

INDIAN RIVER SCHOOL DISTRICT CODE OF CONDUCT/PENALTIES

The Indian River School District Policy JG/Student Discipline contains detailed descriptions and definitions of specific offenses and acts of misconduct. This policy also outlines the Appeal/Greivance Process for short term suspensions (not to exceed more than 10 consecutive school days). The list of offenses within this matrix may not be all-inclusive and the accompanying descriptions are not intended to be complete, legal definitions. The administration has the discretion to use any or all of the listed penalties under each offense as a guideline or substitute any other consequence due to misconduct within or on school property, and at school sponsored or supervised activities, including school grounds, school buses, and school functions (on and off campus).

[The regulation can be found at the following link: http://regulations.delaware.gov/AdminCode/title14/600/614.shtml#TopOfPage](http://regulations.delaware.gov/AdminCode/title14/600/614.shtml#TopOfPage)

A= Administrative or Guidance Conference / Student Success Suite

E= Restitution

B= Detention or Alternative

F= Recommend Expulsion

C= In-School Suspension or Alternative

G= Police/Arrest

D= Out-Of-School Suspension or Alternative Placement/CAMP

H= Social Probation

OFFENSE/DEFINITION	1st Incident	2nd Incident	3rd Incident	4th Incident
ABUSIVE/INAPPROPRIATE LANGUAGE/MATERIALS/GESTURES: Verbal comments, materials, or gestures that are sexually suggestive or explicit, obscene, pornographic or offensive.	Abusive/Inappropriate Language/Materials = A,B,C,D, F	SAME	SAME	SAME
ACADEMIC CHEATING: To copy, steal, take credit, use someone else's work, ideas, or assignments as your own or collude secretly or illegally cooperate or conspire especially in order to cheat or deceive others	Academic Cheating = A,B,C	A,B,C,D	A,C,D	SAME
ALCOHOL POSSESSION/USE/DISTRIBUTION: means alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in 4 Del.C. §101 including alcohol, spirits, wine, and beer.	Alcohol = D,F,G	SAME	SAME	SAME
ARSON: shall mean a person recklessly or intentionally damages a building by intentionally starting a fire or causing an explosion.	Arson = D,E,F,G	SAME	SAME	SAME
ASSAULT or THREAT of ASSAULT AGAINST A TEACHER, STAFF MEMBER OR STUDENT: Assault III" shall mean: (1) A person intentionally or recklessly causes physical injury to another person; or (2) With criminal negligence the person causes physical injury to another person by means of a Deadly Weapon or a Dangerous Instrument. Assault II shall mean intentionally causing serious physical injury or uses a deadly weapon or a dangerous instrument during the commission of a crime.	Assault/Staff = D,F,G	SAME	SAME	SAME
ATTORNEY GENERAL REPORT: Delaware Department of Justice reports of out of school criminal conduct. All off campus, non-school activity conduct which shows disregard for the health, safety, and welfare of others including, but not limited to, violence, weapons, and drug offenses may subject a student to disciplinary action as indicated in the code of conduct.	Attorney General Report = A,D,F	SAME	SAME	SAME

