CHARTER SCHOOL OF NEW CASTLE

Student Handbook

Code of Conduct

2025-2026

Primary: K-2nd Grade
170 Lukens Drive
New Castle, DE 19720
Phone: 302-324-8901
Fax 302-654-1554

Intermediary: 3rd-5th Grade
170 Lukens Drive
New Castle, DE 19720
Phone: 302-324-8901
Fax 302-654-1554

Middle: 6th-8th Grade
160 Lukens Drive
New Castle, DE 19720
Phone: 302-324-8901
Fax 302-324-8908

Advanced Honors: 6th-8th Grade
160 Lukens Drive
New Castle, DE 19720
Phone: 302-324-8901
Fax 302-324-8908

This Code of Conduct is a document designed to describe rules, expectations, and consequences for student behavior. We ask that parents/guardians review the Parent & Student Code of Conduct with your child and have a discussion regarding school expectations. Please sign the accompanying form and have your child sign to acknowledge that he/she has received, read, and discussed a copy of this Code of Conduct.

In addition, in the Appendix is a copy of the Charter School of New Castle's Educational Technology Acceptable Use Policy. In order for your child to use the educational technology, this policy must be reviewed and the parent/guardian must sign the accompanying form acknowledging the same.

Signing the accompanying form also acknowledges receipt of and acceptance of the Media Release Policy and the Notice Regarding Directory Information, both described below.

Return the signed form to your child's homeroom teacher.

Media Release

Signature on the accompanying form by the student's Parent(s) or Legal Guardian(s) is their agreement that the School has the irrevocable right to use the name, voice, photograph, picture, portrait, appearance, likeness, performance (sometimes collectively referred to as the "**image**") of the student in connection with the School's educational, promotional, or fund-raising activities, or for any other legitimate purpose. The School may use, reproduce, publish, exhibit, distribute, and transmit the image of the student, individually or along with other images or printed matter in the production of brochures, slides, motion pictures, broadcasts (radio and television), audio or video files, recordings, still photography, CD-ROMs, the School's website, and through any other manner of media now known or later developed (sometimes collectively or individually referred to as the "**media**"). No personal information - such as name, home address or phone numbers - will be published in promotional or fund-raising materials. (Such personally identifiable information is subject to the School's policy on Directory Information.)

The School may also record, reproduce, amplify, edit, and simulate the student's image and all sound effects produced. The School will own the copyright, in its own name, to any media/derivative works that contain the image of the Student; and may assign the above-mentioned rights to third parties. The School will have no obligation to make use of the rights or materials discussed in this paragraph. The right to inspect or approve the student(s)'s image or any finished materials that use the image is waived by the Parent or legal guardian; and no compensation will be provided, now or in the future, in connection with the use of the student's image. There is no time limit on the validity of this Release; nor is there any geographic limitation on where these materials may be used/distributed. By signing the enclosed form, the Parent(s) or Legal Guardian(s) release and forever discharge the officers, directors and employees of the School, their agents, employees and assigns from any and all claims, demand, rights, and causes of action of whatever kind that may arise from the use of the student's image, including all claims for libel, invasion of privacy, or right of publicity.

Family Educational Rights and Privacy Act (FERPA)
Notice Regarding Directory Information

The *Family Educational Rights and Privacy Act* (FERPA), a Federal law, requires that with certain exceptions, Charter School of New Castle must obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the School may disclose appropriately designated "directory information" without written consent, unless you have advised the School to the contrary in accordance with the School's procedures. The primary purpose of directory information is to allow the School to include information from your child's education records in certain school publications. Examples include:

- An annual yearbook or School Directory; Honor roll or other recognition lists;
- A playbill, newsletter, website, or other publication showing your student's participation in a School event; Graduation programs; and Sports or other activity sheets or information.

Directory information, which is information that generally is not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that publish yearbooks or print graduation programs or other school materials. If you do not want School to disclose any or all of the types of information designated below as directory information regarding your child without your prior written consent, you must notify the School in writing of the type of directory information that you do not want disclosed no later than 14 days after receipt of this notice (or within 14 days of newly enrolling in the School).

You may send written notification to the following address:

Charter School of New Castle
170 Lukens Dr.
New Castle, DE 19702

Or you may give notice on the accompanying form acknowledging receipt of this Notice. Charter School of New Castle has designated the following information as directory information:

- **Student's name**
- **Address/Telephone listing**
- **Electronic mail address**
- **Photograph**
- **Date and place of birth**
- **Dates of attendance**
- **Grade level, Honors, and awards received**
- **The most recent educational agency or institution attended**
- **Participation in officially recognized activities and sports**

Image of student's participation in school activities or sports ("image" includes but is not limited to photograph, picture, portrait, appearance, likeness, performance, or video), but only if such image is not published in conjunction with home address or phone number of student. A student ID number or other unique personal identifier, but only if the identifier cannot be used to gain access to education records. except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

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Charter School of New Castle

Academies of Learning

The mission of the Charter School of New Castle is to provide a safe, nurturing, and rigorous multi-cultural environment that develops the academic and social skills and character traits necessary for future success. The school also aims to acknowledge the learning differences of each individual child and nurture the uniqueness of each family structure.

Primary Academy/School	Intermediary Academy/School	Middle Academy/School	Advanced Honors Academy/School
Grades K -2	Grades 3 -5	Grades 6 -8	Grades 6 – 8*

Purpose

New Learning Cohorts supported by top leaders at CSNC will ensure age appropriate learning experiences that enhance academic development and operational efficiency

Plan

"Student Development & Focused Learning"	"Tailored instruction and leadership"	"Smoother Student Transitions"
The reconfiguration promotes developmentally focused learning tailored to each grand band, facilitating smoother transitions during critical academic junctures, leading to greater engagement and success	With smaller cohorts, tailored instruction becomes feasible, allowing teachers to focus on students' individual needs, leading to improved educational outcomes.	This structure facilitates smoother transitions by grouping students as they advanced through their academic journey, ensuring appropriate support and fostering a strong community identity.

Partnership

A Vision for Greater Success
A collaborative Approach to Enhance Student Success and Community Engagement

A Path Forward

Commitment to support initiatives designed to elevate CSNC. We aim to highlight the incredible work within the school community and ensure that every decision reflects our core values of excellence and community engagement.

INTRODUCTION

The successful operation of a school requires the cooperation of many people. The school must be free from disruptions, which interfere with teaching and learning activities. Students, parents/guardians, and school staff must assume a responsible role in creating a positive environment and promoting behavior that encourages learning. Enrollment at CSNC means that the students and their families will abide by our philosophy and policies.

Upon entering Charter School of New Castle, the student is responsible for his or her actions both in and out of school. Any serious violations of school policy and/or any illegal or immoral behavior may result in serious disciplinary action. The authority and responsibility for directing the activities of our school have been given to the professional staff as determined by the administration and Board of Directors.

CSNC is dedicated to the development, empowerment, and overall achievement of each of our students and families. Charter School of New Castle, therefore, will be free from disruption and safe for consistent instruction during learning activities throughout the school day. Students, families, and school staff must assume responsibility in creating a positive, nurturing environment while promoting self - correcting behavior that encourages growth, confidence, and overall development.

Students, families, and staff are encouraged to become familiar with the entire CSNC Student Code of Conduct. We want our students to practice the fundamental strategies for academic success.

CHAPTER I – CONDUCT AND ENVIRONMENT

What is the Code of Conduct?

The Code is an official document of Charter School of New Castle that:

- Describes a positive and safe school environment.
- Specifies the rights and responsibilities of students.
- Defines attendance responsibilities.
- Safeguards the rights of students.
- Defines conduct that disrupts a positive and productive learning environment.
- Standardizes procedures for disciplinary action.
- Incorporates the Board of Director's Policy on possession, use, and distribution of drugs and alcohol.

Provisions in the Code of Conduct apply to all students in Grades K to 8. Differences in age and maturity are considered in determining the type of disciplinary action to be taken. All students have a greater responsibility for their actions as they increase in age. This Code does not restrict the Board's legal/statutory authority to protect the health, safety, and welfare of students and staff. A copy of the Student Code of Conduct is given to each student. The Code is discussed during orientation at the beginning of each school year. Students' or by parents/guardians' questions concerning the Code should be directed to a Chief Executive Officer.

When is the Code in Force?

The Code is in force

- On school property at all times.
- For each student from the time he/she leaves their place of residence on their way to school to the time he/she arrives at home after the conclusion of the school day.
- While students are on a school bus or in another vehicle operated for or by Charter School of New Castle, regardless of purpose.
- At all school-sponsored events and other activities at which school administrators have jurisdiction over students.

On any social media or web based platforms where a student is interacting with other students or making comments that have an impact on the school.

Out of School Conduct

The Code of Conduct also shall apply to out-of-school conduct by a student if Charter School of New Castle Charter personnel believe that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students, or to the reputation of the Charter School of New Castle. Such out-of-school conduct shall include, but is not limited to the following:

- Acts of violence or threats of violence that are punishable by law.
- Sexual offenses that are punishable by law.
- The sale, transfer, or possession of drugs that constitutes an offense punishable by law.
- Felony charges.

Additionally, Chief Executive Officer or their designees are authorized to take administrative action when a student's misconduct while traveling to and from school has a harmful effect on other students, the community, or the orderly conduct of school business. Charter School of New Castle will be notified by the Attorney General's office and/or law enforcement whenever a student is arrested for committing a felony, even if it has nothing to do with school or has occurred off school property. When the School receives these reports, they will be reviewed. The School will take disciplinary action as outlined in the Student Code of Conduct if it is determined that the out-of-school conduct indicates the student presents

a threat to the health, safety, or welfare of other students or staff. Charter School of New Castle will not wait for adjudication of said felony to proceed with alternative placement or expulsion procedures.

High Expectations For Classroom And School Culture

A good school environment is best described as

- SAFE and POSITIVE.
- Providing a range of educational opportunities.
- Making the improvement of student behavior the primary goal of disciplinary action.

A good school environment also means that a friendly, yet business-like, atmosphere has been established in which students and school personnel work cooperatively toward recognized and acceptable goals. A good school environment is free from distractions, friction, and disturbances.

Who Establishes a Good Classroom and School Culture?

The Code recognizes the need for a working, cooperative relationship among students, parents, and school personnel. This relationship is most productive when students and parents/guardians act as follows:

Expectations for Student Investment

- Attend school and classes daily and on time.
- Be prepared for class assignments and activities.
- Attend class with appropriate working materials.
- Respect all persons and property.
- Refrain from profanity, abusive language, and inflammatory actions in personal interactions.
- Behave in a safe and responsible manner.
- Be responsible for their own work and behavior.
- Abide by the rules and regulations established by the school and individual classroom teachers.
- Seek change in an orderly and approved manner.

Family Investment

The value of family involvement in school is strongly supported by research that indicates its benefits for children, parents, schools, and the community. The involvement of family has been shown to be a critical component in building an effective school-family relationship.

Family involvement in schools has been shown to contribute to student success, including

- Improved student achievement, including math and reading scores.
- Higher motivation to excel in school.
- Better school attendance.
- Improved behavior at home and school.
- Better social skills and adaptation to school.

Family involvement in schools also has rewards for parents:

- The opportunity to closely monitor their children's performance and to recognize and address any difficulty their child may be having in school.
- Better relationships and communication with their children's teachers.
- Having a voice in decisions that enhance the academic environment of the school and improve the educational experience.

Family involvement also gives schools many advantages:

- Immediate access to parents to garner their support on school initiatives.
- Improved teacher morale.

- Higher ratings of teachers by parents, which can boost their reputation in the community.
- Creating powerful allies to engage community-wide support for educational excellence for children.

Charter School of New Castle's families are expected to abide by the following:

- Ensure their children attend school each day and report promptly; explain any absence or tardiness to the school.
- Provide their children with the resources needed to complete class-work and homework.
- Assist their children in being healthy, neat, and clean.
- Refrain from profanity, abusive language, and inflammatory actions in personal interactions.
- Bring to the attention of school authorities any problem or condition that negatively affects their child or other children of the school community.
- Discuss report cards and work assignments with their child.
- Attend Parent/Teacher conferences.
- Maintain up-to-date home, work, and emergency telephone numbers at the school.
- Seek change in an orderly and approved manner.
- **IMPORTANT: Any parent who acts in an unacceptable manner (i.e., gross disrespect, threatening, or causing disruption to the professional or academic climate) toward any staff member or student may be banned from the school for the duration of the school year. In addition, such behavior may constitute grounds for dismissal of a student from school. An Chief Executive Officer has the authority to determine when such consequences are appropriate.**

Parent Involvement Policy/Goal

We are dedicated to supporting the academic and social development of our students and aim to involve their families and our community in the learning process of each of our students. We believe that parent investment and involvement with our school is paramount to the success of our school and the growth of our students. We aim to involve our parents in a meaningful way through a productive partnership that promotes the best possible education for our students.

Parent involvement activities are integrated into our school model. CSNC some of those core elements are explained below.

Regular Communication with Parents

In order to build consistent and effective communication between the home and the school and to communicate effectively and in a timely manner with parents, regular communication will include the following:

Academic Calendar	Weekly Parent Bulletins
Special Event/Reminder Notices	Interim Progress Reports and Report Cards
2-3 required Parent-Teacher Conferences	Family Academic Nights
School Assemblies (Parents Invited)	Parent/Student Milestones & Contracts
Annual Title 1 Meeting	
Individualized phone calls and invitations from teachers to parents	

Additionally, parents will be involved in annually reviewing the Parental Involvement Policy, the School Parent Compact, and other parent notices through our parent groups and their meetings. All associated materials are distributed to parents and made available through our main office.

In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, CSNC will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents

Title 1 Parent Meetings

CSNC will hold an annual Title I meeting with parents to inform them of the school's participation in the program and to explain its requirements and parents' right to be involved. Parents will be notified via school bulletin and school blasts. The meeting will be held after school in an attempt to accommodate work schedules of our families. Parents will be encouraged to help organize, plan, and review the Title I programs for improvement purposes consistent with section 1118 of the Elementary and Secondary Education Act (ESEA).

If the school's plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of CSNC the school will submit any parent comments with the plan when the school submits the plan to the Delaware Department of Education.

The school will conduct an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the school including identifying barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). CSNC will use the findings of the evaluation to design strategies for more effective parental involvement. If necessary, the school will revise the parent policy based on these evaluations. The review of the parental involvement plan will be accomplished through the following:

- Parent group meetings
- Distribution of the school's parental involvement plan for comment via parent bulletin
    - Copies will be made available at the school upon request and will be offered in languages that are suitable for our population (if necessary).
- Annual Title 1 meeting where parents will be given the opportunity to provide feedback

Parent Meetings

These are opportunities to help parents understand how to support their children's academic efforts & social development. They provide parents with techniques and strategies that they may utilize to improve their child's academic success and to assist their children in learning at home. The school will offer flexible meeting times for parents in order to accommodate schedules of all families.

Charter School of New Castle (CSNC) will provide professional development to assist the teachers, staff and leadership team on how to communicate with, and work with parents as equal partners.

Homework

Homework is assigned to every student (4 -5 times per week) including short and long holiday breaks. Homework serves a number of purposes: to practice and extend classroom learning, to develop responsibility and work habits, and to provide parents and opportunity to interact with their children and their education. Parents can support the school and their child's success by helping with homework in the following ways:

- Provide a consistent, silent, and uninterrupted environment (free from TV, phone family noise, games, etc.) for your child to complete his/her homework each night.
- Make sure your child completes their homework every night checking for completion not accuracy, and encouraging your child to ask for help, then providing such support in an appropriate way.
- Help your child get organized. Remind him/her to bring home the necessary materials: binder, pencils, paper, etc.
- Show genuine interest in what your child does at school.
- Contact the teacher if your child has difficulty understanding an assignment.

Citizenship and Student Behavior

- Students are to display good character in the cafeteria, on the playground, on the bus, and in the classroom.
- Staff and parents should work together to help children understand the meaning and importance of good character. Specific rights, rules and responsibilities regarding student behavior are detailed in the Student Code of Conduct. Each student is provided a link to the student handbook online or may request a physical copy.

Visitations

Our school welcomes any parent who wishes to visit our school to volunteer or support following the guidelines as listed below:

- Schedule your visit with a school leader and classroom teacher at least 24 hours in advance
- The day you visit, stop by the office to sign in as a visitor and receive a visitor's badge.
- Accept the escort of a member of the leadership and/or climate team during your visit
- When in the classroom, do not engage the teacher in conversation that would prevent her/him from supervising and interacting with the students.

