

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/Grievance 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	F = Restitution	MS = Middle School
B = Detention or Alternative	G = Recommend Expulsion	HS = High School
C = In-school Suspension or Alternative	H = Police/Arrest	
D = CAMP	I = Social Probation	
E = Out of School Suspension or Alternative Placement		

OFFENSE/DEFINITION		1st Incident	2nd Incident	3rd Incident	4th Incident
S CODES					
Academic Dishonesty (S1002) Fraudulent deception in preparing or presenting course work or class assignments as a student's own work when it is not. This includes, but is not limited to: (1) copying another student's work, (2) unauthorized use of notes or sharing answers during a test, (3) presenting another person's work as one's own, (4) presenting quotations, words or ideas without proper references or credit (plagiarism), and (5) unauthorized use of AI for completion of student assignments, (6) collusion, working together to provide or receive answers on an independent assignment or assessment.	MS	A * No grade higher than a 65 (summative)	A * No grade higher than a 65 (summative)	A * No grade higher than a 65 (summative)	A * No grade higher than a 65 (summative)
	HS	A *No grade higher than a 65 (summative)	A *No grade higher than a 65 (summative)	A *No grade higher than a 65 (summative)	A *No grade higher than a 65 (summative)
Attorney General Report (S0161) Students in regular school programs who engage in alleged out-of-school, criminal conduct, regardless of jurisdiction, which demonstrates the propensity to show disregard for the health, safety and welfare of others, including, serious acts of violence, weapons offenses, and drug offenses. The school must also receive a report by the Department of Justice.		Administrative discretion with serious violent offenses			
Careless & Reckless Behavior (S0107) Unintentional behavior that threatens to or causes injury or property damage or intentional behavior that causes or may cause unintentional injury or property damage.	MS	A, B	B	C, D, I	C, D, I
	HS	B, C, H, I	C, H, I	C, D, H, I	E, G, H, I

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OFFENSE/DEFINITION		1st Incident	2nd Incident	3rd Incident	4th Incident
Consensual Sexual Misconduct (S0108) Consensual sexual act(s) between students within the school environment. This may require a report to the Division of Family Services. Please refer to the Model Policy for Responding to Student Sexual, Physical and Emotional Misconduct in Delaware Schools for more information.	MS	E, I	E, I	G, I	G, I
	HS	D, E, I	E, I	G, I	G, I
Defiance of School Authority (S1003) A verbal or non-verbal refusal to 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 that causes either a substantial disruption or material interference with school activities. This does not include a student who walks away to deescalate or manage their emotions.	MS	A, B	B, C, D, I	C, D, I	C, D, I
	HS	A, B	B, C, I	C, D, E, I	C, D, E, I
Disruptive Behavior (S0091) Students who intentionally disrupt the school environment by not following expectations and/or interrupt learning or school activities despite non-verbal and verbal redirection. This can include excessive talking that limits others' ability to learn and behaviors by the student or with other students that are distracting to other persons.	MS	A, B	B, C, D, I	C, D, I	C, D, E, I
	HS	A, B	B, C, D, I	C, D, I	C, D, E, I
Dress Code Violation (S0291) Failure to comply with the school-level dress code. Dressing in a manner that is unsafe and/or disrupts the learning environment. This includes, but is not limited to clothing that promotes drugs, alcohol, or profanity.	MS	A	B, C, D, I	C, D, I	C, D, I
	HS	A	B, C, D, I	C, D, I	C, D, I
Falsely Signing & Impersonating (S1004) Falsely or fraudulently signing or altering a document or electronic record such as hall pass, early dismissal note, progress report, absence excuse, etc. Forgery shall also include impersonating another student or falsely identifying oneself or others inaccurately via electronic, verbal or written means.	MS	A, C, D, G, I	A, C, D, G, I	A, C, D, G, I	A, C, D, G, I
	HS	A, C, D, G, I	A, C, D, G, I	A, C, D, G, I	A, C, D, G, I
Inappropriate Language & Gestures (S1005) Cursing/swearing or using written or spoken language, gestures, electronic images, photos, or actions, directed towards another person, that are considered sexually explicit, offensive, obscene, or vulgar.	MS	A, B, C, D, E, I	A, B, C, D, E, I	A, B, C, D, E, G, I	A, B, C, D, E, G, I
	HS	A, B, C, D, E, I	A, B, C, D, E, I	A, B, C, D, E, G, I	A, B, C, D, E, G, I