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BULLYING: Any intentional written, electronic, verbal, or physical act or actions against another person, as defined in Student Discipline Policy JG.	Bullying = A,C,D,G	SAME	D,F,G	SAME
BUS VIOLATIONS: Any violation of school bus regulations or acts of misconduct that takes place on the school bus. While in transport all school rules are in effect; the bus driver is the staff person in charge. School bus transportation is a privilege extended to students, which may be revoked for disciplinary reasons.	Bus Violation = A,B,C	A,B,C,D	A,C,D	SAME
CYBERBULLYING: The use of uninvited & unwelcome electronic communication directed at an identifiable student or group of students, as defined in Student Discipline Policy JG.	Cyberbullying = A,C,D,G	SAME	D,F,G	SAME
DEFIANCE OF SCHOOL AUTHORITY: Defying or refusing to follow the rules and directions of school staff.	Defiance of School Authority = A,B,C,D, F,G	SAME	SAME	SAME
DISORDERLY CONDUCT: Disorderly Conduct - shall mean conduct in the School Environment which causes public inconvenience, annoyance or alarm or creates a risk thereof by: engaging in fighting or violent tumultuous or threatening behavior or making an unreasonable noise or an offensively coarse utterance or gesture or display or addressing, abusive language to any person present.	Disorderly Conduct = C,D,F,G	SAME	D,F,G	SAME
DISRESPECT TO STAFF/STUDENT: Verbal abuse, rude, discourteous, and unacceptable comments or behavior directed at a staff member or person in authority or a fellow student.	Disrespect To Staff/Student= A,B,C,D, F	SAME	SAME	SAME
DISRUPTION OF THE EDUCATIONAL PROCESS: Words or actions that cause an interruption to normal classroom and/or school activities.	Disruption of Educational Process = A,B,C,D,F	SAME	SAME	SAME
DRUGS/CONTROLLED SUBSTANCES/LOOK-ALIKE SUBSTANCES/PARAPHERNALIA: The possession, distribution/use, concealment or placement of any controlled substance prohibited by Title 16 . Look alike substance and or drug paraphernalia	Drug/Alcohol = D,F,G,H	SAME	SAME	SAME
ENDS- Electronic Nicotine Delivery Systems (i.e., Vapor Pens, Cloud Pens, E-Cigarettes): The possession and/or use of object.	ENDS = C	C,D	SAME	SAME
EXTORTION: shall mean to obtain or attempt to obtain money, goods, services, or information from another by force or the threat of force.	Extortion = D,G	D,F,G	SAME	SAME

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FAILURE TO REPORT FOR DISCIPLINARY ACTION: Failure to go to the office as ordered by a staff person, failure to report for detention, or other disciplinary assignments.	Failure to Report for Discipline = A,B,C	SAME	SAME	SAME
FIRE ALARM/BOMB THREATS: Illegally activating an alarm or an alarm system. Illegally communicating a bomb or explosive device threat either verbally or in writing. Also an illegal act as defined by Delaware State Law. (A legal investigation of, or arrest for illegally activating an alarm system or communicating a bomb or explosive device threat.)	Fire Alarm = D,F,G	SAME	SAME	SAME
FIGHTING: shall mean any aggressive physical altercation between two or more individuals.	Fighting = A,C,D, F,G	SAME	SAME	SAME
FIREWORKS: An illegal act. See Delaware State Law Title 16 / 6901 for exceptions and identifications of fireworks.	Fireworks = D,E,G	D,E,F,G	SAME	SAME
FORGERY: Writing a statement, document, pass, excuse, or signature in another person's name. Also an illegal act as defined by Delaware State Law. (A legal investigation of, or arrest for forgery.)	Forgery = A,C,D,G	SAME	SAME	SAME
GAMBLING: Participation in games of chance for money or other things of value.	Gambling= A,C,D,G	SAME	SAME	SAME
HARRASSMENT: shall mean any actions or statements made with the intent to harass, annoy, or alarm another person which: A) insults, taunts, or challenges the other person or; B) is a cause of alarming or distressing conduct which serves no legitimate purpose and is done in a manner which the actor knows is likely to provoke a violent or disorderly response or cause a reasonable person to suffer fear, alarm, or distress.	Harrassment= A,B,C,D,F,G	SAME	SAME	SAME
HATE SPEECH/CONDUCT: Verbal or electronic communication and/or actions directed toward a member or members of a protected class of individuals for the explicit purpose of creating alarm, fear and/or causing emotional distress.	Hate Speech/Conduct= A,C,D,G	SAME	D,F,G	SAME
INAPPROPRIATE BEHAVIOR: language, gestures or actions that incite, produce distractions or disruptions, or seriously interfere with effective functioning of the teachers, another students, class, or any school activity.	Inappropriate Behavior = A,B,C,D,F,G	SAME	SAME	SAME