Parent Participation

Parents are urged to get involved with the parent working group (PWG), to help volunteer in school activities and support school events.

Notices about meetings and of the activities listed below will be sent home regularly. Parents wishing to participate may contact the school office to volunteer or can normally just show up at the announced time and place.

- Board Member, Parent Representative
- PWG
- Success Plan Team: Meet with leaders and teachers to help devise annual school improvement plan
- Family Academic Nights
- Winter & Spring Programs
- Art Fair/Talent Show
- School Site Activities
- School/Classroom Volunteer

Telephone Communication

We encourage communication between parents and teachers. However, because of their teaching responsibilities, teachers will not be available to answer calls during instructional hours; Elementary (8:00 am – 3:30 pm), Middle School (7:45 am – 2:20 pm). If you would like to talk with the teacher about your child, we will connect you to their voicemail, and you will receive a callback from the teacher when his/her teaching responsibilities are concluded. Parents are also encouraged to e-mail teachers at: first initial of teacher's first name, teacher's last name followed by @csnc.k12.de.us (example: alex.smith@csnc.k12.de.us)

Parent Classroom Visitation Policy

Charter School of New Castle encourages parents/guardians to take an active role in their children's education. To respect the privacy and safety of students and to maintain a safe learning environment, parents typically are not permitted to be present in a classroom. Parents/guardians are encouraged to meet with the child's teacher frequently and must schedule an appointment 24 hours in advance. To schedule the appointment, a parent/guardian can contact the main office at 302-324-8901. If the parent/guardian is in school for a visit, he/she must sign in at the main office and put on a visitor's badge, after which a staff member MUST escort the visitor to the classroom. On occasion, a parent may be asked to accompany a child in class to support their academic and/or behavioral progress. In that case, the parent/guardian is expected to act as a silent bystander so as to not disrupt the learning process in the classroom.

Conflict Resolution/Mediation

It is the philosophy of the Charter School of New Castle that students and staff should be proactive in their approach to behavior management. Therefore, conflict resolution and mediation strategies will be employed in a proactive manner to assist students and staff in addressing conflict and discipline issues.

Counseling

Personal needs or concerns can seriously threaten and interfere with the educational development of students. Schools have the responsibility to provide counseling services for students and to inform students of services provided by other agencies.

Students Have The Responsibility:

- To identify and/or report personnel or school related problems, concerns, or issues to appropriate staff and counselors/advisors.
- To use counseling services for their educational and personal development, when appropriate.
- To schedule appointments in advance unless the problems or concerns constitute an emergency. Parents and students have the responsibility to provide information that may be useful in making intelligent educational decisions.
- To use counselors/advisors' services for personal or school-related problems, concerns, and issues.

Students Have The Right:

- To be accurately informed as to the nature, kind, or type of guidance services available in their school and community.
- To receive appropriate counseling for personal and educational problems within a reasonable time and to have access to counselors/advisors who are member of the staff.

Participation in School Activities

- Students participating in extra-curricular programs and activities are expected to maintain the Charter School of New Castle standards of behavior in their school and community as defined by the Student Code of Conduct.
- Any student subject to a probationary agreement, suspension, alternative education or behavior contract will be ineligible to participate in any school-sponsored extra-curricular activity for a period of time.
- Any student who violates Charter School of New Castle's program rules may become ineligible to participate in school-sponsored extra-curricular activities or programs for a period of time.
- Charter School of New Castle's administration also may declare a student ineligible to participate in any or all school-sponsored extra-curricular activities and programs for a set period of time when that student's behavior results in a threat of harm to the health, safety, or welfare of staff or students or to the reputation of the school.
- Participation is a privilege that may be forfeited due to misconduct or failure to attain and maintain passing grades in all classes.

CHAPTER II – SCHOOL AND STUDENT PROPERTY

Lost, Stolen, or Damaged School Materials

All textbooks, school devices and other materials provided for students are a loan and remain the property of the Charter School of New Castle. Students are expected to treat them carefully. The School will keep an accurate inventory of all textbooks and school property.

At the end of the school year, when a student leaves the school, or when the material no longer is needed, all textbooks, school devices and materials must be returned. Charges for damaged textbooks, school devices and/or materials will be assessed against the parent/guardian, based on the change (if any) in the condition of the book or material between the beginning of the year at the end of the school year or period of use. If the book, device or materials degrade(s) by two steps (measured on the scale below), the fee will be 25% of replacement cost; if by three steps, 50% of replacement cost; if damaged beyond use, according to the schedule for lost and stolen materials, below.

The condition of books and technological devices (i.e. iPads, Laptop/desktop computers, projectors, etc.) will be rated as follows:

- Excellent condition
- Good condition
- Fair condition
- Poor condition

For books/devices that are lost, stolen, or damaged beyond use, the student will be assessed a fee based on the condition of the book/device at the beginning of the year, in accordance with the following schedule:

Lost, stolen, and irretrievably damaged books and technological devices:

- Excellent condition: full replacement cost
- Good condition: 75% of replacement cost
- Fair condition: 50% of replacement cost
- Poor condition: 25% of replacement cost

No final report card will be issued until all financial obligations to the school have been fulfilled. In addition, the school reserves the right to deny re-enrollment to any student whose financial obligations to the school under this policy are unfulfilled. If a parent or guardian is having difficulty meeting a financial obligation to the school, they may contact Chief Executive Officer to see if a payment plan may be available.

Any dispute may be appealed to the Chief Executive Officer(s).

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. 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. Search of individual students shall be based upon reasonable suspicion that the student's person or property contains illegal substances or items, or material detrimental to the safety and welfare of other students or staff, or in violation of law or the Student Code. 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.

All alcohol, drugs, drug-like substances, look-alike substances, and/or drug paraphernalia found in a student's possession shall be turned over to Chief Executive Officer or designee. All substances shall be sealed and documented and, in the case of illegal drugs or other “controlled substances” as defined by Delaware law, turned over to police as potential evidence. A request for analysis shall be made where appropriate. (In case of medical emergency, substance should be made available for identification purposes.)

Students have the responsibility:

- To refrain from possessing or concealing any substances or objects that are illegal or that may disrupt the educational process and/or school-sponsored activities/events.
- To monitor and control access to their lockers, purses, book bags, or similar containers and to check their contents regularly.

Students have the right:

- To privacy in their personal possessions unless an Chief Executive Officeror designee has reasonable suspicion to believe that illegal substances/objects are in the possession of or being concealed by the student.
- To be notified that a seized substance is believed to be an illegal drug. The student and student's parent/guardian will have 3 days from the date of notification to dispute, in writing, that a seized material or substance is an illegal drug.

CHAPTER III – ATTENDANCE & TRUANCY

Absenteeism / Attendance

Every parent, guardian, or other person having legal control of a child between the ages of 5 and 16 is required to send such child to school. Attendance standards are applicable to all students enrolled in CSNC. School attendance is mandated by state law and regulations of the State Board of Education. The Student Absenteeism/Attendance Policy of the CSNC Board establishes specific regulations related to attendance. Students are required by law to attend school 90% of the school year to be eligible for promotion. Forming responsible habits regarding attendance and promptness is important. Parents are expected to support the goal of punctuality by having their children arrive on time, remain in school for a full day, and schedule appointments after school hours whenever possible.

CSNC is responsible for reporting violations of the attendance laws of the State. The school may excuse a student for necessary and legal absences, subject to provisions of the Delaware Code. Title 14, Chapter 27of the Delaware Code can be found online at: www.delcode.state.de.us .
The following are considered necessary and legal such that a student will have an excused absence and may not be used to file truancy charges:

- Illness of student – a physician's note is required (3 or more days).
- Medical diagnosis and/or treatment.
- Death in the immediate family; funerals of other relatives or close friends, not to exceed one day if in Delaware or three days if outside the state.
- Scheduled appointments with a physical or mental healthcare provider, including, but not limited to, a physician, dentist, orthodontist, psychologist (an appointment confirmation letter/note is required).
- Contagious disease within the home of the student, subject to regulations of the Division of Public Health and the Department of Health and Social Services (a physician's note is required).
- Legal business requiring the student's presence.
- Observance of a religious holiday.
- Remedial health treatment/therapy (physician's note required).
- Suspension or expulsion from school.

Following an excused absence, the student will be allowed to make up all work missed, to take tests that were missed, and to submit any assignments that became due during the absence. After returning from an excused absence, the student will have a maximum of five (5) school days to make up any work missed due to the absence. A teacher may extend the time for making up work if the circumstances warrant such action. Please note that suspensions and/or expulsions are included as excused absences as means to prevent truancy charges. Students who are suspended or expelled may not receive full credit for assignments and tests missed during the period of suspension and/or expulsion.

Absences for other reasons are classified as "unexcused." Parents are informed through a letter sent via the United States Postal Service and email (if a valid parent/guardian email address is available) regarding student absences at 3, 10, 15, and 20 day intervals. Once notified, parents have up to three (3) school days to provide proper documentation for these absences. Any documentation provided after the three (3) school day period will not be accepted. A student whose absence is unexcused may receive a failing grade for all assignments missed or tests given during the period of the unexcused absence. Please note that family vacations and other outside activities scheduled during

the school year will not be approved and will be unexcused absences. Vacations and other activities should be scheduled outside of the academic calendar. While an unexcused absence may result in a failing grade for all assignments due during the absence or tests missed, those items may still be obtained by the student and/or parent/guardian as a means to keep the student on pace with his or her classmates.

To ensure compliance with the requirements of the Delaware Code (Title 14, Part I, Chapter 27), the following standards apply at Charter School of New Castle:

1. A student who has been absent from school without a valid excuse for more than three (3) school days in a school year is considered truant. Following the **3rd day** of unexcused absence, the school shall immediately notify the parent(s)/guardian(s) in writing.

    a. In case of illness, the student's representative must bring in a doctor's note on the 3rd day of being absent.

2. Following the **10th day** unexcused absence by a student, the school shall immediately notify the parent(s) /guardian(s) in writing and a home visit will be conducted.

3. Following the **15th day** of unexcused absence, the student's parent(s)/guardian(s) shall be notified by certified mail to appear at the school within 10 days after the date of the notification is received for a conference and counseling with the school's administration.

    a. Each parent/guardian of a truant student in grades 6 through 8, following the 15th day of unexcused absence, shall be required to sign a contract with the school, agreeing they will make every reasonable effort to:

        i. Have their child(ren) abide by the school code of conduct;

        ii. Make certain their child(ren) attends school regularly; and

        iii. Provide written documentation substantiating the reason(s) for any absence.

4. Following the **20th day** of unexcused absence, the school shall refer the case for prosecution. If the student fails to return to school within five (5) days of the completion of prosecution of the case, the school shall immediately notify the Department of services for Children, Youth and Their Families and request intervention services by the Department. The Department shall contact the family within ten (10) business days of such notification and request.

5. Following the **20th day** of any excused or unexcused absence, the school has the right to determine whether promotion to the next grade level is appropriate

A student enrolled in grades K through 8 is considered truant if the student has been absent from school without a valid excuse, as defined in the Rules and Regulations of the State Board of Education, for more than three (3) cumulative or consecutive school days during a given school year. CSNC will take action regarding unexcused absences including, but not limited to, written communications, home visits, required parent/guardian conferences, and referral of the parent for prosecution. A parent/guardian who is determined to have violated the State's compulsory school attendance laws is subject to penalties as described by State law:

- Parents
    - First offense: fine of $25 to $300 or imprisonment for up to 10 days or both
    - Second offense: fine of $50 to $500 or imprisonment for up to 20 days or both
    - Third offense: fine of $230 to $1,150 or imprisonment for up to 30 days or both

A parent may be ordered to perform unpaid community service in lieu of a fine. If imprisoned, the court may impose conditions of release.

- Students
    - Penalties may include community service, counseling, restriction from participation in extracurricular activities sponsored by the school, school social events, recommendation for alternate placement, or expulsion. Students also may be subject to substance abuse or mental health evaluation.

Arrival / Tardiness / Dismissal

Instructional time is lost when a student misses any portion of the academic day. Every effort should be made to assure that the student arrives at school on time and stays in school until dismissal. To maximize instructional time and maintain an orderly school environment, CSNC has implemented strict policies and procedures for student arrival and dismissal.

Arrival and Dismissal Times:

Pursuant to Delaware Law (Title 21, Chapter 70), vehicles are not permitted to park in the fire/bus lane at any time. Violators will be reported to the New Castle County City Fire Marshall and subject to civil penalties and/or fines.

Elementary School

Arrival: 8AM (all students)

- Parents are to remain in their vehicles at all times. Parents are permitted to enter the building to escort their child to and from the vehicle only in emergencies.
- Students are not permitted to enter the building prior to 8:00 a.m. unless reporting to before care.
- Students are considered tardy if they arrive after 8:25 a.m.
- All students should exit on the passenger side of the vehicle to ensure their safety.
- Students are required to enter through the main entrance.
- Notification of a change to a student's normal routine **MUST** be received by the classroom teacher or front office in writing.

Middle School

Arrival: 7:35 AM (all students)

- Buses begin unloading students at 7:35 a.m. in the bus loading zone.
- Students will enter the building through the main entrance.
- Students are considered tardy if they arrive after 8:15 a.m.
- Notification of a change to a student's normal routine **MUST** be received by the classroom teacher or front office in writing.

Dismissal Times & Procedures

Primary/Intermediary Elementary School

3:55 PM (car pick-up/walkers)
3:45 PM (bus riders)

- Parents or Daycare Providers are expected to park and pick up their student(s) in the designated areas for each grade. Students will not be permitted to walk unaccompanied to cars or across the parking lot.
- Teachers are not permitted to accept phone calls from parents requesting that their student be sent out their vehicle.

Middle School/Advanced Honors Academy

2:10 PM (car pick-up/walkers)
2:15 PM (bus riders)

Tardiness To School / Early Dismissal From School

All students are expected to be punctual and arrive at school at the set time. After a student is late seven (7) times, a letter will be sent to the parent/guardian. Additional occurrences will be counted as an absence. Once the student has been late 10 times, a mandatory parent meeting will be requested. A student who arrives to school after 12:00 PM will be marked absent for that school day. If child arrives at school after 12:00 PM and presents a doctor's note, the absence will be excused. (3 tardies is equal to one absence).

Pre-Arranged Absence

A pre-arranged absence is a student's absence from school for one or more days for educational activities approved by an Chief Executive Officer. The absence should be pre-arranged by writing to an Chief Executive Officer, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least one (1) week prior to the date on which the absence is to occur. Provided the student and teacher develop a plan for making up the assignments that will be missed, and Chief Executive Officer or Principal may designate the absence as excused.

Students who must leave the building due to an emergency or other legitimate reason that does not permit a pre-arranged absence, must receive approval from an Chief Executive Officer or his/her designee. The student then is responsible for completing the sign-out procedure before leaving the building and must present a parent's note explaining the absence upon his/her return to school.

School Closings

School cancellations and late openings: snow, icy roads, and other special emergencies may necessitate a late opening, early closing, or cancellation of school. It is advisable to listen to local radio stations and/or watch local television. The following is a list of the media outlets that will cover our school closings: WPVI Channel 6; NBC 10; FOX 29; CBS 3; CSNC Website; CSNC Facebook page and DOE website.

CHAPTER IV – DRESS CODE

Students Have The Responsibility:

- To follow school guidelines for dressing and grooming in a manner which that complies with the uniform policy, promotes safety, and demonstrates cleanliness and respect for themselves and others.

Charter School of New Castle Dress Code

- Primary/Intermediary & Elementary School (Grades K-5)
    - Black or Khaki pants (no jeans or sweatpants)
    - Cyan Blue (Primary K - 2)
    - Light Blue (Intermediary 3 - 5) Charter School of New Castle Charter Logo polo shirt (long/short sleeve) or Charter School of New Castle sweatshirt
    - Comfortable shoes

- Middle School & Advanced Honors Academy (Grades 6-8)
    - Black and Khaki pants (no jeans or sweatpants)
    - Navy Blue (Middle School 6-8)
    - Black (Advanced Honors Academy Charter School of New Castle Logo polo shirt (long/short sleeve) or Charter School of New Castle sweatshirt
    - Comfortable shoes

For All Students:

- No flip flops or sandals are allowed.
- All pants/slacks must be worn belted at the waist.
- All shoes and sneakers must be worn properly fastened.
- All shirts must be worn tucked into pants.
- Student uniforms should not bear any visible emblem, insignia, or monogram other than the Charter School of New Castle emblem.
- Students should not wear sweatshirts, hoodies, jackets, or other outwear in the school building, except in the case of unusual heating problems.
- All hats and other headwear should be removed upon entering the building, except those worn for religious observance.
- The dress and grooming of students shall contribute to the health and safety of the individual and shall not disrupt the orderly educational process. Student clothing and accessories shall neither endorse nor tacitly approve products and practices that are prohibited by law or school policy.