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Instigation (S0302) Students incite aggressive or physical conflict between two or more students that resulted in a confrontation without directly participating in the confrontation.	MS	C, I	C, I	C, D, E, I	C, D, E, G, I
	HS	C, I	C, I	C, D, E, I	C, D, E, I
Leaving School Grounds Without Permission (S0051) Leaving the school building or the school grounds during school hours without required staff permission.	MS	C, I	C, D, I	D, I	D, E, G, I
	HS	C, I	C, I	C, D, E, I	D, E, I
Loitering (S0071) Student's unauthorized presence in any school area for an extended period of time and/or student's failure to leave the school grounds at the time designated.	MS	A	B, C, I	B, C, I	B, C, I
	HS	A	B, C, I	B, C, I	B, C, I
Misuse of Technology (S1006) Any use of school technology for unauthorized purposes such as, but not limited to, copying software, inappropriate internet or email usage, unauthorized use of school issued electronic devices, tampering with databases, passwords or configurations, or deletion of files. Also includes the use of school technology equipment in: soliciting, using, posting on social media, receiving or sending inappropriate images or materials; or accessing unauthorized email; or the unauthorized downloading and/or installing of files; or intentionally damaging technology equipment in the school environment.	MS	A, B,C, D, E, F, G, I			
	HS	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I
Refusal to Search	MS	D, E, I	E, I	E, G, I	G, I
	HS	E, I	E, I	G, I	G, I
Safety Violation (S0102) Students who engage in any behavior that is not appropriate for school and has the potential to put the students or others in danger.	MS	A, B, C	B, C, D, I	C, D, E, I	D, E, G, I
	HS	A, B, C, H, I	B, C, D, H, I	C, D, E, H, I	D, E, G, H, I
Skipping/Leaving Class (S1007) Absence from school or class without authorization or permission and/or leaving the assigned classroom without permission.	MS	A, B, C, I	B, C, D, I	C, D, I	C, D, E, I
	HS	A, B, C, I	B, C, D, I	C, D, I	D, E, I
Tardiness to School & Class (S1008) Unexcused lateness to school or class without authorization or permission.	MS	A	B, C, I	B, C, I	B, C, I
	HS	A, B	B, C, I	B, C, I	B, C, I

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Theft (Less than \$1500) (S0111) Students who take, obtain or intentionally have possession of school property or the personal property of another person(s).	MS	A, B, C, D, E, F, I	A, B, C, D, E, F, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I
	HS	A, B, C, D, E, F, I	A, B, C, D, E, F, I	A, B, C, D, E, F, I	A, B, C, D, E, F, G, I
Unauthorized Use of an Electronic Device (S1009) Students who engage in non-educational activities in the school environment, including but not limited to capturing, distributing, displaying, sharing, and/or posting of inappropriate images, videos, movies, and/or music from personal devices. Engaging in social media, texting, playing games, and/or streaming that disrupts the learning environment.	MS	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I
	HS	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I	A, B, C, D, E, F, G, I
Unsafe Item (S0131) Any item, device or substance that may be deemed disruptive and/or is used for a purpose in which it was not intended.	MS	C, D, I	C, D, I	C, D, E, I	C, D, E, G, I
	HS	C, D, I	C, D, I	C, D, E, I	C, D, E, G, I
D CODES					
Alleged Bullying Victim (D0701) Means any intentional written, electronic, verbal, or physical act against another student, a school district or charter school volunteer, or a school district or charter school employee that a reasonable person under the circumstances should know will have any of the following effects: a. Place a student, school district or charter school volunteer, or school district or charter school employee in reasonable fear of substantial harm to the student's, volunteer's, or employee's emotional or physical well-being or substantial damages to the student's, volunteer's, or employee's property. b. Create 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. c. Interfere with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits. d. Perpetuate 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 district or charter school volunteer, or school district or charter school employee. The checkbox on the event details screen should be used for any substantiated bullying incidents.	MS	D, H, I	D, H, I * Same victim see Harassment (D0213)	G, H, I	G, H, I
	HS	D, H, I	D, E, H, I * Same victim see Harassment (D0213)	G, H, I	G, H, I

