

**EastSide Charter School**  
Parent & Student Code of Conduct  
Parent and Student Acknowledgement

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 their child and have a discussion regarding school expectations.

In addition, Appendix D is a copy of EastSide Charter’s Educational Technology Acceptable Use Policy. Before your child may use the school’s educational technology, this policy must be reviewed and the parent/guardian must sign below.

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

**Please sign below and have your child sign to** acknowledge that he/she has received, read, and discussed a copy of the Parent & Student Code of Conduct. Return the signed sheet to your child’s homeroom teacher.

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This is to confirm that I have received and reviewed a copy of the EastSide Charter School Parent & Student Code of Conduct, including the Media Release Policy, the Notice Regarding Directory Information and the Educational Technology Acceptable Use Policy (see Appendix D).

I understand that by signing below, I am agreeing to abide by the Parent & Student Code of Conduct. I also understand that my or my child’s enrollment and right to return to EastSide Charter School for each subsequent year as a parent/guardian or as a student of EastSide Charter School is contingent upon my following the Parent & Student Code of Conduct.

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Student Name (Please Print)	Student Signature (Students in grades 3-8 only)	Date
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Parent Name (Please Print)	Parent Signature	Date
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# Parent and Student Code of Conduct and Handbook

*EastSide Charter School is committed to empowering all students to understand who they are and their role in the world as a means of helping them develop the academic skills and habits, self-confidence, and self and social awareness needed to achieve success in their personal and professional lives.*

EastSide Charter School  
3000 N. Claymont Street  
Wilmington, DE 19802  
(302) 762-5834

*Revised and in Effect as of  
August 2023*

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, Appendix D is a copy of EastSide Charter School'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 Policy.

Signing the accompanying form also acknowledges receipt 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.

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### **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 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, and 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 also may record, reproduce, amplify, edit, and simulate the student's image and all sound effects. 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, and 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) EastSide Charter School 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, also can 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 about your child designated below as directory information 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:

EastSide Charter School  
Administrative Offices  
1101 Delaware Street  
New Castle, DE 19702

Or you may give notice on the accompanying form acknowledging receipt of this Notice.

EastSide Charter School has designated the following information as directory information:

- Student's name
- Address
- Telephone number;
- 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.

## **SCHOOL NONDISCRIMINATION POLICY**

The EastSide Charter School and its Board of Directors do not discriminate in employment or educational programs, services, or activities based on race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, or disability, in accordance with state and federal laws. Inquiries should be directed to:

EastSide Charter School  
Attention: Principal  
3000 N. Claymont Street  
Wilmington, DE 19802  
Phone: (302) 762-5834

It is also the policy of our school to ensure that curriculum content and instructional materials used by our school reflect the cultural and racial diversity found in our country, and to create an awareness of the rights, duties, and responsibilities of each individual as a member of the multi-cultural, nonsexist society.

Inquiries about compliance with Federal Title IX, Title VI, or VII may be directed to the Principal.

**EastSide Charter School**  
**Board of Directors**

*Jocelyn Stewart*  
*Chair*

*Cecil Gordon*  
*Vice Chair*

*Rick Taglione*  
*Treasurer*

*Charles H. Toliver, IV, Esq.*  
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*Tinu Akeredolu*

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*Kim Fortunato*

*Renee Greene*

*David McBride*

*Charles McDowell*

*Maurice Ragland*

*Michelle Reardon*

*Owen Ricciardi*

CEO: Aaron Bass

## **Chapter I – Conduct & Environment**

### **INTRODUCTION**

#### **Mission Statement:**

The mission of EastSide Charter School is to educate children in a safe, caring, and nurturing environment so they can excel academically and socially. We believe that all children are capable of mastering content standards and meeting social expectations when they have a thorough understanding, adequate time, and appropriate support. Students are viewed as individuals, and every effort is made to accommodate each child’s unique gifts and talents.