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INAPPROPRIATE DRESS: Failure to dress appropriately for school or school related activities as required by the dress code.	Inappropriate Dress = A,B,C,D,F	SAME	SAME	SAME
INAPPROPRIATE PHYSICAL CONTACT: Unwanted or unnecessary physical contact (especially of an offensive sexual nature) against a staff member or another student. Inappropriate touching or actions (of a sexual nature) involving displays of affection or intimacy in the school environment. Physical contact is limited to hand holding.	Inappropriate Physical Contact = A,B,C,D	SAME	C,D	SAME
INDECENT EXPOSURE/PROPOSITION: “Indecent Exposure in the 1st Degree” (Class A Misdemeanor) shall mean a male who exposes his genitals or buttocks to a person who is less than 16 years of age under circumstances in which he knows his conduct is likely to cause affront or alarm. Also, a female who exposes her genitals, breast or buttocks to a person who is less than 16 years of age under circumstances in which she knows her conduct is likely to cause affront or alarm. “Indecent Exposure in the 2nd Degree” (Unclassified Misdemeanor) shall mean a male who exposes his genitals or buttocks under circumstances in which he knows his conduct is likely to cause affront or alarm to another person. Also, a female who exposes her genitals, breast or buttocks under circumstances in which she knows her conduct is likely to cause affront or alarm to another person.	Indecent Exposure/Proposition = A,C,D,G	D,G	D,F,G	SAME
INHALANT ABUSE: shall mean chemical vapors that are inhaled for their mind-altering effects.	Inhalant Abuse=A,B,C,D	SAME	A,B,C,D,F	A,B,C,D,F
INSTIGATION: To provoke or cause something to happen or begin.	Instigation= A,B,C,D	SAME	C,D	SAME
LEAVING CLASS WITHOUT PERMISSION: Leaving the assigned room without required staff permission.	Leaving Class = A,B,C	A,B,C,D	SAME	SAME
LEAVING SCHOOL WITHOUT PERMISSION: Leaving the school building or the school grounds during school hours without required staff permission.	Leaving School = A,B,C,D	SAME	SAME	SAME
LOITERING: Standing idly about or lingering aimlessly; generally defined as just “hanging around”; may be an illegal act as defined by Delaware State Law.	Loitering = A,B,C,G	A,B,C,D,G	SAME	SAME
MISUSE OF TECHNOLOGY: Unauthorized, illegal, or destructive activities involving computers, computer accessories, software, or computer networks.	Misuse of Technology = A,B,C,D	A,B,C,D	SAME	SAME

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NON-PRESCRIPTION MEDICATION: means any over the counter medication that can be sold legally without a prescription; some of these medications may include "Drug Like Substance."	Non-Prescription Medication= A,B,C,D,G	SAME	SAME	SAME
OFFENSIVE TOUCHING OF STAFF/STUDENT: shall mean intentionally touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or Intentionally striking another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.	Offensive Touching/Staff = A,B,C D,F,G	SAME	SAME	SAME
PORNOGRAPHY: Shall mean the possession, sharing, or production of any known obscene material in the school environment	Pornography= A,B,C,D,F,G	SAME	SAME	SAME
POSSESSION of a WEAPON or ANY DANGEROUS INSTRUMENT: Possession of any weapon or dangerous instrument capable of inflicting harm, its use, attempted use, or threat of use is prohibited in the school environment.	Possession of a weapon = D,F,G	SAME	SAME	SAME
PRESCRIPTION MEDICATIONS: means any substance obtained directly from or pursuant to a valid prescription or order of a practitioner, as defined in 16 Del.C. §4701(24), while acting in the course of his or her professional practice, and which is specifically intended for the student in whose possession it is found.	Prescription Medications=A,B,F,G	SAME	SAME	SAME
PROFANITY: Cursing or use of vulgar language.	Profanity = A,B,C	SAME	A,B,C,D	SAME
RAPE/ATTEMPT RAPE: shall respectively mean sexual intercourse and attempted Sexual Intercourse without consent of the victim in both cases.	Rape, Attempted Rape = D,F,G	SAME	SAME	SAME
SAFETY VIOLATION: Pranks, horseplay, pushing, shoving actions marked by a lack of proper caution for individual or group safety and welfare.	Safety Violation = A,B,C,D	SAME	SAME	SAME
SEXUAL INTERCOURSE/PENETRATION/CONTACT: Acts, behavior, and language of a sexual nature, either consented to or not, are prohibited in the school environment. A legal or illegal act relating to sexual activity or sexual contact as defined by Delaware State Law.	Sexual Intercourse/Penetration/Contact = D,F,G	SAME	SAME	SAME
SEXUAL ASSAULT: shall mean any unwanted sexual behavior committed by a perpetrator who is a stranger to the victim or by a perpetrator who is known by the victim or related to the victim by blood, marriage or civil union. Behaviors that fall under this definition include but are not limited to: sexual harassment as defined in §763 of Title 11; sexual contact as defined in	Sexual Assault = D,F,G	SAME	SAME	SAME