Jewelry, Hair Styles, and Accessories

Excessive jewelry, make-up, hairstyles, or other accessories that are deemed by the school administration to be distracting or distasteful will not be permitted.

Hairstyles should reflect the atmosphere of decorum desired by the school. Unnatural color dyes, spiked hair and Mohawks are examples of hairstyles that would not be acceptable.

Individual cases will be addressed by the administration.

The only permissible body piercings are earrings. Earrings must be no more than a nickel size to minimize distraction. Students are not prohibited from wearing jewelry, however Charter School of New Castle discourages students from wearing any valuable article that could present a hardship if lost or stolen. Expensive articles are worn at your own risk. Charter School of New Castle does not assume responsibility for articles that are lost or stolen.

Hats, bandanas, sweatbands (head and/or wrist), and sunglasses are all considered inappropriate for regular school wear. Writing on hands and arms is not appropriate and is not allowed. Full head wraps will not be permitted unless worn in recognition of a religious tradition.

Dress Down Day Attire

Students who participate in dress down days are expected to adhere to the rules stipulated in the Student Code of Conduct. The following clothing/items are not acceptable:

- Jeans with holes
- See through items (i.e., spandex, shirts)
- T-shirts with profane language or inappropriate content
- Low cut or cut off shirts that reveal belly buttons or cleavage
- Clothing that is overly tight or baggy

CHAPTER V - ACADEMIC/GRADING POLICY

We at Charter School of New Castle believe that grades should offer clear feedback to a student and family about the student's progress throughout the year. Grades are the tools we use to determine if a child is ready to progress to the next grade. Grades also are how we determine the impact of our instruction. The purpose of this section is to provide clarity on how we grade so that every child receives consistent treatment.

Grades are an indicator of the student's performance or skill proficiency at a particular time. A student's grades should reflect the teacher's assessment of the student's achievement, based on the course requirements for a given class. Report Cards will be issued three times per year, and the final grade will be calculated as an average of the three trimester grades. Letter grades are based on the following:

All Grades

Grades	
A+	97-100
A	94-96
A-	90-93
B+	87-89
B	84-86
B-	80-83
C+	77-79
C	74-76
C-	70-73
D	65-69
F**	64 and below

Grades 1-2	
Participation*	20%
Assessment	50%
Homework	10%
Classwork	20%

Grades 3-5		**Grades 6-8**	
Participation*	10%	Participation*	10%
Assessment	45%	Assessment	45%
Homework	5%		
Classwork	40%	Classwork	40%

*Participation: This category is used to determine the active engagement of a child in class. This is important feedback regarding how a child is behaving in class as well as whether the child is asking and answering questions.

** It is within the School Leaders' discretion to allow extra credit assignments to be reflected in the grade of a student scores below 65. If this is granted, the student must complete the assignment within the allotted time frame and the work must be of good quality. The school will grade the overall work and determine the positive impact to the overall trimester grade. Extra credit will not take a student above a 69% trimester average.

Specials Scale (Elementary School Only)

O =	80-100
S =	60-79
U =	59 and below

Homework

Assigned homework is to be completed at home and is an extension of the work done in class. Homework often serves to reinforce and supplement the lesson. Homework is given either to reinforce what was learned in class that day or to prepare students for an upcoming lesson. Students should be doing up to 1 hour of homework in grades K-2, and up to 2 hours in grades 3-5 and 6-8.

Please keep in mind that differences in ability level may alter the time spent in certain subject areas, but generally students are expected to dedicate a minimum of one (1) hour each night to the careful completion of their homework assignments. Each student should carefully record their homework in their composition book or notebook. Homework is due at the beginning of the next class after it is assigned unless the teacher specifies otherwise. If a class does not meet because of a change in schedule or school closing (for example, because of inclement weather or some other act of nature), students are required to hand in the homework at the next class meeting. Additional time also may be required to study for tests and for the completion of special projects. It is especially important that homework be completed and handed in on time.

Homework for Absentees

Parents or guardians may call the office at 302-324-8901 (ext. 200 Elementary) (ext 300 Middle School) before 9:00 a.m. to request homework assignments if a student is absent for two (2) or more days. Please note, we require 24 hours to assemble all of the materials. Therefore, we suggest you call us prior to picking up the requested assignments. Teachers are not required to provide work that will be missed because of a vacation prior to the absence. As this is an unexcused absence no credit will be provided for the work, which nonetheless should be done to keep the student on pace with the class. However, upon the student's return to school, the teacher may (or may not) provide an opportunity for additional "make up" work for credit.

Assessment

Assessment: This category is used for all testing.

- Weekly assessments (5 points)
- Quizzes (1-10 points)
- Exams (20-80 points)
- Unit Tests (100 points)
- Written reports (50-100 points), and any other projects.

Students may expect weekly or bi-weekly testing in the core subject areas. Proper study habits, regular review, and effective test preparation are essential to the successful completion of all class work.

Periods of standardized testing will also be scheduled during the year in order to measure overall student progress. These tests may include both school-wide and state required testing.

Benchmark assessment testing will be required for all students seeking enrollment at CSNC. These assessments are expected to be given during the spring and summer.

Honor Roll

Charter School of New Castle will issue an Honor Roll after each trimester for all grades. To be named to the Distinguished Honor Roll (Director's List) the student must earn all A's/EP's. To be named to the Honor Roll, the student must earn a combination of A's/EP's and B's/MP's in all subject areas.

Promotion and Retention

Promotion	
K*	Must pass core competencies as determined by school.
1-2	Must pass 75% of all classes or can be retained
3-8	If failing 2 or more classes, can be retained (student must pass Math and ELA to be promoted).

*Due to the developmental nature of student learning in the primary/elementary grades, retention may be considered upon the recommendation of teachers, specialists, and administration. Students not meeting grade level competencies may be retained in the current grade or required to attend summer school, if offered. Kindergarten grade level competencies are EP (Exceeds Proficiency), MP (Meets Proficiency), NP (Near Proficiency), and BP (Below Proficiency). Students who earn grades of BP (Below Proficiency) will be retained.

Interim Reports

Interim reports in each academic subject are available via the Home Access Center (HAC) at the midway point of each of trimester. These reports indicate a student's progress in the areas of school behavior, work habits, and academic performance. Parents/Guardians will be asked to come to school for a conference regarding students whose academic progress or personal conduct gives cause for concern. Parents will be notified in writing during the third trimester if a student is in danger of being retained.

Report Cards

Report Cards will be made available through the school's Home Access Center every trimester. All parents/guardians will receive instructions on how to access the Home Access Center at the beginning of every school year. For parents/guardians who do not have internet access, hard

copies of the report cards will be provided upon request. The student's final grade will be calculated as an average of the grades received for trimesters one, two, and three. The trimester reports will indicate the performance and accomplishments of the student during that trimester. The student will receive a grade for performance and accomplishments of the class assignments, and comments regarding his/her performance and behavior in class. The final report card will be mailed to the student's home address after the final day of school.

Special Education and Specialized Programs Overview

Charter School of New Castle believes that all students can, and must have an opportunity to, reach their potential. To this end, we have certified special education faculty, counselors, social workers, and psychologists to provide on-going support to students who have been identified as being in need of special educational services.

When assessing students for special services, we use existing Federal law and approved guidelines as our model. At any time, parent/guardians who think their child may be eligible for special education and related services may request that Charter School of New Castle conduct a multi-disciplinary evaluation. Request should be made in writing to the Dean of Special Education.

Charter School of New Castle is required by the Individuals with Disability Education Improvement Act (IDEA) to provide free, appropriate public education to children with disabilities who need special education and related services. Delaware has adopted State laws that conform to the IDEA and that school districts and charter schools must follow.

IEP Process

An IEP, or *Individualized Education Program*, is a written when a student is identified with a disability. This document describes your child's needs and explains the specifically designed instruction and services that Charter School of New Castle will provide your son or daughter to make real progress in school. It lists the special education, related services, and other supports the child needs to succeed and serves as the plan for you and Charter School of New Castle and describes the services your child will receive. The IEP is written by a team of qualified professionals; parent and guardians are important members of the team. As a parent or guardian, you are invited to all IEP meetings. Your son or daughter must be invited to the meeting if his/her post-secondary goals and transition needs will be discussed at the meeting (this is required if the child by is or will turn 14 during the next school year or is enrolled in 8th grade). If transition needs are not going to be discussed, then the parent or guardian can decide whether the child should attend the meeting. Parent and student input during these meetings is extremely valued and helps us to design the best plan for your son or daughter. After the IEP is written, parents and guardians will be asked to sign a Prior Written Notice (PWN). By signing this document, you indicate your approval of the program and services included in the IEP.

More information about the special education process can be found in the *Procedural Safeguard Notice*. This notice informs parents of their rights related to their child with a disability and is provided annually to parents.

Transition Services

Consideration of transition needs is required annually for all students once they reach the age of

14. Charter School of New Castle provides transition services to all special education students. This may include linking students to outside agencies and supporting in identifying post-secondary opportunities for students.

Progress Monitoring
Charter School of New Castle uses data to monitor the academic growth of all students. Charter School of New Castle also specifically monitors each special education student's progress towards meeting the goals outlined in their IEP.

CHAPTER VI – SCHOOL HEALTH POLICY

A full-time nurse is present at Charter School of New Castle Charter to handle those health and medical emergencies that may arise and to complete mandatory health screenings. Parents are advised to notify the school nurse of any health problems their child has or develops during the school year and any medications the student is prescribed. Parents also are encouraged to keep an action plan on file from the doctor for chronic conditions such as asthma, life threatening allergies, diabetes, and seizures. Parents are **required** to have an emergency card on file for each child attending school and to notify the school if the information changes during the year.

Vaccinations

The State of Delaware mandates that all students be up-to-date on vaccinations. This includes a lead test and a TB risk assessment survey or a PPD test to determine whether TB is present. All incoming pre-kindergarten and kindergarten students are required to have a physical exam completed and on file in the nurse's office. Failure to comply with these regulations will result in the child's temporary removal from school until proof of missing vaccinations, testing, or physical examination is provided by a doctor. Also, sports physicals are mandatory for all students interested in participating in a team sport.

There are times when a student needs to be excused from physical education or needs extra bathroom breaks or other accommodations. In order to make these accommodations, a note must be provided by your doctor and kept on file in the nurse's office. All permanent excuses, action plans, medication permission forms, and emergency cards must be renewed at the beginning of each school year. Any student who is absent for more than two days due to illness must have a doctor's note in order to return to school.

Medications

All medications, including over-the-counter medications must be kept in the nurse's office. No student is allowed to have in his/her possession any medication unless there is a written doctor's note on file in the nurse's office (e.g., asthma inhaler); this includes all prescription and over-the-counter medications. The school has numerous medications for headache, upset stomach, and sore throat available, provided a parent gives permission on the emergency card. A form is available in the nurse's office for a student who needs to carry their asthma inhaler or epi-pen, but requires a doctor's signature. Parents who choose this option are encouraged to provide a spare inhaler or epipen for the nurse's office in case a student leaves the medication at home or the inhaler becomes empty.

If a student requires prescription medication or an over-the-counter medication that is not provided by the school, a parent permission form must be on file in the nurse's office. Prescription medications must be brought in by a legal guardian and be in the original pharmacy bottle with the label showing the student's correct name, time to be administered, dosage, prescribing doctor's name, and date. Over-the-counter medications sent in must be in the original sealed box. The nurse will assess the student and determine if other measures can be used before the medication is given. These over-the-counter medications (e.g., allergy eye drops) can only be given for a short time and will be administered per the instructions on the container. If a prescription or over-the-counter medication is needed daily, a doctor's note is required. If a student has medication in the building without permission, the medication will be confiscated and the student will face possible disciplinary actions including suspension. All medications MUST be picked up at the end of the school year or they will be disposed of.

Illness/Injury

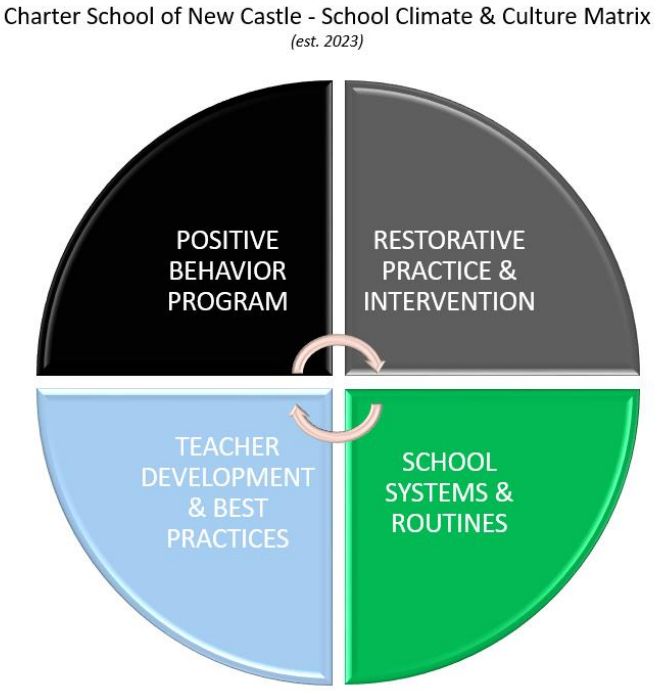
If students become ill or are injured during the day, it is their responsibility to tell their teacher at the time of the injury or illness so they may receive a pass to see the nurse for proper medical care. Students will NOT be seen without a pass unless a medical emergency arises.

If a student becomes ill during the day and the nurse decides the student needs to go home, the nurse will contact the student's family and the student MUST be picked up within two hours. All families need to have a back-up plan in place in case this occurs and they are not available. The school retains the right to call the Department of Human Services if no one is able to come and pick up their child within the allotted two hours. Students should not use personal phones to contact their families to advise that they are sick and need to go home. If a student does this, the phone will be confiscated and the student will face other possible consequences as well. If a student is feeling ill, the student needs to be seen by the nurse; the nurse will determine if the student needs to go home. All families must sign-out their child in the main office before the student leaves. Students are not allowed to leave alone; an adult must pick them up.

There are certain contagious diseases that require a student to stay home until a doctor authorizes the student to return to school. These include, but are not limited to, impetigo, chicken pox, and strep throat. Also, if a student is sent home sick and is prescribed a medication for his/her illness, the student may return to school in accordance with the doctor's instructions. Students with a fever greater than 100 degrees, vomiting, and/or diarrhea must be kept home from school until they have no symptoms for 24 hours. Students who have thick mucus or pus draining from the eye also must be kept home. Please contact the nurse with any questions.