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Destruction of Property (D0301) Students who damage or deface school property or the personal property of another person. This includes tampering with security, medical or fire protective equipment.	MS	C, D, F, H, I	C, D, F, H, I	D, E, F, G, H, I	D, E, F, G, H, I
	HS	D, E, F, H, I	D, E, F, H, I	D, E, F, G, H, I	D, E, F, G, H, I
Exposure (D2012) Students who expose their genitals, breasts, or buttocks to another person.	MS	C, D, E, H, I	D, E, H, I	E, G, H, I	G, H, I
	HS	C, D, E, H, I	D, E, H, I	E, G, H, I	G, H, I
Fighting (D1101) Students who willingly engage in a one-on-one physical altercation. This is a physical altercation in which none of the participants are identified as victims.	MS	D, E, H, I	D, E, H, I	E, G, H, I	E, G, H, I
	HS	D, E, H, I	D, E, H, I	E, G, H, I	E, G, H, I
Harassment (D2013) Students who engage in unwelcome verbal, written, electronic, graphic or physical conduct relating to another person's actual or perceived sex, gender, age, race, color, national origin, sexual orientation, gender identity expression, pregnancy or related conditions, religion, disability, English language proficiency, socioeconomic status, and/or physical appearance. The behavior must be considered severe, persistent or pervasive to be considered harassment. The behavior does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. The harassment type must also be specified on the participant details screen.	MS	A, B, C, D, E, G, H, I	C, D, E, G, H, I	D, E, G, H, I	E, G, H, I
	HS	A, B, C, D, E, G, H, I	C, D, E, G, H, I	D, E, G, H, I	E, G, H, I
Hate Speech/Conduct (D0750) 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.	MS	A, B, C, D, E, H, I	A, B, C, D, E, H, I	C, D, E, G, H, I	E, G, H, I
	HS	A, B, C, D, E, H, I	A, B, C, D, E, H, I	C, D, E, G, H, I	E, G, H, I
Inappropriate Touch - Employee Victim (D2014) Students who intentionally engage in physical aggression towards a school employee or volunteer either with their own body or with an object and it does not result in physical injury. This includes, but is not limited to pushing, pinching, punching, kicking, slapping, grabbing, scratching, poking with an object, throwing an object at, or spitting on a school employee or volunteer. The behavior does not have to include intent to harm. This offense should be used for students under the age of 12 who caused a physical injury to a school employee or volunteer that is not classified as serious.	MS	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I
	HS	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I

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Inappropriate Touch - Student Victim (D2015) Students who intentionally engage in physical aggression towards another student either with their own body or with an object and it does not result in physical injury. This includes, but is not limited to pushing, pinching, punching, kicking, slapping, grabbing, scratching, poking with an object, throwing an object at, or spitting on another student. The behavior does not have to include intent to harm. This offense should be used for students under the age of 12 who caused a physical injury to another student that is not classified as serious.	MS	C, D, E, G, H, I	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I
	HS	C, D, E, G, H, I	D, E, G, H, I	D, E, G, H, I	D, E, G, H, I
Mutual Group Fight (D2016) Students who willingly engage in a physical altercation with multiple willing participants. This is a physical altercation in which none of the participants are identified as victims.	MS	D, E, H, I	D, E, H, I	E, G, H, I	E, G, H, I
	HS	D, E, H, I	D, E, H, I	E, G, H, I	E, G, H, I
Physical Restraint (D2019) No Code Violation. A student was physically restrained by an employee or contractor of a public school district or charter school, private program, or alternative program, but there was no violation of the student code of conduct by the student					
Possession and/or Production of Pornography (D0101) Students who possess, share, or produce any known pornographic or obscene material in the school environment. This would include a student who distributes photos or videos of another student who did not consent to getting their photos taken or shared, or cannot consent to the photos due to their age (under age 12).	MS	A, B, C, D, E, H, I			
	HS	A, B, C, D, E, H, I			
Possession and/or Use of Dangerous Instrument (D2017) Students who possess and/or use any object, device, or instrument in the school environment classified as a dangerous instrument under 11 Del. C. § 222. This includes, but is not limited to pellet/air guns, tasers, mace or other dangerous instruments.	MS	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I
	HS	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I

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Possession and/or Use of Nonprescription and/or Prescription Medications (D1601) Students who use or are under the influence of nonprescription and/or prescription medications, or who are found to be in possession of nonprescription and/or prescription medications in the school environment without proper documentation.	MS	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I
	HS	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I	A, B, C, D, E, G, H, I
Possession and/or Use of Tobacco or Electronic Smoking Devices (D1401) Students who use or possess any tobacco product or any electronic smoking device in the school environment. This includes, but is not limited to products containing tobacco, electronic cigarettes and any vape device.	MS	C, D, E, H, I			
	HS	C, D, E, H, I			
Theft (\$1500 or more) (D0601) Students who take school property or the personal property of another person(s).	MS	D, E, F, G, H, I	D, E, F, G, H, I	E, F, G, H, I	E, F, G, H, I
	HS	C, D, E, F, G, H, I	C, D, E, F, G, H, I	E, F, G, H, I	E, F, G, H, I
Threat of Physical Attack w/out Weapon (D2018) Students who threaten to engage in an act that causes harm and introduces fear in another school community member. Threats can be made verbally, in writing, or with gestures and may refer to a weapon that is not present. A threat may or may not be made in person.	MS	C, D, E, G, H, I			
	HS	C, D, E, G, H, I			
C CODES					
Assault Causing Physical Injury (C0720) Students who intentionally engage in an act that causes physical injury or serious physical injury to another person. This includes, but is not limited to bruises, lacerations, puncture and stab wounds, dislocations, sprains, and/or bone fracture. This offense is not used for students under the age of 12, unless the student causes a serious physical injury, which are injuries that create the risk of death or cause disfigurement, impairment of health, or loss or impairment of the function of any bodily organ or limb.	MS	D, E, G, H, I	E, G, H, I	G, H, I	G, H, I
	HS	D, E, G, H, I	E, G, H, I	G, H, I	G, H, I
Distribution of Alcohol and/or Drugs (C0721) Students who are found to be selling and/or distributing alcohol, drugs or other substances in the school environment. This includes, but is not limited to inhalants, marijuana (cannabis, edible, liquid, etc.), drug like substances, look alike substances, nonprescription medication, and prescription medications.	MS	E, G, H, I	E, G, H, I	G, H, I	G, H, I
	HS	E, G, H, I	E, G, H, I	G, H, I	G, H, I