#### **Our Commitment**

We are relentlessly committed to student achievement. We know that all students can and must achieve. Our expectations are high, our desire for success is intense, and our timeline is aggressive. We use clear and concrete measures to measure achievement. When we fail, we “own” it and work to develop better and more effective methods. We constantly explore new strategies to increase our effectiveness and we never get hung up on pedagogical fads or ideologies. We know that high expectations must be matched by high levels of effective support. We are united by our shared mission, by the urgency of the calling, and by our relentless pursuit of academic achievement for all.

#### **Overview**

Our program is distinct in several ways. Most importantly, our teachers are outstanding and wholly committed to student achievement. EastSide’s method of instruction is to teach and support students until they learn. Our teachers continually improve their craft through frequent feedback, coaching, and collaborative support. Instruction is grounded by a common pedagogical model and guided by focused standards-based curricula. We align assessments to clear objectives and use assessment data to direct instruction. We utilize a mastery-based grading system and a scaffolded course structure that addresses students at their incoming skill level, yet holds all students to a single, college preparatory graduation standard.

#### **STUDENT AND PARENT RESPONSIBILITIES AND RIGHTS**

The Principal has the primary responsibility and authority for maintaining an orderly educational environment. EastSide Charter School guarantees students the freedoms allowed by law, provided these freedoms do not endanger the health, safety, and welfare of students or staff. The Board of Directors recognizes and supports students' and parents' rights and corresponding responsibilities. The school is compliant with federal Title IX. Title IX complaints are to be directed to the Principal.

## **WHAT IS THE CODE OF CONDUCT?**

The Code is an official document of EastSide Charter School that:

- Describes a positive and safe school environment.
- Specifies the rights and responsibilities of students.
- Defines attendance requirements.
- 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 Pre-K through 8. Differences in age and maturity are considered in determining the type of disciplinary action that will 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. Orientation to the Code is held in school at the beginning of the school year. Students' or parents/guardians' questions concerning the Code should be directed to the Principal.

## **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 his/her place of residence on the 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 EastSide Charter School, for any purpose.
- At all school-sponsored events, athletics, and other activities at which school administrators have jurisdiction over students.
- During the continuation of any incident that began at school (including actions using cyber-social networks).

## **OUT OF SCHOOL CONDUCT**

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

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

Additionally, the Principal is authorized to take administrative action when a student's misconduct while going to and from school has a harmful effect on other students, the community, or the orderly conduct of school business. EastSide Charter School 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 such reports, they will be reviewed and the school will take disciplinary action as outlined in the Student Code of Conduct if it is determined the out-of-school conduct indicates the student presents a threat to the health, safety, or welfare of other students or staff. EastSide Charter School will not wait for adjudication of a felony or other alleged violations of law before proceeding with alternative placement or expulsion procedures. Example: If a student is arrested for selling narcotics in the community, he/she may be expelled from school. Students need to realize that out-of-school behavior can result in expulsion from school or placement in an alternative program.

### **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 improvement in 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 using profanity and abusive language, or engaging in inflammatory actions during 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 teacher.
- 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 parent, including:**

- The opportunity to closely monitor their children's performance and recognize and address 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, including:**

- 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.

**EastSide Charter Schools' families are expected to abide by the following:**

- Ensure their child attends school each day and promptly reports to school; explain any absence or tardiness to the school.
- Provide their child with the resources needed to complete class-work and homework.
- Assist their child in being healthy, neat, and clean.
- Refrain from using profanity or abusive language, or engaging in inflammatory actions in personal interactions.
- Bring to the attention of school authorities any problem or condition that affects their child or other children of the school community.
- Discuss report cards and work assignments with their child.
- Attend Parent/Teacher conferences and Vision Plan Meetings 3 times per year
- 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 words or actions, 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. The Principal has the authority to determine when such consequences are appropriate.**

**PARENT CLASSROOM VISITATION POLICY**

**EastSide Charter School 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 in the classroom. Parents/guardians are encouraged to meet with the child's teacher frequently and must schedule an appointment. To

schedule an appointment, a parent/guardian can contact the main office at 302-762-5834. 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 of the classroom.