CHAPTER VII - STUDENT ACCOUNTABILITY SYSTEM

Primary/Intermediary/Middle School (Grades K – 8)



The Tiered Behavior System consists of three levels:

Tier	Description	Level of Involvement
Level One	Level one behaviors are minor behaviors that can be redirected by the teacher and do not escalate to the dean.	Teacher
Level Two/Three	Level two behaviors are student actions that result in a significant loss of instructional time. Level two behaviors are recorded on a behavioral referral and escalated to the Dean's office.	Teacher/Dean
Level Three	Level three behaviors are student actions that resemble serious non-compliance and warrant significant disciplinary action.	Dean/ School Counselor

Level 1	Level 2	Level 3
Incidental Violations (Non-referred/Non-recorded)	**Level 1 Behaviors Repeated 3 times Minor Violations**	**Major incidents that violate the Student Code of conduct or Delaware State Law**

	(Recorded/Referred to Dean for Review)	(Recorded /Referred/Possible Student Removal by Dean)

Level II Violations

Level II Violation	Description
Physical Aggression	Physical contact (e.g., pushing, shoving, hitting, slapping) involving one or more offenders where no student is injured, the incident is immediately stopped due to staff physical intervention, and does not elevate to a Level III Violation (i.e., fighting, simple assault).
Pre-fight	Threatening words or actions intended to provoke a violent reaction, including posturing, "getting in his/her face," or violation of personal space, where physical intervention by staff is necessary to de-escalate the situation.
Provocation	Argumentative words, not actions, intended to provoke a violent reaction where staff are able to de-escalate the situation without the use of physical presence to intervene.
Inciting Violence	Watching, encouraging, or instigating a pre-fight/ fight before school, during school, after school, or in any form of social media. It is our belief that bystanders play a role in escalating violence; therefore, anyone watching a fight has an obligation to de-escalate the situation by staying calm, remaining impartial, and getting help.
Inappropriate Behavior to Others	Deprecating or insulting another member of the community, through the use of profanity, name calling, or any other disrespectful language or gestures, where the intent for a violent reaction is not present.
Major Disrespect towards Staff	Major disrespect includes, but is not limited to, any nonthreatening words and/or actions that are directed toward a staff member in either an overtly loud, profane, or demonstrative manner (e.g., "cursing out" a staff member, screaming, comments indicating extreme distain for class or school, obscene hand gestures)
Major Insubordination	Major insubordination includes ignoring any and all redirection, walking/running away from staff, and refusal to cooperate in any manner to multiple staff members' requests - escalating to a situation that disrupts the larger community where staff is unable to quickly regain control.
Insubordination	Insubordination includes failure to comply with directions of teachers and other school personnel (e.g., leaving class without permission, refusing to turn over a demerit card when asked to do so by any adult).
Constant Disruption	Behavior that continuously interrupts the learning environment of a class – the actions have been addressed multiple times over an extended period of time and the teacher has exhausted multiple redirection strategies.
Plagiarism, Forgery, Cheating	Plagiarism is using, without permission, the ideas & writings of another, either word-for-word or in substance, and representing such as one's own. Forgery is the signing of a document in another's name. Cheating includes deceit, fraud, or deception (e.g., copying another's assignments, assisting another in cheating by lending one's own work; giving or receiving aid during a testing period).
Cutting Class	Cutting class includes failing to attend scheduled or rostered activities as well as leaving the building without permission.
Damaging or Stealing	Damage to or stealing of any property of $50.00 or less (misdemeanor).
Contraband Possession	Possession of any flammable paraphernalia without the intent to use (e.g., lighters, matches, stink bombs, poppers, etc.)
Misuse of Technology	Execution of any prohibited activity, as specified in detail under the Technology Use Policy, such as viewing or transmitting profanity, vulgarities or other inappropriate language or images, entering online chat rooms, or changing proxy, automatic configurations, or messaging settings.
Inappropriate Sexual Behavior	Consensual sexual activities, requests for sexual favors, or verbal and physical conduct of a sexual nature on school property.
Gambling	Gambling includes betting or wagering for money, favors, or fun. *The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by the school.*

Level III Violations

Level III violations involve actions that are very serious violations of our Code of Conduct, and/or criminal violations of Delaware law. When a criminal violation occurs, Charter School of New Castle is required to report the incident to the state and it will become part of the student's permanent record.

Report to State	
Simple Assault on Student	Vandalism
Simple Assault on Staff	Criminal Trespass
Indecent Assault	Bomb Threat
Indecent Exposure	Terroristic Threats (Excl. Bomb Threats)
Obscene / Sexual Materials / Performance	Possession of Shotgun
Sexual Harassment	Possession of Knife
Racial / Ethnic Intimidation	Possession of Explosive (Bomb, Missile, etc.)
Other forms of Harassment/Intimidation	Possession of BB/Pellet Gun
Fighting	Possession/Use of a Controlled Substance
Minor Altercation	Sale/Distribute of Controlled Substance
Stalking	Sale, Possess, Under Influence of Alcohol
Kidnapping/Interference with Custody	Possession / Use / Sale of Tobacco
Threatening School Official/Student	Possession / Use of Alcohol
Reckless Endangerment	Sale /Distribution /Transfer of Alcohol
Theft	Possession / Use of Drugs
Suicide – Attempted	Sale / Distribution / Transfer of Drugs
Suicide – Committed	Obscenity
Burglary	Indecent Exposure
Arson	Pornography

"The BAR:"

- *A Level III Violation occurs if it would be appropriate for the police to be contacted because at least one of the following statements is TRUE:*
  - ✓ **The act was illegal**
  - ✓ **An injury requiring immediate medical attention occurred**
  - ✓ **Prolonged physical restraint was required**
  - ✓ **Fear of bodily harm was present *(threats)***

Level III Violations

Firearm, Weapon or Dangerous Instrument	Any person found or observed on school property or at a school-sponsored event in possession of a firearm, weapon, or dangerous instrument (e.g., BB gun, bullet, pistol, rifle, gun, disguised gun, dagger, switchblade, knife, box cutter, paint ball gun, dart gun, pepper spray or other noxious sprays, explosive or incendiary bomb or other instrument, material or device that can cause physical injury) must be reported immediately to an Chief Executive Officer. Law enforcement officials shall be informed.
Terrorist Threat/Act	Terrorist threat/act means a threat to engage in, or an act of violence, or an act intended to, terrorize, cause evacuation of a building, or otherwise cause serious public inconvenience or safety risk. Depending on the nature of the incident, law enforcement officials may be informed.
Drug, Alcohol, or Tobacco Possession, Use, or Illicit Activity	Drug Possession: Illegal/inappropriate drug-possession, use, or illicit activity (selling, storing, producing, or purchasing) on school grounds, or at school-sponsored events is absolutely prohibited. Tobacco Policy: Students may not possess or use any product containing tobacco while on school property or at a school-sponsored events. The use of tobacco is defined as the possession and/or use of cigarette, pipe, cigar, chewing tobacco, snuff or related tobacco product and paraphernalia. Violations: A violation includes drug, alcohol or tobacco possession, use, or illicit activity on school grounds or at school-sponsored events. Illicit activity means the intent to use, sell, store, or purchase illegal substances, and paraphernalia. School administrators will report the incident to the police and provide all information concerning the matter to law enforcement authorities.
Theft	Theft means withholding, taking, or removing personal or school property (including tests) without the owner's consent. Depending on the nature of the incident, law enforcement officials may be informed.
Arson and/or Possession of Fireworks and Other Explosive Devices	Arson means the malicious burning of another's property. Students may not possess or use fireworks or the paraphernalia needed to explode them on school grounds or at school-sponsored event. Depending on the nature of the incident, law enforcement officials may be informed.
Vandalism	Vandalism includes intentional or reckless damage to, or attempt to damage, the property of another, or the causing of damage while committing an act contrary to this Code or to the law. Depending on the nature of the incident, law enforcement officials may be informed.
Bullying	Intentional electronic, written, verbal or physical act, or a series of acts: (1) directed at another student(s) or staff; (2) that occurs in a school setting*; (3) that is severe, persistent or pervasive; and (4) that has the effect of doing any of the following: (i.) substantially interfering with a student's education; (ii.) creating a threatening environment; or (iii.) substantially disrupting the orderly operation of the school *"School setting" shall mean in the school, on school grounds, in school vehicles, at a designated bus stop, or at any activity sponsored, supervised, or sanctioned by the school.

Disorderly Conduct	Reckless behavior that could cause injury, including throwing objects (tables, chairs), pulling fire alarms, etc.
Threatening Staff Member	Physical, verbal, written, or electronic threat (e.g., internet) or intimidation, intended to unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack; stalking (i.e., secretly or stealthily pursuing another, spying on or watching another person, with or without the intent to harm, frighten, or coerce) is included.
Fighting	Violence includes physical aggression between two or more students that escalates into punching, wrestling, knocking down, or damaging or destroying property. This means physical aggression typically lasting more than a few seconds that is not easily broken up.
Assault	An unlawful physical attack by one person upon another.
Sexual Harassment	Charter School of New Castle Charter School recognizes that harassment on the basis of sex is a violation both of federal and state discrimination laws and that these laws apply to students and employees. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when: • submission to such conduct is made a condition of the student's right to learning • such conduct interferes with an individual's academic performance or creates an intimidating, hostile, or offensive educational environment • submission to or rejection of such conduct is used as the basis for academic decisions Forms of sexual harassment include but are not limited to the following: • Derogatory comments, jokes, or slurs; sexually-oriented sounds or remarks • Uninvited, unnecessary or offensive touching, pinching, patting, grabbing, brushing against another person's body, or impeding or blocking movement • Derogatory or offensive pictures, posters, cards, cartoons, graffiti, drawings, or gestures *The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by the school.*
Sexual Misconduct	This may include attempting or carrying out a sexual act with oneself or another person whether it is consensual or non-consensual. Depending on the nature of the incident, law enforcement officials may be informed.
Other Harassment	EastSide Charter School recognizes that harassment on the basis of race, color, national origin, religion, sexual orientation, gender identity or expression, age, family and other protected status is a violation federal and/or state discrimination laws and that these laws apply to students and employees. Such harassment consists of derogatory or demeaning words and actions, exclusion, and unequal treatment based on the person's protected status. *The severity of the disciplinary action will be based upon the circumstances of the infraction, and could include expulsion from school. Repeated or serious violations may also result in filing of criminal charges as deemed appropriate by the school.*

Level III Violations (cont.)

Detention

Schedule/Location

Location	Days	Times
Elementary School (Grades 3 – 5)	Assigned/Varies	4:15 – 5:45PM
Middle School (Grades 6 – 8)	Assigned/Varies	2:45 – 4:45PM

Students and parents/guardians will be given notice of a scheduled detention by phone and in writing. Students are required to serve the detention on the assigned date. Students must report to the designated detention area promptly at the times indicated in the chart above for their grade level. Teachers, staff or administrators are not responsible for reminding students to remain for detention.

If a student fails to serve detention, he or she will automatically be scheduled for the detention session date immediately following the missed detention. Failure to serve subsequent detentions will result in a one (1) day out-of-school suspension.

Detention Attire

Students are required to wear their school uniform to detention and proper conduct is expected during detention. All school rules are in effect during detention. Students will be required to do their assignments during the detention period. Students are not permitted to sleep, read magazines, bring food or drink, talk, play cards or other amusements, use personal music devices, or otherwise disturb the detention proctor or other students serving detention. Students who misbehave during detention will be removed and will be required to serve additional detentions as deemed appropriate by the school's administration.

CHAPTER VIII – GRIEVANCES, SUSPENSION, & EXPULSION

Safeguards That Protect The Rights Of Students & Parents

Students, and their parents as their representatives, have all the rights given to every citizen by the Fifth and Fourteenth Amendments to the U.S. Constitution. Many of these rights as they pertain specifically to education are defined in this document. These rights are protected through a procedure called due process. This chapter defines the due process procedures for suspension, assignments to alternative programs, expulsion, and for filing a grievance. Students and their parents are encouraged to become familiar with these due process procedures.

When a student feels he/she has been unfairly treated or has not been afforded due process, a grievance may be filed. Schools are responsible for providing a means for students to express and resolve their grievances.

Students Have The Responsibility:

- To try to resolve their complaints through discussion with the person(s) involved before using the grievance procedure. When using the grievance procedure students must state the

grievance clearly, follow the established procedures, and abide by the decision that results from this process.

Students Have The Right:

- To a procedure for expressing and resolving their grievances. This procedure specifies lines of communication, time lines, and a method of appeal.
- To a discipline committee hearing that will be comprised of staff members who can make a recommendation to an Chief Executive Officer for expulsion or other consequences if they are at level 3.

Student Grievance

A grievance is another name for a complaint. A student grievance exists when it is alleged that a student has been treated unfairly or has not been afforded due process. A student grievance must be filed within five (5) school days from the time of the alleged infraction.

The following persons or groups may use the grievance procedures:

- Students individually or groups of students.
- Parent(s)/legal guardian(s) of a student.
- Groups of parent(s)/guardian(s) of students.

The grievance procedures may be used where it is alleged that any student or group of students

- Is being denied access to an appropriate educational opportunity.
- Is being denied participation in any school activity for which the student(s) is/are believed to be eligible.
- Is being denied the opportunity to compete for a position in an activity where the selection is limited.
- Is believed to be subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct.

Grievance Procedure

When the grievance procedure is used, these steps shall be followed:

1. The grievant shall request a conference with the teacher or person(s) who allegedly treated the student unfairly.

2. If the conference fails to resolve the issue, the grievant shall discuss the problem with the Chief Executive Officer or his/her designee.

3. If the Chief Executive Officer fails to resolve the issue, the grievant, upon request, will be given a written notice by the designee stating the reason(s) the problem could not be resolved. Such notice will be provided within five (5) school days.

4. A grievant wishing to appeal the Chief Executive Officer's written decision must file a written appeal with the Board of Directors not later than ten (10) school days from the date of receipt of the Chief Executive Officer's written decision.

5. The Board of Directors or its designee shall schedule a conference to hear the grievance no later than five (5) school days following receipt of the notice of appeal and shall issue a decision in writing no later than five (5) school days following the grievance conference.

6. The decision of the Board of Directors or designee shall be the final decision of the School. A copy of the Board of Directors' or designee's final decision shall be sent to all involved parties not later than ten (10) school days after receipt of the appeal.

Out Of School Suspension (OSS)

A suspension is the temporary removal of a pupil from regular school attendance for a period not to exceed five (5) school days. However, the Chief Executive Officeror designee, may extend a suspension past the five (5) day period pending a decision on a recommendation to expel the student for code violations determined to be serious. While serving an out of school suspension, a student is forbidden from being on school property for any reason unless accompanied by a responsible adult to a pre-arranged appointment.

Prior to a suspension from school, the student shall:

1. Be given oral or written notice of the charges and, if the charges are denied, be given an explanation of the evidence known to school authorities.

2. Be given the opportunity to present his/her side of the story.

3. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulations.

4. Have the right to appeal the suspension to the next administrative level.

Generally, the notice and hearing should precede the student's removal from school. 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, and/or the educational process, the necessary notice will follow as soon as is practicable.

In all cases of suspension, an attempt shall be made to notify the parents by telephone and, if necessary, to request that the student be picked up from school. Students whose parents and other emergency contacts cannot be reached by telephone will be retained at school until the end of the school day.

When a student is suspended, written notification of the suspension will be sent to the parents by the end of the next school day. The notification shall state the cause and duration of the suspension. If a suspension is for more than three days, a definite time and date for a reinstatement meeting shall be scheduled at a place designated by the Chief Executive Officer.

Following a third (3rd) out-of-school suspension in any one school year, the student may be placed on a Behavior Contract.

A Behavior Contract is a written agreement of conditions to be met by the student that, if broken, may result in a recommendation for expulsion. Such agreement is made by the student and parent(s) with the school.

In the case of students with disabilities (as that phrase is defined under Federal regulations promulgated under the Handicapped Act, 20 U.S.C. S1401, et seq.), the regulations and procedures set forth in the State of Delaware Administrative Manual for Exceptional Children shall be followed.

A student who is suspended 8 or more days within one school year or is on track to reach 8 or more days (3 suspensions in one trimester) may be retained or placed in an alternative setting at the discretion of an Chief Executive Officer or designee.

Suspension Of Bus Privileges

(SEE APPENDIX E: STUDENT CODE OF CONDUCT - TRANSPORTATION)

Riding a school bus is a privilege. Suspension of bus privileges is the temporary withdrawal of the privilege to ride the school bus. A Chief Executive Officer or designee may suspend bus privileges for an appropriate period. Suspension of bus riding privileges does **NOT** mean suspension from school.

Prior to the suspension of bus privileges, the student shall:

1. Be given oral or written notice of the charges and be told who is making these charges or complaints.
2. Be given the opportunity to present his/her side of the story.
3. Have had prior opportunity to know that the alleged actions were in violation of established rules and regulations.
4. Have the right to appeal the suspension of bus privileges to the next administrative level.

In all cases of suspension of bus privileges, an attempt shall be made to notify the parents by telephone and a written notification of the suspension sent to the parents by the end of the next school day. During the suspension of bus riding privileges, it shall be the parent's responsibility to provide the student transportation to and from school. Absences will not be excused for a parent not being able to transport their child to and from school. Suspension of bus privileges will not be used as a disciplinary action for non-bus related violations.

Reinstatement Meetings

All Out of School Suspensions will require a parent or guardian to return the student to school. The school can also decide that a reinstatement meeting is needed for any behavioral or academic issue that is perceived to be negatively impacting the school or individual student by the administration. Upon successful completion of a reinstatement meeting (determined by the Chief Executive Officer or his/her designee) a student will be allowed to return to the school community. If the Chief Executive Officer or designee do not consider the reinstatement meeting to be successful and are concerned that the offending student may disrupt the school environment they may require the student to spend more time out of school and extend their out of school suspension. The Chief Executive Officer or his designee will notify the parents at the conclusion of the meeting

whether the reinstatement meeting was successful and whether the student may return to the school community. Any parent or guardian who does not attend the reinstatement meeting may have a subpoena issued mandating their attendance at the school by a Justice of the Peace Court in accordance with Delaware Code. Reinstatement meetings may be required for In School Suspensions at the request of the Chief Executive Officer or designee.
71 Del. Laws, c. 218, § 1; 70 Del. Laws, c. 186, § 1; 74 Del. Laws, c. 175, §§ 10, 11.;

Expulsion

Expulsion is the exclusion of a student from his/her regular school program for a period to be determined by Charter School of New Castle, not in excess of 180 school days (one school year).

