	0.00%
99930300	Special Services	\$ 50,000.00	6,075.00	42,104.26	\$ 1,820.74	3.64%
	Special Services - State Related Services	\$ 132,590.00	41,100.03	76,524.55	\$ 14,965.42	11.29%
99940200	Division I/Formula Salaries	\$ 25,857,000.00	-	22,880,724.78	\$ 2,976,275.22	11.51%
99940300	Division II - Vocational	\$ 94,632.00	1,893.60	40,678.21	\$ 52,060.19	55.01%
99940400	Division III/Local Salaries	\$ 9,780,000.00	-	7,696,291.96	\$ 2,083,708.04	21.31%
	Union agreed Limited Contracts	\$ 375,000.00	-	209,474.63	\$ 165,525.37	44.14%
99940500	Title I	\$ 1,411,881.00	11,108.79	649,447.64	\$ 751,324.57	53.21%
	Title II	\$ 311,478.00	-	77,098.04	\$ 234,379.96	75.25%
	Title III	\$ 46,897.00	-	10,109.34	\$ 36,787.66	78.44%
	IDEA Part B	\$ 1,028,932.00	3,709.05	125,697.73	\$ 899,525.22	87.42%
	IDEA Preschool	\$ 45,978.00	-	-	\$ 45,978.00	100.00%
	Perkins	\$ 136,326.08	4,755.53	70,520.47	\$ 61,050.08	44.78%
	Homeless	\$ 10,000.00	595.53	2,000.66	\$ 7,403.81	74.04%
	Other Federal Grants	\$ 4,500.00	-	1,451.86	\$ 3,048.14	67.74%
99940600	Insurance Expense	\$ 82,000.00	-	81,863.00	\$ 137.00	0.17%
99940700	Social Studies Coalition/Donations	\$ 250,000.00	1,301.67	67,667.37	\$ 181,030.96	72.41%
99940810	Technology Equipment & Repair	\$ 301,500.00	9,100.02	245,560.59	\$ 46,839.39	15.54%
	Technology Block Grant	\$ 62,912.00	-	62,912.00	\$ -	0.00%
99940900	Tuition Reimbursement	\$ 60,000.00	-	29,999.93	\$ 30,000.07	50.00%
99950000	Personnel/Human Resources	\$ 12,000.00	124.00	5,728.79	\$ 6,147.21	51.23%
99960000	Child Nutrition Operations	\$ 2,070,000.00	215,280.07	1,948,432.90	\$ (93,712.97)	-4.53%
	Cafeteria Salaries	\$ 430,000.00	-	240,710.30	\$ 189,289.70	44.02%
99960100	Facilities Maintenance	\$ 90,000.00	17,598.10	71,528.01	\$ 873.89	0.97%
	Custodial Services and Supplies	\$ 90,000.00	16,102.85	68,117.99	\$ 5,779.16	6.42%
99960200	Operations and Utilities	\$ 373,454.00	42,673.28	206,201.16	\$ 124,579.56	33.36%
	Energy Division II	\$ 734,786.00	127,356.93	607,429.07	\$ -	0.00%
99960300	State Transportation	\$ 2,400,000.00	520,907.36	2,089,685.97	\$ (210,593.33)	-8.77%
	State Homeless Transportation	\$ 405,000.00	117,240.00	238,045.50	\$ 49,714.50	12.28%
	Transportation Supplies	\$ 1,000.00	-	707.22	\$ 292.78	29.28%
99960400	Transportation Internal Budget (Local)	\$ 23,000.00	248.16	25,658.81	\$ (2,906.97)	-12.64%
	Local Activities Transportation	\$ 3,000.00	-	774.49	\$ 2,225.51	74.18%
	Local Homeless Transportation Match	\$ 60,000.00	12,816.00	26,449.50	\$ 20,734.50	34.56%
	Local Transportation Match	\$ 265,000.00	57,962.69	230,175.38	\$ (23,138.07)	-8.73%
Total Operating Budget		\$ 52,203,242.96	\$ 1,434,674.88	\$ 41,776,099.67	\$ 8,992,468.41	17.23%
99970000	Local Debt Service	\$ 1,556,440.45	-	1,556,440.45	\$ -	0.00%
99970200	Minor Capital Improvements	\$ 493,868.00	140,432.68	139,162.75	\$ 214,272.57	43.39%
Total Capital Budget		\$ 2,050,308.45	\$ 140,432.68	\$ 1,695,603.20	\$ 214,272.57	10.45%
Grand Total		\$ 54,253,551.41	\$ 1,575,107.56	\$ 43,471,702.87	\$ 9,206,740.98	16.97%

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.

BID TABULATION

DBF #1586A005



MORRIS ELEMENTARY SCHOOL
PARKING LOT REHABILITATION

5/25/2017

BID ITEM	Gateway Construction	A-Del Construction	Thompson & Sons Contracting, Inc.	Ralph Cahall & Son	Jerry's Paving	George & Lynch
BASE BID	177,600.00	91,000.00	NO BID	88,628.00	73,800.00	91,700.00
Alternate No. 1: North lot full depth pavement expansion.	63,000.00	36,500.00		39,938.00	52,500.00	39,170.00
Alternate No. 2: South lot pavement overlay.	65,000.00	52,500.00		58,853.00	42,360.00	59,280.00
Alternate No. 3: Drainage system pipe video inspection / cleaning.	10,000.00	7,500.00		3,875.00	7,000.00	7,590.00
Allowance No. 1: General site work including, but not limited to, additional bituminous concrete paving and conditions that may vary from the plans due to unforeseen issues.	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Bid Bond	✓	✓		✓	✓	✓
Addenda 1 & 2	✓	✓		✓	✓	✓
Calendar Days	30	Missing		45	30	40
Non-Collusion	✓	✓		✓	✓	✓
Subcontractor List	✓	✓		✓	✓	✓
DE Business License	Missing	✓		✓	✓	✓
Drug Affidavits	✓	✓		✓	✓	✓