### **CONFLICT RESOLUTION/MEDIATION**

It is the philosophy of the EastSide Charter School 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 personal or school related problems, concerns, and issues to appropriate staff, counselors/advisors.
- To use counseling services for their educational and personal development, where appropriate.
- To schedule appointments in advance, unless the problems or concerns are of an emergency nature. 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.
- To have access to counselors/advisors on the staff.

### **PARTICIPATION IN SCHOOL ACTIVITIES**

- Students participating in extra-curricular programs and activities are expected to maintain the EastSide Charter School standards of behavior in their school and community as defined by the Student Code of Conduct.
- Any student subject to a probationary agreement or behavior contract will be ineligible to participate in any school-sponsored extra-curricular activities or programs for 90 school days.
- Any student who violates EastSide Charter School's team or group pledges or rules may be deemed ineligible to participate in school-sponsored extra-curricular activities or programs for up to 45 school days, subject to the Principal's recommendation.

- EastSide Charter School’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.

## EastSide Charter/EastSide Charter School Academy Commitment to My Vision Contract

### TEACHER'S COMMITMENT:

I fully commit to EastSide Charter School (ESCS) in the following ways:

- 1.) I will arrive at ESCS every day by 7:15 am.
- 2.) I will remain at ESCS until the end of each school day.
- 3.) I will always teach in the best way I know how and I will do **whatever it takes** for my students to learn. This means I will prepare incredible lessons and assessments in advance, give feedback in a timely manner, and work productively with my team.
- 4.) I will always make myself available to students, parents, and any concerns they might have during school hours and I will return all correspondence within one school day.
- 5.) I will always do my best to make sure my students and parents feel valued and respected.
- 6.) I will always think highly of my students, speak to them in a positive way, and give feedback in a constructive manner.
- 7.) I will always protect the safety, interests, and rights of all individuals in my classroom.
- 8.) I will always act, behave, and think in the best manner to ensure that my students can accomplish their vision.

*Failure to adhere to these commitments can lead to my removal EastSide Charter School.*

X \_\_\_\_\_

### SCHOOL'S COMMITMENT:

In addition to the teacher's commitments, as the school leader I also commit to EastSide Charter School in the following ways:

- 1.) I will coach, support and train our teachers in the best way I know how and I will do **whatever it takes** to make them the best educators possible. I will work with them to ensure lessons and instruction are high quality for all students, regardless of their level.
- 2.) I will ensure that the learning environment in our school is conducive to all students' academic achievement.

*Failure to adhere to these commitments can lead to my removal from EastSide Charter School.*

X \_\_\_\_\_

### PARENTS'/GUARDIANS' COMMITMENT:

I fully commit to EastSide Charter School (ESCS) in the following ways:

- 1.) I will make sure my child arrives at ESCS or their bus stop in time to be in his/her classroom seat by 7:56 am.
- 2.) I will make arrangements so my child can remain at ESCS for the full school day.
- 3.) I will always help my child in the best way I know how and I will do **whatever it takes** for him/her to learn.
- 4.) I will always make myself available to my child, the school, and any concerns they might have.
- 5.) I will allow and encourage my child to go on ESCS field trips.
- 6.) I will make sure my child comes to school in uniform every day and follows the student code of conduct. If my child is going to be absent, I will call the main office in the morning.
- 7.) I will attend three Vision Plan meetings during the school year with my child's advisor. I will take ownership for my child's data by looking at E-School regularly, and reaching out proactively to teachers when I have questions or concerns. I will also make arrangements to attend all individual or small group meetings that the school requests of me.
- 8.) I understand that my child must follow the ESCS rules so as to protect the safety, interests, and rights of all individuals in the classroom, school bus and on any school activity. I, not the school, am responsible for the behavior and actions of my child.
- 9.) I will always act, behave and think in the best manner so that my child can accomplish their vision.