A student may be expelled for any behavior that is deemed detrimental to the learning environment, safety or well-being of students and staff, or any behavior that is illegal under Delaware or federal law. This behavior may include attempted crimes, aiding or abetting other criminal acts, or conspiracy to commit crimes. Moreover, bringing a firearm, dangerous weapon or instrument, incendiary device, Molotov cocktail, or bomb (as these terms are defined by Delaware law) to school may subject the student to expulsion. The possession of look-alike dangerous weapons, instruments that are illegal, truancy, defiance of school authority, disruption of the educational process, fighting, inappropriate sexual behavior, setting a false fire alarm, and other disruptive or unsafe behaviors also may subject a student to expulsion. This is **not** an exhaustive list of offenses that may result in expulsion.

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

STEP I

a. The student shall be suspended for five (5) school days.
b. An Chief Executive Officer shall investigate all aspects of the discipline problem, including holding 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.
c. The Chief Executive Officer or designee shall make every effort to complete the investigation within five (5) school days of the incident under investigation, if possible.
d. If the Chief Executive Officer concludes that the student committed the offense and that the nature of the offense warrants a recommendation for expulsion, the Chief Executive Officer shall submit to the Board of Directors a summary of the investigation and a recommendation for expulsion.
e. The Chief Executive Officer can mandate that the student be sent to an alternative school instead of being expelled. The Chief Executive Officer has the full authority to determine the alternative school setting and determine the amount of time that the student should remain at the alternative school. This can include a physical school or an internet based school program.

STEP II

a. Within five (5) school days from the date of completing the investigation that results in a recommendation for expulsion, the Hearing Officer appointed by the Board of Directors will notify the student and the student's parents or guardians of the intent to expel, and of the date, time, and location for a hearing. The notice of intent to expel shall be sent by certified mail or hand delivered and shall state the reasons for the expulsion, the time and place of the hearing, and the expulsion procedures. If notification is postmarked within the limits indicated, requirements under this provision are met.
b. The hearing shall be held not less than three (3) nor more than seven (7) school days after the notice of intent to expel is mailed. The time period may be modified by agreement of both parties.
c. The hearing shall be conducted by a Hearing Officer. The Hearing Officer may be an employee or director of Charter School of New Castle, but must be impartial.
d. The Hearing Officer shall have full authority to control the conduct of the hearing, including authority to admit or exclude evidence. In conducting the hearing, the Hearing Officer 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 irrelevant evidence. Unduly repetitive proof shall be excluded. The witnesses shall be sworn in by the Hearing Officer.
e. The student shall have the following rights:
    i. To be represented by counsel;
    ii. To question any witnesses who testify and receive a copy of any statements and/or affidavits of such witnesses;
    iii. 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 unless their parent(s)/guardian(s) have given written permission prior to the proceedings;
    iv. To testify and produce witnesses on his/her behalf;
    v. To obtain, at the student's expense and upon written request, a copy of the transcript of the hearing.

STEP III

a. Within (3-5) school days following the conclusion of the hearing, the Hearing Officer shall prepare a report for the Board. The report shall summarize the proceedings, state findings of fact, and make a recommendation as to whether the Board should expel the student.
b. If the Hearing Officer does not recommend expulsion, the Hearing Officer may permit the student to return to school pending a review of the report by the Board.

The Board shall decide whether to expel the student following a review of the report, as well as the transcript of the hearing. Review by the Board shall be limited to a review of the record. The Board shall affirm the expulsion recommendation of the Hearing Officer if it determines that the Chief Executive Officer and the Hearing Officer followed the proper procedures in considering the alleged offense.

STEP IV

a. The parents of a student who is expelled shall be informed that they may apply for the student's re-admission at the end of the period of expulsion and must provide verification that all conditions for readmission have been met.
b. Upon re-admission to school, the student will be placed on probation. The student will be assigned to a staff member who will monitor his/her behavior, academic performance, and provide assistance for a period of at least one semester.
c. A student is prohibited from being on Charter School of New Castle property during the expulsion period, except when accompanied by a parent or guardian for a scheduled appointment with school officials.

*At any point in the process the Chief Executive Officer or his designee may decide to have the student be placed in alternative school or a homebound placement. If a student is placed in an alternative school the school will assign them to Positive Changes or other alternative setting. If the student is assigned homebound instruction they will provided assigned work and accompanying resources for instruction and assessment of students.

Disciplinary Procedures For Students With Disabilities

The following rules are prescribed by the federal Individuals with Disabilities Act (IDEA) for applicability to students with an Individualized Education Plan who are eligible for Special Education Services.

1. For disciplinary reasons, school personnel may suspend a student with disabilities (in school or out of school) for not more than 10 school days. This is known as the "10 day rule." Disciplinary removals for more than 10 school days are a "change of placement."
2. The "10 day rule" allows school personnel to unilaterally remove a student with a disability who violates a code of conduct from the student's current placement for not more than 10 school days.
3. A "change of placement" occurs if a removal is for more than 10 consecutive school days or if a student is subjected to a series of removals that, together, amount to more than 10 school days in a year.
4. School personnel are required to provide students with disabilities who are suspended for more than 10 days a free and appropriate public education (FAPE). Services must enable the student to participate in the general education curriculum and to progress toward meeting the goals set out in the Individual Educational Plan (IEP).
5. The IDEA requires the school to conduct a manifestation determination review, to determine whether the student's behavior is linked to his/her disability, within 10 school days of any decision to change the placement of a student with a disability because of a violation of the code of conduct.
6. If the Special Education Team determines it was a manifestation, the Special Education Team must conduct a Functional Behavior Assessment (FBA), develop a positive behavior support plan to address the behavior and return the student to the placement from which the student was removed.

7. If the Special Education Team determines it was not a manifestation of the disability, the school may discipline the student using the relevant disciplinary procedures applicable to students without disabilities, in the same manner and duration as all students. However, services must continue to be provided.
8. School personnel may remove a student with a disability to an interim alternative setting for up to 45 days when a student at a school, district, or state function carries a weapon or look alike, knowingly possesses or uses illegal drugs, or has inflicted serious bodily harm on another person.

Charter School of New Castle will abide by the following in determining disciplinary actions for students with disabilities:

a. In the case of a student with a disability who is being considered for expulsion or suspension in excess of 10 days (cumulatively) in one school year, a special education team meeting will be convened.

b. The special education team will determine whether (1) the alleged conduct was related to the student's disability; or (2) the student was inappropriately placed at the time of the offense or there is a likelihood that a change in the student's program and/or placement would alleviate the misconduct that led to the offense.

c. If the special education team determines that either of the above standards is met, suspension or expulsion will not be authorized and the student's program and placement will be reviewed.

d. If the special education team determines that neither of the above standards is met, the Chief Executive Officerwill follow the Student Code of Conduct. To the extent required by state or federal law, a student identified as having a disability under the Individuals with Disabilities Act (IDEA) who is expelled or suspended in excess of 10 days may still be entitled to a free and appropriate public education.

e. If a student with a disability presents a danger to him/herself or others, or is so disruptive that his/her behavior substantially interferes with the right of other students to benefit from an education, an interim change of placement may be authorized either by a (1) special education team decision accompanied by parental consent; or (2) court order.

f. Nothing stated herein shall preclude the special education team from placing a student with a disability who is determined to have brought a firearm to school in an interim alternative educational setting in accordance with state and federal law.

Definitions

"Student with disability" refers to a student eligible for special education under either: (1) the Individuals With Disabilities Education Act (IDEA) as implemented by state regulations compiled in the Administrative Manual: Programs for Exceptional Children (AMPEC); or (2) Section 504 of the Rehabilitation Act.

"Special education team" refers to an Individual Educational Program (IEP) team for students eligible under the IDEA and a multidisciplinary team for students eligible for services under Section 504. The composition of both teams should include individuals knowledgeable about the student, the meaning of evaluation data, and placement options.

CHAPTER IX – VIOLATIONS OF THE STUDENT CODE OF CONDUCT

The Student Code of Conduct defines specific acts that are violations of expected student behavior. School rules come from many sources, including state law, school policy, and Charter School Guidelines and Regulations. Violations are examples of those acts that disrupt the school environment and the instructional process.

The aim of this chapter is to provide school personnel, parents, students, and the community clear understanding of code violations and resulting disciplinary actions.

A major consideration of the Student Code of Conduct is to identify appropriate disciplinary actions to bring about positive student behavior. The severity and frequency of the misbehavior and the age and maturity of the student are considered in deciding upon appropriate disciplinary action. It is understood that the severity of a Code violation will determine the disciplinary action that is appropriately severe. While administrative personnel bear the major responsibility for effectively carrying out the school's discipline policies, the entire staff plays a vital role in resolving problems and influencing student behavior. Corporal punishment will not be administered at Charter School of New Castle.

The Code of Conduct also applies to a student's out-of-school conduct if the School believes the nature of such conduct indicates the student presents a threat to the health, safety, or welfare of students or staff, or to the reputation of Charter School of New Castle.

Out-of-school conduct that may subject a student to disciplinary action shall include, but not be limited to:

- Acts of violence or threats of violence that are punishable by law.
- Sexual offenses which are punishable by law.
- The sale, transfer or possession of drugs that would constitute an offense punishable by law.
- Felony charges.

Nothing in this section dealing with out-of-school conduct will have any effect on or alter in any way the application of the Code for in-school conduct. The following pages list and define violations and disciplinary actions. The Code permits administrators and teachers to select from a list of recommended actions for certain violations in the Violations and Disciplinary Actions section of this Code of Conduct. Specific disciplinary actions are required for other violations.

The Chief Executive Officeror designee shall conduct an investigation as is reasonable under the circumstances to confirm that the charged offense has in fact been committed.

Glossary of Disciplinary Actions

BEHAVIOR CONTRACT is a written agreement of last resort among a student, the student's parent/guardian, and an administrator which specifically states the conditions that, unless met, may result in a recommendation for expulsion.

DENIAL OF BUS TRANSPORTATION is the temporary or permanent ineligibility for bus transportation due to misconduct on the school bus, disrespect to the driver, or vandalism to the bus. Such action may be taken only by an administrator. During the period of denial of school bus transportation, parents are responsible for getting the student to and from school.

DETENTION is an established time outside the regular instructional time when a student is detained in a supervised area.

DISCIPLINARY AGREEMENT is an agreement under which a student must fulfill specific commitments or be denied certain privileges until behavior improves.

EXPULSION is the exclusion of a student from school on a permanent basis or for a period of time determined by the Board. Expulsion denies the student attendance in any and all regular school programs/activities of the school.

IN-SCHOOL SUSPENSION is the temporary placement of a student in a supervised area other than the area designated by his/her regularly assigned schedule.

IN-SCHOOL PENALTY is an appropriate disciplinary alternative within the school.

PARENT / GUARDIAN CONTACT / CONFERENCE is a contact by telephone or in person with a parent/guardian.

REFERRAL TO ALTERNATIVE PROGRAM is an educational option for students whose behavior requires removal from the regular school program. Terms can last from one week to an entire school year. Referral to an alternative program will be made according to procedures established for the program and can be unilaterally decided by the LEA.

REFERRAL TO THE COURTS is the filing of a charge related to an alleged illegal action, with the court having jurisdiction.

REFERRAL TO POLICE AGENCIES is the reporting of an alleged illegal act to a law enforcement agency.

REFERRAL TO SOCIAL SERVICES AGENCIES is a recommendation that the student seek help from a public or private social agency.

REMOVAL FROM CLASS

A. Teacher - A teacher may remove a student from class for the remainder of the class period when the student's conduct is seriously disruptive and informal resolution is impractical.

Exclusion may not exceed one class period. The student must be escorted to a supervised area designated by the Chief Executive Officer.

B. Administrator - An administrator may temporarily remove a student from class if the student's continued attendance in a particular class causes serious disruption of the educational process or presents immediate danger of physical harm either to the student or to others. The student will be assigned to a supervised area. Removal from class by an administrator shall not exceed five (5) days. However, a student may be permanently removed from a particular class after repeated infractions.

REPRIMAND is a verbal or written warning that behavior is not acceptable.

RESTITUTION/RESTORATION is the payment for and/or restoring of school property or articles which have been damaged, lost, or stolen.

TIME OUT is the exclusion of a student from participation in an activity for a short period of time.

OUT-OF-SCHOOL SUSPENSION is a student's temporary exclusion from regular school attendance and activities by an administrator. The Chief Executive Officer may suspend a student for up to five (5) days. The Chief Executive Officer or designee may extend the suspension for serious infractions or while a student awaits an expulsion hearing. While serving an out of school suspension, a student is forbidden from being on the property of the school for any reason unless he/she is accompanied to a pre-arranged appointment by a parent or guardian. Suspended students also are prohibited from participating in any curricular or co-curricular activities held at the school or any other school. When a student is suspended, written notification of the suspension shall be sent to the parent/guardian. The notification shall state the cause and duration of the suspension. For each out-of-school suspension, the Chief Executive Officer or designee is required to hold an in-person or phone conference with the parent and child prior to the readmission of the student. A definite time and date for a conference shall be scheduled at a place designated by the school administrator. In all cases of suspension, an attempt shall be made to notify the parents/guardian by telephone as soon as practicable.

WORK ASSIGNMENT is an assigned task that must be completed by the student. The time required should not exceed five (5) hours and should be related to the severity of the offense.

Glossary Related To Drugs And Alcohol

A. **ALCOHOL** means alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, spirits, wine, and beer.

B. **DRUG** means any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and any prescription substance which has been given to or prescribed for a person other than the student in whose possession it is found.

C. **DRUG PARAPHERNALIA** means all equipment, products, and materials as defined in section 4701 of Title 16 of the Delaware Code, including, for example, roach clips, miniature cocaine spoons, and containers for packaging drugs.

D. **PRESCRIPTION DRUGS** means any substance obtained directly from or pursuant to a valid prescription or order of a medical practitioner, as defined in 16 Delaware Code, section 4701 (24), while acting in the course of his or her professional practice and that is specifically intended for the student in whose possession it is found.

E. **DRUG-LIKE SUBSTANCE** means any non-controlled and/or nonprescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over the- counter cough medicines, certain types of glue, and caffeine pills.

F. **NON PRESCRIPTION MEDICATION** means any over-the-counter medication; some of these medications may be a "drug-like substance."

G. **LOOK-ALIKE SUBSTANCE** means any non-controlled substance that is packaged so as to appear to be a drug, alcohol, or drug-like substance, or about which a student makes an express or implied representation that the substance is a drug or controlled substance capable of producing a change in behavior or altering a state of mind or feeling. See 16 Delaware Code, section 4752A.

H. **POSSESS, POSSESSING, OR POSSESSION** means that a student has on his/her person, in his/her belongings, or under his/her reasonable control by placement of and knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or drug paraphernalia. Items found in a student's locker, bag or similar container used to carry books or personal property are considered to be in the possession of the owner of the container or student who is assigned the locker or owner of the container.

I. **USE** means that a student is reasonably known to have ingested, smoked, or otherwise assimilated alcohol, a drug or a drug-like substance or is reasonably found to be under the influence of such a substance.

J. **DISTRIBUTE, DISTRIBUTING, OR DISTRIBUTION** means the transfer or attempted transfer of alcohol, a drug, a look-alike substance, a drug-like substance, or drug paraphernalia to any other person, with or without the exchange of money or other valuable consideration.

K. **SCHOOL ENVIRONMENT** means within or on school property and/or at school sanctioned or supervised activities, including, for example, on school grounds, on school buses, at or near bus stops, at functions held on school grounds, at extra-curricular activities held on/or off school grounds, on field trips, and at functions held at the school in the evening.

Violations And Disciplinary Actions

Elementary School

Charter School of New Castle utilizes the ROAR Behavior Chart to inspire positive behavior, de-incentivize negative behavior, and keep parents informed of their child's behavioral progress in the school. The ROAR Chart is also reinforced with the PBIS program. The PBIS program rewards students who exemplify the expected behavior as outlined in ROAR with Jag Coins.

Jag Coins are collected throughout the week. On the last school day of any week, students are able to earn double the coins. This day is referred to as "Double Dip Day." On the first school day of every week, students are permitted to "Cash-out." During "Cash-out," students turn in their coins for prizes/privileges.