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SEXUAL HARASSMENT: Either unwanted contact, requests or subtle pressure, personal and inappropriate comments, offensive or explicit language, offensive jokes, or the display of suggestive objects or pictures, ALL OF A SEXUAL NATURE , by a student toward another student or a student toward a staff person. An illegal act relating to sexual harassment as defined by Delaware State Law. (A legal investigation of, or arrest for acts of sexual harassment.)	Sexual Harassment = A,B,C,D,F,G	SAME	SAME	SAME
SKIPPING: To be marked present in school, but to be absent, unexcused from class.	Skipping = A,B,C	A, B,C,D	SAME	SAME
STEALING/POSSESSION OF STOLEN PROPERTY: Taking, exercising control over or obtaining property of another person intending to deprive that person of it or appropriate it.	Stealing, Possession of Stolen Property =A, B,C,D,E,G	SAME	SAME	SAME
TEEN DATING VIOLENCE: shall mean assaultive, threatening or controlling behavior, including stalking as defined in 11 Del.C. §1312, that one person uses against another person in order to gain or maintain power or control in a current or past relationship. The behavior can occur in both heterosexual and same sex relationships, and in serious or casual relationships.	Teen Dating Violence = A,B,C,D,F,G	C,D,F,G	D,F,G	SAME
TERRORISTIC THREATENING: shall mean when: (1) A person threatens to commit any Crime likely to result in death or in serious injury to person or property; or (2) A person commits an act with intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.	Terroristic Threats = A,B,C,D,F,G	C,D,F,G	D,F,G	SAME
TERRORISTIC THREATENING-SECURITY THREAT: shall mean when a person makes a false statement or statements: (1) Knowing that the statement or statements are likely to cause evacuation in the School Environment; (2) Knowing that the statement or statements are likely to cause serious inconvenience in the School Environment; or (3) In reckless disregard of the risk of causing terror or serious inconvenience in the School Environment.	Terroristic Threats/Security Threat=A,B,C,D,F,G	C,D,F,G	D,F,G	SAME
TOBACCO/POSSESSION AND USE: Possession of or use of tobacco related products are prohibited in the school environment.	Tobacco/Possession/Use = C	C,D	SAME	SAME
TRESPASSING: To knowingly enter school property by a person who has been prohibited. To unlawfully remain on school property. An illegal act relating to unlawfully being or remaining on school property as defined by Delaware State Law. (A legal investigation of, or arrest for trespassing.)	Trespassing = A	A,G	SAME	SAME

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TRUANCY: Being absent, unexcused, all day from school.	Truancy = A,B,C	SAME	SAME	C,F
UNAUTHORIZED USE OF CELL PHONE/ Electronic Communication Devices: Possession, use or display of cell phones and (ECD) should not be in use in elementary and middle school buildings during normal school hours. Students in high school will be permitted to use their cell phones or ECD for approved instructional purposes within the classroom and during breakfast and lunch periods within the cafeteria. Cell phones are not permitted in any other area of the school. See Grades K-8 and 9-12 Discipline Matrix for grade level penalties.			C,D,F	SAME
UNEXCUSED TARDY TO CLASS: Being late to class without proper documentation.	Unexcused Tardy to Class=A,B	SAME	A,B,C	SAME
UNEXCUSED TARDY TO SCHOOL: Being late to school without proper documentation. Discipline matrix used after 4th tardy within a single calendar month. See JE Reg., Pg.2	Unexcused Tardy to School=A	A,B	A,B	SAME
UNLAWFUL SEXUAL CONTACT III: shall mean when a student has sexual contact with another person or causes the victim to have sexual contact with the student or a third person and the student knows that the contact is either offensive to the victim or occurs without the victim's consent.	D,F,G	SAME	SAME	SAME
UNSAFE ITEMS: Firworks, firecracker, folding pocketknife with blade 3"or less or other items in which can be attempted, threatened, or used, causing injury.	Unsafe Items = B,C,D,G	SAME	SAME	SAME
VANDALISM: Willfully destroying or damaging school or private property.	Vandalism = B,C,D,E,G	SAME	SAME	SAME
WEAPONS/DEADLY: a firearm, bomb, switchblade knife, blackjack, bludgeon, metal knuckles, sling shot, razor, bicycle chain, ice pick or any dangerous instrument which is used, or attempted to be used, to cause death or serious physcial injury.	Weapons=D,F,G	SAME	SAME	SAME