*Failure to adhere to these commitments can cause my child to lose various privileges at EastSide Charter School and can lead to my child attending a different school.*

X \_\_\_\_\_

### STUDENT'S COMMITMENT:

I fully commit to EastSide Charter School (ESCS) in the following ways:

- 1.) I will be in my classroom seat every day by 7:55am. I will be in all of my classes throughout the day on time, be fully engaged and ready to learn.
- 2.) I will remain at ESCS for the full school day and I will reach out if I need extra help.
- 3.) I will always work, think, and behave in the best way I know how and I will do **whatever it takes** for me and my fellow students to learn. This also means that I will complete all my homework every night, I will raise my hand and ask questions in class if I do not understand something.
- 4.) I will always make myself available to my parents, teachers, and peers and any concerns they might have. If I make a mistake, this means I will tell the truth and accept responsibility for my actions.
- 5.) I will always behave so as to protect the safety, interests, and rights of all individuals in the classroom, school bus and on any school activity. This also means that I will accept feedback and give everyone my respect.
- 6.) I will come to school in uniform every day and follow the student code of conduct.
- 7.) I am responsible for my own behavior and I will follow all the teachers' directions.
- 8.) I will always act, behave and think in the best manner so as to accomplish my vision.
- 9.) *Failure to adhere to these commitments can cause me to lose various privileges at EastSide Charter School and can lead to me attending a different school.*

X \_\_\_\_\_

## Chapter II – School and Student Property

### LOST, STOLEN, OR DAMAGED PROPERTY

All textbooks and other materials provided for students are a loan and remain the property of the EastSide Charter School. 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 and materials must be returned. Charges for damaged textbooks and/or materials will be assessed against the parent/guardian based on the change in condition of the book or material between the beginning of the year to the end of the school year. If the book or materials degrade(s) by two steps, the fee will be 25% of replacement cost; if by three steps, 50% of replacement cost; if damaged beyond use, according to the lost and stolen schedule 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 or stolen or that are 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 or 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 or transfers 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 financial difficulty meeting a financial obligation to the school, they may contact the Principal to see if a payment plan may be available.

Any dispute may be appealed to the Chief Executive Officer.

### 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, items, or material detrimental to the safety and welfare of other students or staff or in violation of law 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 the Principal or designee. All substances shall be sealed and documented and, in the case of illegal drugs or other “controlled substances” as defined in 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 substance 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 the Principal or designee has reasonable suspicion to believe that illegal substances/objects are possessed 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 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

### ATTENDANCE

The Principal has an obligation under state law to enforce compulsory school attendance laws. Students and parents/guardians have the obligation to take advantage of the student's opportunity for a public school education.

For the 2022-20223 School Year, there are a total of 168 Total School Days in accordance with the following schedule.

#### Student Absences Due to Social, Emotional, & Behavioral Wellness

EastSide Charter School recognizes that students have mental health, just like physical health. At times, students may miss school for reasons related to their mental well-being. When students miss school for mental health reasons, it is essential to connect them to resources based on their needs, similarly to going to a doctor for a physical illness.

This policy defines mental and behavioral health and provides resources to support students' social, emotional and behavioral wellness.

#### Definitions:

**Mental health** is the emotional, psychological, and social well-being of a person. Mental health issues may include, but are not limited to, mood, anxiety, and post-traumatic stress.

**Behavioral health encompasses** mental health and relates to habits that have an impact on the overall mental and physical health. Behavioral health issues may include, but are not limited to, examples such as substance abuse, eating disorders, self-harm and addiction.

#### Connecting with Supports & Resources Within the School

It is important to establish and maintain communication with your student's school counselor when absences are related to social, emotional or behavioral wellness. The school counselor can assist with supporting the student in school, as well as connect them to additional supports outside the school. School counselors can also help students communicate with teachers and return to school successfully. The school counselor can be reached by calling the school directly.