Middle School

All middle school students have an opportunity every two weeks to participate in the Jag Event. Students who display recurring behavioral issues will be excluded from the upcoming Jag Event within the preceding two-week period. Students who are excluded from past Jag Events are able to participate in the next event provided improved behavior.

The table below includes a List of Offenses and Behavioral Infractions that warrant additional disciplinary action. When selecting appropriate disciplinary actions, the administrator or designee may select one or more of the actions listed in addition to implementing an additional action if it is deemed that those listed below are not an effective deterrent to the student. Multiple offenses normally designated at a lesser offense level may be treated at the next highest level.

List Of Disciplinary Actions (Please note there are unique circumstances across grades K – 2, 3 – 5 and 6-8 where the Chief Executive Office or Principal will discuss the below in more detail.

This list is not at all exhaustive, as the offending student may be subject to a different disciplinary action at the discretionary authority of the Chief Executive Officer or Designee.

Level I	Level 2	Level 3
Reflection Center	All Level I Disciplinary Actions	All Level II Disciplinary Actions
Oral or Written Reprimand	Loss of recess/Loss of a privilege	Possible Mental Health Evaluation (at parent's expense)
Lunch Detention or Loss of Recess (up to 5 days) or other consequences not all listed	Detention or other consequences not all listed	Out-of-school suspension (Up to 5 days; more if recommendation for expulsion is made)
Parent/guardian notification	Behavior Support Plan	Police or Fire Marshal notification (with potential filing of charges)
Parent conference	Restitution/Restoration	
Referral to Mediation or Counseling		

Each parent needs to come to school to have their child return into the school environment.

CHAPTER X - BUS TRANSPORTATION

Riding the bus to and from school is an extension of the school day. The Student Code of Conduct will apply to all violations occurring during travel to and from school, at the bus stop, and while boarding, riding, or exiting buses. While on the school bus, drivers have the same authority as classroom teachers. Violations of these rules may result in behavioral consequences up to and including the suspension of bus-riding privileges.
The following rules can be enforced only with the cooperation of every person concerned with transportation.

Students must:

- Follow the driver's directions and obey the driver promptly.
- Be courteous to the driver and to fellow students.
- Conduct themselves so they shall not distract the driver.
- Be at their bus stop on time.
- Wait in a safe manner for the bus on the sidewalk or shoulder, NOT the roadway.
- If crossing the street to board the bus, students LOOK BOTH LEFT AND RIGHT for cars, make sure the RED lights are flashing, and wait for the driver's signal to cross.
- Always cross the street in front of the bus.
- Before boarding and after exiting the bus, keep a safe distance from the bus - at least 10 FEET away from the bus.
- Enter the bus promptly, immediately take their seats, and remain seated whenever the bus is moving.
- Students must remain properly seated and facing forward at all times. (Back to back; bottom to bottom)
- Other than ordinary conversations in a normal tone, observe classroom conduct when on the bus. The driver has the authority to prohibit any conversation.
- No student shall occupy a position in the driver's area (in front of a barrier or white floor line) that may distract the driver's attention or interfere with the driver's vision.
- Students must remain out of the driver's seat. Also, unnecessary conversation with the driver is prohibited while the bus is in motion.
- Students are not to touch the emergency equipment on the bus (emergency doors, windows, roof hatches, body fluid/first aid kits, 2 way radios, etc.) except as directed by the driver or during an actual emergency.
- The bus windows should not be opened without permission from the driver.
- Students are to keep their hands and feet to themselves. (NO fighting, horseplay, etc.)
- Students are not to eat or drink while on the bus.
- Students are not to throw objects of any kind either inside the bus, out of the bus, or around the bus.
- Students should keep the bus clean, sanitary, and orderly. They must not damage or abuse bus seats or equipment.
- Students are not to leave the bus without the driver's permission, except on arrival at their assigned bus stop or at school.
- Other forms of misconduct that shall not be tolerated on the bus and at the bus stops are acts such as, but not limited to, bullying, indecent exposure, obscene gestures, spitting, and other actions that may be addressed in the school's code of conduct.

Switching buses for any reason is strictly prohibited unless written notification is received from the student's parent/guardian by *8:00AM for Middle School students and 9:00AM for Elementary School students, on or before the day of the change, and approved by the administration of Charter School of New Castle. This written notification MUST be provided at the above specified times to the school's front office and/or emailed to the specific office managers. Any other form of communication other than written communication is not valid.*

Following the Bus Safety Rules and Regulations will ensure the safe, prompt arrivals and departures of buses, and positive attitudes on the part of students. Students who do not follow the reasonable requests of the bus driver may jeopardize their bus riding privileges. Misbehavior On the bus may result in a written warning or suspension of bus riding privileges for a period of time determined by the school's administration. Continual misbehavior on the bus may result in permanent revocation of bus riding privileges.

Elementary and Middle School students may not ride the same school bus. There are no exceptions to this rule for siblings and relatives. Authorization will be reviewed if an emergency issue arises.

Bus Safety Violations - Cause & Effect Chart

Cause	**Effect**
Fighting (First Offense)	Bus Suspension Parent Notification Bus Privilege Restore Contract
Fighting (Second Offense)	Mandatory Parent conference Suspension of Bus Privileges (Up to 30 days)
Fighting (Third Offense)	Indefinite Suspension of Bus Privileges
Minor violation (First Offense)	Written Warning Issued/Seat Assignment
Minor violation (Second Offense)	Two (2) Day Suspension of Bus Privileges Parent Notification
Minor Violation (Third Offense)	Five (5) Day Suspension of Bus Privileges Mandatory Parent Conference Bus Privilege Restore Contract
Violation of Bus Restore Contract	Indefinite Suspension of Bus Privileges

Bus suspensions are effective immediately after issued. Students may not ride the bus home the afternoon or morning after a suspension has been issued. Alternate transportation arrangements must be made. The consequences of bus violations are subject to change at the discretion of administration.

Vandalism or substantiated offenses of bullying that occur on the bus are subject to consequences that may not be listed in the above chart.

CHAPTER XI – REPORTING OF CRIMES

The State of Delaware requires that schools report certain crimes to the appropriate authorities. The following are the relevant articles of Delaware code:

Title 14 Del. C § 4112
The Delaware Code **requires mandatory reporting** of the offenses listed in 14 Del. C § 4112. School employees who have reliable information that would lead a reasonable person to believe that one of the following has occurred on school property or at a school function must immediately report the incident to the Chief Executive Officer or designee:

1. Student, school volunteer, or school employee has been the victim of a violent felony or other serious crime, including unlawful sexual contact; or
2. Student employee has been the victim of offensive touching, terroristic threatening; or
3. Student under 18 has been victim of sexual harassment; or
4. Person on school property has drugs or weapon or bomb

The Chief Executive Officer will make every effort to notify the parent(s)/guardian(s) and will conduct a thorough investigation and/or if warranted by statute will report to the police authorities. In addition, the Chief Executive Officer will make every effort to notify the parent(s)/guardian(s) of any juvenile victim. The following list is not all-inclusive; at a minimum, the following shall be reported to appropriate law enforcement agency.

1. Evidence that suggests the commission of the crimes of assault and extortion against a pupil, or an assault, offensive touching, terroristic threatening or extortion against a school employee.
2. Evidence that suggests the commission of a felony; for example: reckless endangering; assault offenses; arson; criminal mischief; bombs; robbery; fraud; forgery; weapons; etc.
3. Evidence that suggests violations of the laws concerning controlled substances and alcohol.
4. Evidence that suggests incest, sexual abuse, or the neglect or other abuse of children.
5. Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons (e.g. knives, firearms, ammunition, explosives or blasting caps).
6. Evidence that suggests morals offense (e.g. pornography, exhibitionism, peeping, etc.).
7. Evidence that suggests organized gambling.
8. Evidence of offenses involving school property, e.g., false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving, and safety hazards.
9. Reports of suspicious persons or unauthorized persons on or near school grounds or property, or rumors, information or observations of gang rivalries or activities.

Title 14 Del. C § 4110 - Disturbing schools or destroying school property; penalty.

Whoever disturbs a public school in session or willfully destroys any public school property shall be fined $20, to be collected as other fines, and paid to the Board of Directors of the charter school for the benefit of the charter, or imprisonment not more than 30 days, or both. (32 Del. Laws, c. 160, § 57; Code 1935, § 2752; 14 Del. C. 1953, § 4113; 57 Del. Laws, c. 113.)

Title 11 Del. C § 621 - Terroristic threatening.

A person is guilty of terroristic threatening when he or she commits any of the following acts:

1. The person threatens to commit any crime likely to result in death or serious injury to person or property.

2. The person makes a false statement or statements:

   a) Knowing that the statement or statements are likely to cause evacuation of a building, place of assembly, or facility of public transportation;

   b) Knowing that the statement or statements are likely to cause serious inconvenience; or

   c) In reckless disregard of the risk of causing terror or serious inconvenience.

3 The person commits an act with the intent of causing an individual to believe that the individual has been exposed to a substance that will cause death or serious injury.

Any violation of paragraph (a)(1) of this section shall be a class A misdemeanor except where the victim is a person 62 years of age or older, in which case any violation of paragraph (a)(1) of this section shall be a class G felony. Any violation of paragraph (a)(2) of this section shall be class G felony unless the place at which the risk of evacuation, serious inconvenience or terror is created is a place that has a purpose, in whole or in part, of acting as a daycare facility, nursery or preschool, kindergarten, elementary, secondary or vocational-technical school, or any long-term care facility in which elderly persons are housed, in which case it shall be a class F felony. Any violation of paragraph (a)(3) of this section shall be a class F felony. Notwithstanding any provision of this subsection to the contrary, a first offense as defined in paragraph (a)(2) of this section by a person 17 years old or younger shall be a class A misdemeanor.

In addition to the penalties otherwise authorized by law, any person convicted of an offense in violation of paragraph (a)(2) of this section shall:

1. Pay a fine of not less than $1,000 nor more than $2,500, which fine cannot be suspended; and
2. Be sentenced to perform a minimum of 100 hours of community service.

In addition to the penalties otherwise authorized by law, any person convicted of an offense in violation of paragraph (a)(3) of this section shall pay a fine of not less than $2,000, which fine cannot be suspended. (11 Del. C. 1953, § 621; 58 Del. Laws, c. 497. § 1; 67 Del. Laws, c. 130, § 8; 70 Del. Laws, c. 186, § 1; 70 Del. Laws, c. 330, § 1; 73 Del. Laws, c. 126, §§ 5, 6; 73 Del. Laws, c. 255, § 1.)

APPENDIX A

CHARTER SCHOOL OF NEW CASTLE POLICY ON SUICIDE & PREVENTION

Charter School of New Castle recognizes the serious problem of youth suicide and acknowledges that providing this policy for schools and districts related to youth suicide recognition and prevention is very important. CSNC also acknowledge that youth suicide is a complex issue which cannot be addressed by the schools alone. This Suicide Prevention Policy ("Policy") meets the requirements of 14 **Del. C.** §4124, relative to Suicide Prevention. The following procedures for communication between school staff members and healthcare professionals who are involved in treating students for self-harm, suicide attempt or threatening of either shall be followed:

1. CSNC's process is to immediately report any student thought to be demonstrating the warning signs of suicide to the school nurse, school counselor, or Chief Executive Officer. This may be done verbally initially; however, a written record of the report shall be prepared. A school employee, school volunteer or student is individually immune from a cause of action for damages arising from reporting warning signs of suicide in accordance with these procedures unless that reporting constituted gross negligence and/or reckless, willful or intentional conduct.

2. Healthcare Professionals. The primary contacts at CSNC are identified in Section 1 above. For a student who has not reached the age of 18, Release of Information forms shall be signed by the parent, guardian, or relative caregiver in order for the primary care physician or healthcare professional to communicate with school personnel regarding any treatment of a student. Notwithstanding the foregoing, communications between healthcare professionals and school staff regarding any treatment of a student may occur for any student 14 years or older who has provided consent for voluntary outpatient treatment in accordance with 16 Del. C. § 5003. In accordance with HIPAA and FERPA guidelines, releases shall be signed before communication may take place. Communications without signed releases in emergency situation may occur in accordance with HIPPA and FERPA regulations and guidelines.

3. 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 student.

4. After confirmation that a student has been involved in a suicide ideation or suicidal behavior, the student shall be evaluated by a licensed healthcare professional or a non-licensed healthcare professional working under the supervision of a licensed healthcare professional.

5. The recommendations from the healthcare evaluation which are pertinent to managing the student's risk in school shall be shared at a meeting between the student, parent/guardian, school nurse, school counselor or Chief Executive Officerprior to the student's return to school. Recommendations will be shared with school personnel who are responsible for their implementation.

6. Emergency evaluations can be obtained from hospital emergency departments; a licensed healthcare professional; a physician; or nurse practitioner; or from the state's Child Priority Response Mobile Crisis Service if the student is under 18 years of age, or from the Adult Mobile Crisis Service if student is between the ages of 18-21.

APPENDIX B

CHARTER SCHOOL OF NEW CASTLE EDUCATIONAL TECHNOLOGY – ACCEPTABLE USE AGREEMENT

Educational technology is rapidly expanding at CSNC and such expansion is expected to continue. CSNC believes that it is essential that all users of the school's technology understand both the benefits and the responsibilities associated with technology usage. Instructions for implementing the school's Acceptable Use Agreement will be provided by administrators, teachers, or other authorized staff, whichever is applicable. CSNC's educational technology is defined as any device that is capable of or necessary for the transmission, reception, or storage of data in the form of text, pictures, video, or audio and that is owned or licensed by the school for the purpose of instruction or the support of education. Examples of educational technology include but are not limited to computers, peripherals (such as monitors, printers, scanners, CD-ROM towers, etc.), networked devices, televisions, audio-visual devices, recorders, copiers, fax machines, display devices, software, assistive technology devices, and telephones. It also includes the use of the Internet, which connects millions of computers worldwide, as well as all computers, networks, databases, information systems, and electronic instructional systems provided by the CSNC. This agreement encompasses all student, staff, and community use of technology systems provided by the CSNC. All students, staff, and community members who use CSNC educational technology in any form are required to sign the Acceptable Use Agreement and return it to the administrator in charge of technology in each building. The use of school technology is a privilege – not a right. Currently, there are no user fees for these services. In the event a user fee is charged, users will be provided with notice of the charge prior to the imposition or collection of the fee.

GOALS

- To support CSNC's curriculum
- To support educational research activities
- To enhance learning opportunities for using information technology
- To promote life-long learning

ACCEPTABLE USE

All systems are to be used in a responsible, ethical, and legal manner. In addition, usage must be in support of educational objectives, and in accordance with the behavior guidelines of Charter School of New Castle.

UNACCEPTABLE USE

- No software may be copied to or downloaded from any computer on the school's network except with permission from a building administrator or his/her designee.
- Involvement (implying direct action or participation) in unauthorized editing, deleting, or copying of any data, records, databases, passwords, directories, or configuration files is prohibited.
- Violating copyright or privacy laws is prohibited.
- Distributing material protected as trade secrets is prohibited.
- Soliciting, using, or sending any threatening (implying harm – physical or emotional), pornographic, or obscene material is prohibited.

- The purposeful use of any system in a manner that is inconsistent with its design is prohibited.
- Use of any computing resources for commercial purposes is prohibited. This includes the use of the network for commercial activities for or on behalf of businesses or other for-profit institutions, including, but not limited to product advertisement or political lobbying.
- Use of school technology resources for unauthorized activities is prohibited.
- Disconnecting any device from the school technology devices without the proper authorization is prohibited.
- Transmission of any material in violation of any federal and/or state regulation or law is prohibited.
- Students attempting to log on to any system using another's password or sharing of a user's password with anyone else is prohibited.
- Users shall not attempt to gain unauthorized access to the system or to any other computer system through the school system, or go beyond their authorized access.

USER RESPONSIBILITIES AND ETIQUETTE

- The individual user (student/staff/community member) accepts the responsibility for keeping all unauthorized material, inappropriate files, or files dangerous to the integrity of the computer or network from entering the school's computers by any manner or means. Appropriate permission must be obtained from an authorized staff member before downloading any material from the internet or other electronic sources of information.
- When using school networks, the Internet, or other information service providers, users:
    - Are prohibited from revealing personal information such as home addresses or phone numbers
    - Must not disrupt the use of any network (e.g., downloading large files, sending mass email messages)
    - Must assume that any communication and/or information accessible via any computer or network is not personal or private, and could be accessed by other users.
    - Are not responsible for unsolicited communications.
- When using school technology resources, users must always use non-offensive and non-vulgar language. They must not swear or use vulgarities, other abusive language, or any offensive statements.
- Users will contact appropriate staff (teacher, administrator, administrator's designee, or library staff member) if any computer and/or program does not work properly. They will not attempt to fix problems themselves.