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Other School Crime (C0722) Any significant incident resulting in disciplinary action not classified previously but required to be reported under the School Crimes Reporting Law (14 Del. C. § 4112). This may include arson, manslaughter, etc.	MS	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I
	HS	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I	A, B, C, D, E, F, G, H, I
Possession and/or Use of Alcohol and/or Drugs (C0723) Students who use or are under the influence of alcohol, drugs or other substances, or who are found to be in possession of alcohol, drugs, other substances, or drug paraphernalia in the school environment. This includes, but is not limited to inhalants, marijuana (cannabis, edible, liquid, etc.), drug like substances, and look alike substances.	MS	D, E, G, H, I	E, G, H, I	G, H, I	G, H, I
	HS	D, E, G, H, I	E, G, H, I	G, H, I	G, H, I
Possession and/or Use of Deadly Weapons (C0724) Students who possess and/or use any object, device, or instrument in the school environment classified as a deadly weapon under 11 Del. C. § 222. This includes, but is not limited to a knife of any sort, switchblade knife, billy, blackjack, bludgeon, metal knuckles, slingshot and/or razor. This does NOT include toys, or ordinary objects including pocket knives with blades less than 3 inches. Firearms and bombs are captured under separate offenses.	MS	E, G, H, I	G, H, I	G, H, I	G, H, I
	HS	E, G, H, I	G, H, I	G, H, I	G, H, I
Possession and/or Use of Firearms (C0726) Students who possess and/or use any firearm in the school environment. This includes, but is not limited to handguns, rifles, shotguns, starter guns, and/or other firearms identified in 11 Del. C. § 222, whether loaded or not. BBs are included per § 1457 and § 1457A. This does NOT include toys or pellet/air guns; these should be captured other Possession and/or Use of Dangerous Instruments.	MS	E, G, H, I	G, H, I	G, H, I	G, H, I
	HS	E, G, H, I	G, H, I	G, H, I	G, H, I
Possession and/or Use of Explosive Devices (C0725) Students who are found to be in possession and/or use incendiary devices such as fireworks, firecrackers, pipe bombs and/or other explosives in the school environment.	MS	E, G, H, I	G, H, I	G, H, I	G, H, I
	HS	E, G, H, I	G, H, I	G, H, I	G, H, I
Rape (C0727) Is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent, including when a person is unable to give consent. All persons, regardless of sex, sexual orientation, or gender identity, can be victims of rape.	MS	G, H, I	G, H, I	G, H, I	G, H, I
	HS	G, H, I	G, H, I	G, H, I	G, H, I

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Robbery (C0728) Students who take or attempt to take anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and theft is that robbery involves a threat or assault.	MS	G, H, I	G, H, I	G, H, I	G, H, I
	HS	G, H, I	G, H, I	G, H, I	G, H, I
Sexual Assault (C0729) Is any sexual act directed against another person without consent, including when a person is unable to give consent. It includes threatened rape, fondling, indecent liberties, or child molestation. Rape is not included. All persons, regardless of sex, sexual orientation, or gender identity, can be victims of sexual assault. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).	MS	G, H, I	G, H, I	G, H, I	G, H, I
	HS	G, H, I	G, H, I	G, H, I	G, H, I
Threat of Physical Attack w/ Weapon (C0102) Students who threaten to engage in an act that causes harm and introduces fear in another person, and the threat is made while displaying, brandishing, or discharging a weapon but with no actual physical contact of any person. A threat may or may not be made in person. A threat of physical attack using words that refer to a weapon would be considered a threat without a weapon.	MS	G, H, I	G, H, I	G, H, I	G, H, I
	HS	G, H, I	G, H, I	G, H, I	G, H, I
Threatening Mass Violence (C0730) Students who threaten to engage in an act that causes serious physical harm or creates a substantial risk of serious physical harm in the school environment. This includes, but is not limited to bomb threats and other threats that are likely to cause an evacuation of a building. See Threats of Physical Attack w/ and w/out weapon for threats against people.	MS	G, H, I	G, H, I	G, H, I	G, H, I
	HS	G, H, I	G, H, I	G, H, I	G, H, I