DUE PROCESS

- The school will cooperate with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through school technology resources.
- Allegations that a student violated the CSNC Acceptable Use Agreement will be handled in accordance with the Student Code of Conduct.
- Allegations that an employee violated the CSNC Acceptable Use Agreement will be handled in accordance with the employee's contract.
- The school may terminate the account privileges of a guest user at any time and for any reason.

CONSEQUENCES

Inappropriate use or vandalism will result in the limitation or cancellation of the user's privileges and, when necessary, legal action. If damage occurs due to willful user misconduct, the user may be permanently denied access to technology resources. The cost of repair or replacement for such willful damage will be billed to the user who caused said damage and/or the legal parent or guardian of that user.

SECURITY

Security on any computer system is a high priority, especially when multiple users are involved. If a user identifies a security problem, he/she must notify an appropriate staff member immediately. Users sending messages relating to, or in support of, illegal activities should be aware that system administrators have access to their communications. Computers, networked technology, and information contained thereon, remain the property of the school. Confidential student files may be accessed by authorized personnel. If Computers and e-mail may be monitored. This document satisfies the school's obligation to provide employees notice of such monitoring. The school strives to maintain a workplace and educational setting free of harassment and sensitive to the diversity of employees and students. Therefore, the school prohibits the disruptive or offensive use of computers, the e-mail system or fax machines. For example, the display or transmission of sexually explicit images, messages, and cartoons is prohibited. Other misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassing or disrespectful.

DISCLAIMER

CSNC does not condone and will not be held responsible for any unacceptable materials obtained using its computers or other information technology. By the nature of this activity, offensive or inappropriate material may be inadvertently encountered. If such material is accessed, the user is expected to immediately leave the website. Students, staff, and community members should be aware that access to CSNC information technology will be withdrawn from users who do not respect the rights of others and who do not follow the rules and regulations established by the school. Further, the use of any information obtained via the CSNC computers is strictly at the risk of the individual user and such usage shall be consistent with the requirements of this agreement. The school specifically denies any responsibility for the accuracy or quality of information obtained through the services provided for in this agreement.

APPENDIX C

CHARTER SCHOOL OF NEW CASTLE BULLYING PREVENTION POLICY

Charter School of New Castle recognizes that a safe learning environment is necessary for students to learn and achieve high academic standards. Charter School of New Castle strives to provide a safe learning environment for all students and employees.

I. Prohibition of Bullying

To further these goals and as required by 14 Del. C. § 4112D, Charter School of New Castle hereby prohibits the bullying of any person on school property, at school functions, or by use of data or computer software that is accessed through a computer, computer system, computer network or other electronic technology of a school district or charter school from grades kindergarten through grade twelve. Charter School of New Castle further prohibits reprisal, retaliation, or false accusations against a target, witness, or one with reliable information about an act of bullying.

A. "School function" includes any field trip or any officially sponsored public or charter school event in the State.

B. "School property" means any building, structure, athletic field, sports stadium, or real property that is owned, operated, leased or rented by any public school district or charter school including, but not limited to, any kindergarten, elementary, secondary, or vocational-technical school or charter school, or any motor vehicle owned, operated, leased, rented or subcontracted by any public school or charter school.

II. Definition of Bullying

As used in this policy, bullying means any intentional written, electronic, verbal, or physical act 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 the safe school environment that is 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.

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 be bullying, depending on their reasonably foreseeable effect:

Physical bullying: Pushing, shoving, kicking, destroying 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:

A. Denigration: spreading information or pictures to embarrass.
B. Flaming: heated argument online that includes making rude, insulting, or vulgar remarks.
C. Exclusion: isolating an individual from his or her peer group.
D. Impersonation: Using someone else's screen name and pretending to be that person.
E. Outing or Trickery: forwarding information or pictures meant to be private.

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

This list is used for example only, and is by no means exhaustive. These 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 nonetheless may be prohibited by other school policies and classroom or program rules.

III. School-wide Bullying Prevention Program

Charter School of New Castle is committed to supporting a school-wide bullying prevention program.

A. Charter School of New Castle will strive to meet these goals:
    1. Reduce existing bullying problems among students.
    2. Prevent development of new bullying problems.

3. Achieve better peer relations and staff-student connections at school.

B. The school-wide program will consist of the following components:

1. All school staff will to strive to:
    a) Treat others with warmth, positive interest and involvement.
    b) Set firm limits for unacceptable behavior.
    c) Apply nonphysical, non-hostile negative consequences when rules are broken.
    d) Act as authorities and positive role models.
    e) Solve bullying problems in a consistent manner across all grade levels and all school locations.
2. A Climate Team will be created.
3. The school's supervisory system in non-classroom areas will be reviewed.
4. The following principles will apply to everyone on school property or at a school function:
    a) I will not bully others.
    b) I will try to help anyone that I suspect is being bullied.
    c) I will try to include students who are left out.
    d) If someone is being bullied, I will tell an adult.
    e) The school-wide program may also include a school kick-off event, committee and staff trainings, school-wide questionnaires, staff discussion group meetings, and programs to involve parents, as determined by the Climate Team.
5. Possible classroom level components, if recommended by the Climate Team include:
    a) Posting and enforcing principles against bullying in the classroom, and daily morning meetings
    b) Regular, ongoing class meetings, discussions, or role playing activities.
    c) Involving parents in bullying prevention.
    d) Finding creative ways to incorporate anti-bullying concepts in to the regular curriculum.
6. Individual Level Components include:
    a) Supervising students' activities.
    b) Ensuring that all staff intervene appropriately on the spot when suspected bullying occurs.
    c) Discussing bullying behavior with students who bully and (separately) with targets of bullying, and with their parents.
    d) Developing Behavioral Intervention Plans for involved students, with a graduated response.

e) Address bystander involvement.

7. Possible Community Level Components, if recommended by the Climate Team, include:

   a) Developing partnerships with community members to support the school's program.

   b) Helping spread anti-bullying messages in the community.

   c) Involving community members in the Bullying Prevention Program.

IV. Investigative Procedures

A. *The school will utilize the following procedure for promptly investigating and determining whether bullying has occurred*.

1. All complaints must be appropriately investigated and handled consistently with due process requirements.

2. Neither a complainant nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. However, efforts should be made to increase the confidence and trust of the person making the complaint. Whenever practical, the investigating person will make efforts to document the bullying from several sources. This prevents the bully, when confronted, from assuming that the victim is the complainant. Student victims may have a parent or trusted adult with them, if requested, during any investigatory activities.

3. After receiving notice of the suspected bullying, either through a short form, an incident report, or an anonymous or other written complaint, the designated person will review the complaint in conjunction with any other related complaints. Reasonable steps will then be taken by the designated person to verify the information and to determine whether the information would lead a reasonable person to suspect that a person has been a victim of bullying.

4. Once the administrator has confirmed that a person has been the victim of bullying, the administrator will take prompt investigatory steps to determine who committed the acts of bullying and whether others played a role in perpetuating the bullying. The administrator will avoid forewarning the student suspects, and will interview suspects separately and in rapid succession.

5. After identifying those who committed the act or acts of bullying, the administrator will apply disciplinary action, consistent with due process rights, and the range of consequences identified herein. The person who engaged in bullying will be informed that escalating consequences will occur if the bullying continues.

6. The administrator will keep a written record of the bullying incident, and any disciplinary actions taken. The administrator will keep any written statements of those committing the bullying, victims, and witnesses. Discussions with all parties should be documented as soon as possible after the events. The school will not destroy or discard any material records or evidence while a criminal investigation or prosecution relating to the incident is ongoing.

7. A follow-up will be completed two weeks later to determine whether the bullying has continued and whether additional consequences are needed. An additional follow-up will occur in two months, regardless of whether new incidents have been reported.
8. Each confirmed incident must be recorded in the School Register of Bullying Incidents.

B. *All confirmed bullying incidents must be reported to the Department of Education by an Chief Executive Officeror designee within five (5) working days pursuant to Department of Education regulation.*

C. The administrator should be aware that some acts of bullying may also be crimes which under the School Crime Reporting Law (14 Del. C. § 4112) are required to be reported to the police and /or the Department of Education.

V. Consequences for Bullying

Consequences for bullying will be immediately and consistently applied and must be delivered in a non-hostile manner. Consequences will be consistent with the SOAR program.

A. Consequences should take into account:
1. Nature and severity of the behaviors.
2. Degrees of harm.
3. Student's age, size, and personality (including physical development and maturity levels of the parties involved).
4. Circumstances surrounding, and context in which, the incidents occurred.
5. Prior disciplinary history and/or continuing patterns of behavior.
6. Relationships between the parties involved (including any imbalance of power between the perpetrator and victim).
7. Staff resources and time constraints.

B. The appropriate range of consequences for bullying is as follows:
1. Removal of positive reinforcers:
   a. Time-out.
   b. Loss of a privilege.
2. Use of negative or unpleasant stimuli:
   a. Rebuke or verbal reprimand clearly specifying what is not acceptable and consequences if repeated.
   b. Notice to parent.
   c. Serious talk with school staff member.
   d. Serious talk with school staff member with parents present.
   e. Supervised break times.
   f. Behavioral report cards sent home.
   g. Creation of a behavior contract.

h. In-school suspension.

i. Detention.

j. Reassignment of seats in class, lunch, or on bus.

k. Prohibition from entering certain areas of the school.

l. Reassignment of classes.

m. A referral to an external agency

n. Reassignment to another school or another mode of transportation.

o. Expulsion.

p. Report to Law Enforcement officials

3. In addition, but never as replacement for disciplinary action, reformative activities should be required, which may include:

   a. Reparation to victim in the form of payment for or repair of damage to possessions out of own money.

   b. Cooperation with the assessment of problems.

   c. Education about what bullying is and why it is not acceptable.

   d. Written reports on books or films about bullying.

   e. Completion of bullying-related workbooks.

   f. Completion of a Letter of Acknowledgement of actions to the victim (only after reviewed by staff, and never in cases of sexual bullying).

   g. Completion of psychological assessment or evaluation.

   h. Completion of counseling (in school or by referral to an outside agency, including individual or family counseling).

   i. Cooperation with a behavioral management program developed in consultation with a mental health professional.

   j. Submission to a psychological, psychiatric or neuropsychiatric evaluation before the person who engaged in bullying can return to school.

   k. Completion of community service.

C. Charter School of New Castle believes that positive consequences should be given when students are obeying the rules about bullying. These consequences may include:

   1. Enthusiastic, concrete, behavior-specific praise.

   2. Creative consequences that are truly positive for your students considering their age, sex, and maturity level.

D. Charter School of New Castle believes that victims should be given support. If bullying is suspected, staff members will make an effort to:

   1. Find a private opportunity for discussion with the victim.

2. Discuss with the victim what support they need.
3. Ensure their safety.
4. Record the event and follow through with actions.
5. Provide the victim with opportunities to gain peer support.
6. Refer the victim to available help available in-school.
7. Provide the victim with an opportunity to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate, either in writing or face to face, if the victim chooses to do so.
8. Make referrals to external agencies if necessary.
9. Provide the victim with information for mental health or medical treatment needs.

VI. Reporting Procedures

A. The procedure for providing information on bullying activity to a student, parent, guardian, or relative caregiver pursuant to § 202(f) of Title 14 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, if the situation appears to that staff member to involve bullying or real fighting.
2. If a child expresses a desire to discuss a personal incident of bullying with a staff-member, the staff-member will make an effort to provide the child with a practical, safe, private, and age-appropriate method of doing so.
3. If recommended by the Climate Team, a letter box will be placed in a place or places selected by the committee, so that students who feel unable to talk to any staff will have a point of contact. Information found in the box must be treated with care, and a staff-member or members will be designated to be responsible for this information. Blank "Bullying – request for support forms" will be available to all students, but are not required for a report.
4. Written complaints shall be reasonably specific as to actions giving rise to the complaint and should include the following information:
    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
5. Short, easy to use complaint forms can be obtained from the Chief Executive Officeror main office.
6. Anyone may report bullying. A report may be made to any staff member. Reports should be made in writing.

7. Every identified complainant who files a written complaint with a staff member will receive a written explanation of results (to the extent that it is legally permissible) and will be given an opportunity to inform the designated person whether or not the outcome was satisfactory. Easy to use follow-up forms will be made available.

VII. Anonymous Reports

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

VIII. Notification to Parents

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

IX. Retaliation

Retaliation following a report of bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the Chief Executive Officer, after consideration of the nature, severity, and circumstances of the act.

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

A. 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 regard to 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) to permit the primary care physician or mental health professional to communicate with school personnel regarding any treatment of a child. Releases should be signed both to the school and the physician's or mental health professional's office before communication may take place, as required by HIPPA and FERPA guidelines.

   2. If a parent refuses to sign a release form at school, the school will review this policy with them and explain the reasons the release would be advantageous to their child.

   3. After confirmation that a child has been involved in a bullying incident, if the Chief Executive Officeror designee recommends a mental health evaluation be completed, the School may:

      a. Require that return to school will be contingent upon a clinical evaluation that includes recommendations and a treatment plan, if deemed appropriate by the clinician.

      b. Require that the student remain in in-school suspension and that return to his/her regular class schedule will be contingent upon a clinical evaluation that includes recommendations and a treatment plan, if deemed appropriate by the clinician.

4. Summary of this evaluation shall be shared at a meeting with student, parent/guardian, and school administrator(s) or designee prior to the student's return to school or the general population.

B. 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 Child Mental Health, State of Delaware 24-hour hot line (302)633-5128. Non-emergency 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 having a parent contact their medical insurance for recommended providers in their area.

XI. Implementation

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

XII. Accountability

Each school shall notify in writing of their compliance with this policy and submit a copy of the procedures they have adopted under this policy by December 1, of each school year. Charter School of New Castle shall verify the method and date that the policy has been distributed, to all students, parents, faculty and staff.

XIII. Awards

Each year, each school district or Charter School shall submit to the Delaware Department of Education a nomination for 1 exemplary school and the reasons why they believe the school should receive an award for its Bullying Prevention Program, with supporting documentation.

XIV. Immunity

A school employee, school volunteer or student is individually immune from a cause of action for damages arising from reporting bullying in good faith to the appropriate person(s) using the procedures specified in the schools' bullying prevention policy, but there shall be no such immunity if the act of reporting constitutes gross negligence and/or reckless, willful, or intentional conduct.

XV. Other Defenses

A. The physical location or time of access of a technology-related bullying incident is not a valid defense in any disciplinary action by the school district or charter school initiated under this policy, provided there is sufficient nexus to the school.

B. This section does not apply to any person who uses data or computer software that is 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 or charter school policy.

XVI. Relationship to School Crime Reporting Law

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 section 4112, Title 14 of the Delaware Code, or from reporting probable crimes that occur on school property or at a school function that 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.

XVII. 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.

APPENDIX D

CHARTER SCHOOL OF NEW CASTLE DRUG AND ALCOHOL POLICY

THE FOLLOWING POLICY ON THE POSSESSION, USE, OR DISTRIBUTION OF DRUGS AND ALCOHOL SHALL APPLY TO ALL SCHOOLS AND/OR SCHOOL PROGRAMS:

- The possession, use, abuse and/or distribution of alcohol, a drug, a drug-like substance, a look-alike substance, and/or drug paraphernalia are harmful to students and are prohibited within the school environment.
- Student cubbies, cabinets, and lockers are the property of the school and may be subject to search at any time, with or without reasonable suspicion.
- All alcohol, drugs, drug-like substances (including prescription and over-the-counter drugs), look-alike substances, and/or drug paraphernalia found in a student's possession shall be turned over to the school's administration and be made available, in the case of a medical emergency, for identification. All substances shall be sealed and documented and, in the case of substances covered by Title 16 Delaware Code Ch. 47, turned over to police as potential evidence. A request for analysis shall be made where appropriate.

THE FOLLOWING DEFINITIONS SHALL APPLY TO THIS POLICY:

- **"Alcohol"** shall mean alcohol or any alcoholic liquor capable of being consumed by a human being, as defined in Section 101 of Title 4 of the Delaware Code, including alcohol, sprits, wine, and beer.
- **"Drug"** shall mean any controlled substance or counterfeit substance as defined in Chapter 47 of Title 16 of the Delaware Code, including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substance which is abused (consumption greater than the prescribed dose) or has been given to or prescribed for a person other than the student in whose possession it is found.
- **"Drug paraphernalia"** shall mean all equipment, products and materials as defined in section 4701 of Title 16 of the DE Code, including, for example, roach clips, miniature cocaine spoons, and containers for packaging drugs.
- **"Prescription drugs"** shall mean any substance obtained directly from, or pursuant to, a valid prescription or order of a practitioner, as defined in Title 16 Delaware Code Section 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.
- **"Drug like substance"** shall mean any non-controlled and/or non-prescription substance capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over the-counter cough medicines, certain types of glue, and caffeine pills.
- **"Non-prescription medication"** shall mean any over-the-counter medication; some of these medications may be a "drug-like substance."

- **"Look alike substance"** shall mean any non- controlled substance which is packaged so as to appear to be, or about which a student makes an express or implied representation that the substance is, a drug or a non- controlled substance capable of producing a change in Behavior or altering a state of mind or feeling. See Title 16 Delaware Code § 4752A.
- **"Possess," "possessing," or "possession"** shall mean that a student has on the student's person, in the student's belongings, or under the student's reasonable control by placement of and knowledge of the whereabouts of, alcohol, a drug, a look-alike substance, a drug-like substance or drug paraphernalia.
- **"Use"** shall mean that a student is reasonably known to have ingested, smoked or otherwise assimilated alcohol, a drug or a drug-like substance, or is reasonably found to be under the influence of such a substance.
- **"Distribute," "distributing," or "distribution"** shall mean the transfer or attempted transfer of alcohol, a drug, a look-alike substance, a drug-like substance, or drug paraphernalia to any other person with or without the exchange of money or other valuable consideration.
- **"School environment"** shall mean within or on school property and/or at school-sanctioned or supervised activities including, for example, on school grounds, on school buses, at functions held on school grounds, at extracurricular activities held on and off school grounds, on field trips and at functions held at the school in the evening.
- **"Expulsion"** shall mean exclusion from school.

THE FOLLOWING REGULATIONS SHALL APPLY TO THIS POLICY:

- At the beginning of each school year and whenever a student enrolls or re- enrolls during the school year, each student and his or her parent, guardian, or relative caregiver shall receive an updated Student Code of Conduct.
- The State and School policies shall apply to all students, except with respect to students with disabilities, the applicable State and Federal law will be followed.
- Staff members will report incidents to the school's administration who will verify the identity of the student and the probable cause that a policy violation has been committed. The school's administration where required will report the incident to the police and will file a report to be sent to the Department of Education. Parents will be notified as quickly as possible via the telephone. If telephone contact cannot be made, a letter will be sent home. Records will be maintained in a separate discipline file and confidentiality will be followed. Names and details of any particular incident will be revealed only to those staff persons who are required to know the specific information.
- Any physical evidence of a policy violation will be submitted to the school's administration. The administration will document the date, time, and description of the evidence and the name(s) of the student(s) involved. Evidence will be locked in a secure area determined by the administration and submitted to the police upon their arrival.
- General searches of the property of a student may be conducted by the school's administration at any time upon reasonable suspicion.

- All prescription and over-the-counter non-prescription drugs shall be presented to the school nurse upon entering the school building. The nurse will be responsible for dispensing those drugs to the students until they leave at the end of the school day. Any of these drugs not submitted to the school nurse will be considered in violation of this policy. Where necessary, individual students may be permitted to carry a prescription drug after submitting written notification from a physician and obtaining approval from the school's administration.
- The discipline policy shall also apply to out-of-school conduct by a student if the school believes that the nature of such conduct indicates that the student presents a threat to the health, safety, or welfare of other students. Such out of-school conduct shall include, but is not limited to, the sale, transfer, or possession of drugs which would constitute an offense punishable by law.
- Students expelled from school for alcohol and drug infractions must petition the Board for readmission. Evidence must be provided of having received appropriate related services pertinent to the expulsion offense.
- Notwithstanding any of the foregoing, students are permitted, in their discretion, to use and possess an asthmatic quick relief inhaler ("inhaler") and/or auto-injectable epinephrine with individual prescription label; provided, nevertheless, that the student uses the inhaler and/or auto-injectable epinephrine pursuant to prescription or written directions from a state licensed health care practitioner; a copy of which shall be provided to the school; and further provided that the parent(s) or legal custodian(s) of such student provide the school with written authorization for the student to possess and use the inhaler or auto-injectable epinephrine such student's discretion together with a form of release satisfactory to the school releasing the school and its employees from any and all liability resulting or arising from the student's discretionary use and possession of the inhaler and/or auto-injectable epinephrine and further provided that the school nurse may impose reasonable limitations or restrictions upon the student's use and possession of the inhaler and/or auto-injectable epinephrine based upon the student's age, level of maturity, behavior, or other relevant considerations. (For students who use prescribed asthmatic quick relief inhalers and/or auto-injectable epinephrine, see 14 DE Admin. Code 817, Administrations of Medications And Treatments)

APPENDIX E

CHARTER SCHOOL OF NEW CASTLE STUDENT CODE OF CONDUCT

Description of Offenses (Behavioral Infractions)

**This list is not at all inclusive.*

a. Abusive Language - Written or spoken language or gestures that are offensive, obscene, or vulgar.

b. Class Cutting - Unexcused absence from a class without authorization or for an approved reason.

c. Forgery - The act of forging a signature or using something written falsely to deceive.

d. Gambling - Participating in game(s) of chance including, but not limited to, card playing for money and/or other things of value.

e. Inappropriate Behavior - Language, gestures, or actions that incite, produce distractions or disruptions, or seriously interfere with the effective functioning of the teacher, another student, a class, or any school activity. This does not include severe insubordination. Severe insubordination may be considered a Level II offense.

f. Inappropriate Bus Behavior - Behavior that produces distractions or disturbances that seriously or repeatedly interfere with the bus driver, cause an unsafe condition, or are disrespectful to the driver.

g. Leaving School without Authorization - Once a student arrives at the school campus, he/she may not leave, unless authorized to do so, until the end of the student's scheduled day.

h. Student Presence in Any Prohibited School Area -Unauthorized presence of a student in any prohibited area.

i. 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 that does not have a legitimate reason for being there.

j. Unauthorized Use of Electronics - The public use or display of any of the following on school premises during the school hours of any school day: cellular phones, pocket pagers, laser pointers, personal music devices (MP3 players, iPods, etc.), electronic games, and other materials designated by staff as disruptive or potentially disruptive. Failure to give an electronic device to school personnel when asked will be considered to be defiance/serious insubordination.

k. Academic Cheating - Academic cheating is the act or instance of deception in preparing or presenting course work or class assignments as a student's own authentic work when it is not. This includes, but is not limited to: (1) copying another student's paper; (2) unauthorized use of notes or sharing answers during a test or examination; (3) presenting another person's work as one's own; and (4) presenting quotations, words, or ideas without proper references or credit (plagiarism). The person sharing information inappropriately will receive the same consequences as the person who turned the work in as his/her own. These examples also apply to electronic information retrieved from the internet.

l. Breaking and Entering - Unauthorized entry into any locked area of school during or after school including, but not limited to, rooms, classrooms, auditorium, gym, offices, lockers, and cabinets.

m. Bullying - (See Bullying Prevention Policy, Appendix C)

Bullying is any intentional written, electronic, verbal, or physical act or actions against a student, school volunteer, or school employee. 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.

n. Careless or Reckless Behavior - Intentional or unintentional behavior that threatens to or causes personal injury or property damage.

o. Criminal Mischief/Vandalism - The destruction or defacement of school property or the property of others (including the unauthorized altering/tampering or vandalism of school owned electronic equipment and software). If the value of property is in excess of $1,000, a First Offense will be treated in accordance with Subsequent Offense consequences.

p. Defiance - Serious insubordination; intentionally defiant behavior or attitude; resistance to authority; verbal or non-verbal refusal to comply with a reasonable request from school personnel or refusal to comply with disciplinary actions.

q. Fighting - Aggressive, physical conflict between two or more individual including, but not limited to, wrestling and punching

r. Inappropriate Item/Material - Using or processing written language, clothing, electronic messages, pictures, or objects considered to be offensive or not suitable for the educational setting.

s. Inappropriate Sexual Behavior - Physical touching of intimate body parts of self or others; consensual acts of affection or intimacy inappropriate to an educational setting including, but not limited to, any action or suggestion by one or more persons involving or relating to the use or display of those body parts generally referred to as private.

t. Instigation - Behavior which is likely to incite or produce aggressive or physical conflict between two or more individuals.

u. Offensive Touching - Intentionally touching a student, by a student, with a part of the body or with an instrument, thereby causing offense, alarm, or minor physical harm. For example: shoving.

v. Reckless Burning - When a person intentionally 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.

w. Sexual or Other Harassment - Actions or statements that are sexual in nature, or that offend or defame the dignity or self-esteem of a reasonable individual and are based on the individual's sex, race, color, national origin, religion, sexual orientation, gender identity or expression, family or other protected status. Examples include, but are not limited to; unwelcome sexual advances, sexual remarks or jokes, requests for sexual favors, exclusion, and offensive verbal, written, or physical conduct directed to an individual that is based on the individual's protected status. Also included in this definition are the display of pictures, drawings, or other items that are sexual in nature or offensive and based on protected status.

x. Smoking/Possession of Tobacco/Tobacco Products - Possession includes, but is not limited to, on a student's person, in a student's belongings, or under the student's reasonable control by placement of and knowledge of the whereabouts, of tobacco.

y. Theft/Possession/Transfer of Stolen Goods: - The act of taking possession or transferring the property of another without the consent of the owner. If the value of the property involved is in excess of $1000, a First Offense will be treated in accordance with Subsequent Offense consequences.

z. Theft using coercion - Obtaining money or property from another student through coercion, intimidation, or threat of physical harm.

aa. Threatening Behavior - A threat to engage in menacing behavior that is violent or sexual in nature directed members of the school community – without physical contact – that would cause a reasonable person offense, annoyance, or alarm.

bb. Threatening Behavior - A threat to engage in menacing behavior that is violent or sexual in nature directed to an individual student (not a group or community) – without physical contact – that would cause a reasonable person offense, annoyance, or alarm.

cc. Arson - Any act utilizing fire, smoke, or explosives, that causes alarm or danger to life; and/or willful or malicious burning of school property, its contents, or the personal property of others.

dd. Assault - An unlawful physical attack using force upon a member of the school community resulting in physical injury.

ATTORNEY GENERAL'S REPORT

Delaware law and standards established by the state Attorney General require that certain out-of-school behavior be reported to law enforcement authorities.

Out-of-school conduct that is reportable includes, but is not limited to acts of violence that are punishable by law; sexual offenses that are punishable by law; felony charges; the sale, transfer or possession of drugs that would constitute an offense punishable by law, and those crimes listed below.**

**A student who is found to possess drugs while out of school for personal use only and who enters and successfully finishes a drug counseling/treatment program will not be disciplined under the Code of Conduct.

Offensive Touching - Intentionally touching a member of the school community (staff or student) with a part of the body or with an instrument, thereby causing offense or alarm

Rape or Attempted Rape - Forced or attempted forced sexual contact (including Unlawful Sexual Contact) without the consent of the victim.

Robbery - To obtain or attempt to obtain money, goods, services or information from another by physical force or violence, coordinated violence, or intimidation in any way.

Threat to the Orderly School Process - A verbal, written, or physical threat to commit any crime likely to result in death or serious injury to persons (groups, communities, assemblages) or property; including, but not limited to, false statements or actions likely to cause evacuation of a building, place or assembly or facility of public transportation. This also includes statement(s),

behavior or acts made that are likely to cause serious inconvenience or that are in reckless disregard of the risk of causing terror or serious inconvenience. Such acts include, but not limited to, bomb threats, false fire alarms, terroristic threats, and possession of look-alike weapons with or without verbal threat.

Dangerous Instrument(s) or Weapon(s) - Possession/Concealment/Sale - Regardless of the possessor's intent, any possession/concealment/sale of a weapon, instrument, article, or substance that is readily capable of causing serious physical injury or death. If the full blade of a knife is more than three inches, the item will be considered a dangerous instrument. The weapon list includes, but is not limited to, firearms, starter guns, pellet guns (hard and soft), BB guns, air guns, bombs, electric weapons, projectile devices, knives with a full blade measuring three or more inches, switch blade knife, mace, pepper gas, billy, blackjack, bludgeon, metal knuckles, slingshot, razor, bicycle chain, ice pick, and non-functional weapons. Also, any dangerous instrument will be considered a deadly weapon when used, or attempted to be used, to cause death or serious physical injury.

Distribution of Drugs and/or Alcohol and/or Paraphernalia - Known sale, transfer, or distribution of drugs, alcohol, or look-alike substances. This situation includes prescription drugs, or over-the-counter drugs. Possession of excessive amounts of drugs/alcohol or look-alike substances are considered to be "possession with intent to deliver." An "illegal substance" includes all substances that fall under the definition of "controlled substances" set forth in the Uniform Controlled Substances Act (16 Del. C. § 4701, et seq.).

Use and/or Possession of Drugs and/or Alcohol and/or Paraphernalia - To possess on your person or among your personal belongings, or to use or have consumed, alcohol, drugs or any illegal substance. This situation includes look-alike substances, prescriptions drugs*, or over-the-counter drugs*. Possession of excessive amounts of drugs and/or alcohol or look-alike substances in considered "possession with intent to deliver" and is treated as the Level III violation: "Distribution of Drugs and/or Alcohol and/or Paraphernalia."

***Does not include possession of prescription drugs for personal use if prescribed by authorized medical personnel. Does not include possession of reasonable amounts of over the counter drugs for personal use**.

Link to DE code

- www.Regulations.delaware.gov/admincode/title14/600/614

CHAPTER XII –

Middle School Addendum to the Student Handbook Code of Conduct

Effective Date: 2025 – 2026 school year
Issued by: Charter School of New Castle
For: All currently enrolled middle school students

Purpose of Addendum:

This addendum serves to update and clarify specific policies outlined in the Student Handbook regarding middle school policies and discipline. Please review this document carefully, as it introduces changes and additions that will take effect immediately. All students are expected to adhere to these updates.

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1. Cafeteria Policy:

In response to teacher feedback and recent expectation reviews the following guidelines have been put into place:

- At CSNC, all students may receive a free lunch for the school year. Students are restricted to the cafeteria areas during the period they have been assigned to lunch. **UNDER NO CONDITIONS MAY FOOD BE CARRIED FROM THE CAFETERIA TO CLASSROOMS (UNLESS THE STUDENT IS ACCOMPANIED BY A TEACHER/TEACHER'S NOTE), IN THE CORRIDORS, OR OUTDOORS.** Students are not to bring large quantity food items (such as large bags of chips, 2-liter bottles of drinks, whole cakes, etc.) to school for lunch. Students are discouraged from bringing candy to school. The lending of money is also discouraged, and students are not to lend their lunch number to other students. As a safety precaution, no drinks in glass bottles are permitted in school. Students are allowed to carry clear plastic water bottles to school. Students are expected to conduct themselves in an orderly manner and not cut lines or display discourteous manners while being served food and eating. Courtesy to others and respect for the law and property are expected. **Students who do not follow cafeteria rules may be subjected to disciplinary action. Please see ROAR rubric for all expectations.**

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2. Backpack/Book bag Policy:

Charter School of New Castle Middle students ARE NOT PERMITTED to carry backpacks, book bags, or large purses during the school day. Female students are allowed to carry a small fanny pack/small purse. Students will be permitted to go to their lockers during the school day. This will eliminate the need to carry a large number of books and unnecessary materials. Students may use a

book bag or backpack to carry their books to and from school.

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3. L**ockers:**

The school will provide lockers for all students. Pupils are not permitted to change lockers without the Dean of students' permission and are only to use their own assigned locker**.** The locker is school property and its use is subject to the rules of the school. It is to be kept clean and orderly. Students are to use a lock to secure their belongings, as the school cannot assume responsibility for lost or stolen articles. The administration reserves the right by law to conduct either periodic 14

4. Middle School Cell Phone Policy:

To support a focused, respectful, and distraction-free learning environment, cell phone use is strictly prohibited during the school day.

- Cell phones must be turned off or on silent and kept out of sight (in lockers or backpacks) from the time students enter the building until dismissal.
- Cell phones should not be seen or heard at any time during the school day, including during class transitions, and restroom breaks.
- Use of a cell phone in class or during school hours without staff permission may result in immediate confiscation and disciplinary action in accordance with the school's code of conduct.
- Families are encouraged to contact the main office for any urgent communication during the school day.