#### Resources Outside the School

Emergency (Local)

Police/Fire/Ambulance 911

Child Mental Health Crisis Line 1-800-969-HELP (4357)

Crisis Text Line Text DE to 741741 Sexual Assault Crisis Services (Contact Lifeline) 1-800-262-9800

#### National Hotlines & Resources

LGBT National Help Center 1-800-246-7743 call/online chat

LGBTQ Youth Crisis Line 1-866-488-7386 call/text START to 678-678/online chat

National Eating Disorders Association 1-800-931-2237 call/text/online chat



National Domestic Violence Hotline 1-800-799-SAFE (7233) call/online chat  
National Human Trafficking Resource Center 1-888-373-7888 call/text/online chat  
National Sexual Assault Hotline 1-800-656-HOPE (4673) call/online chat  
National Teen Dating Abuse Hotline 1-866-331-9474 call/text LOVEIS to 678-678/online chat  
S.A.F.E. Alternatives (cutting/self-injury) 1-800-DONTCUT (366-8288)  
SAMHSA National Helpline (substance abuse) 1-800-662-HELP (4357)  
Suicide Prevention Lifeline 1-800-273-TALK (8255)



## School Calendar 2023-2024

July 2023				
M	T	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

Days: 0

August 2023				
M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28+	29	30	31	

Days: 4

September 2023				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

Days: 18

October 2023				
M	T	W	TH	F
2	3	4^	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

Days: 21

November 2023				
M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27+	28	29	30	

Days: 16

December 2023				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

Days: 12

January 2024				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31^		

Days: 18

February 2024				
M	T	W	TH	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	

Days: 18

March 2024				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18+	19	20	21	22
25	26	27	28	29

Days: 18

April 2024				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24^	25	26
29	30			

Days: 17

May 2024				
M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

Days: 21

June 2024				
M	T	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

Days: 7

Total Number of Student Days: 170

KEY	
	School Day - Dismissal 2:30
	School Day - 12:30pm Dismissal (Staff PD)
	No School for Students (New Staff Orientation)
	No School for Students (Staff PD)
	Vacation - School Closed
	No School - Vision Plan/Report Card Conferences
	First Day of Marking Period
	Progress Reports Completed
	Last Day of Marking Period

Updated: 4.30.23



## School Calendar 2023-2024

**First Day of School**  
Monday, August 28, 2023

**Back to School Night**  
Tuesday, September 19, 2023

School Holidays	
9/1/2023 to 9/4/2023	Labor Day Vacation
11/10/2023	Veterans' Day
11/20/23 to 11/24/23	Thanksgiving Break
12/20/23 to 1/2/24	Winter Break
1/15/2024	MLK Holiday
2/16/2024 to 2/19/24	Presidents' Day Break
3/29/24 to 4/5/24	Spring Break
5/27/2024	Memorial Day

Staff Development Days (No Students)	
8/14/2023 - 8/15/2023	New Staff Orientation
8/16/2023 - 8/25/2023	All Staff Orientation
9/25/2023	Professional Development
10/13/2023	Statewide PD
1/3/2024	Professional Development
1/26/2024	Professional Development
2/12/2024	Professional Development
3/8/2024	Professional Development
5/24/2024	Professional Development
6/12/2024 - 6/18/2024	EOY Faculty Retreat

**Report Card Conferences (No School)**  
Friday, December 1, 2023  
Friday, March 8, 2024  
April 29- May 3\*\* Progress Report Conferences  
By Special Invite Only

**8th Grade Promotion Ceremony**  
Thursday May 23, 2024

**Kindergarten Promotion Ceremony**  
Monday June 3, 2024

Tentative Test Dates		
Cycle 1		
MAP	ELA/Math	September 6-21
IDI/ Dibels	ELA	August 28- September 21
Interim 1	Math/ELA	October 30- November 3
Cycle 2		
Interim	Math/ELA	February 5-9
IDI/ Dibels	ELA	January 8-25
MAP	ELA/Math	January 29- February 9
Cycle 3		
Interim 3	Math/ELA	March 25-28
IDI/ Dibels	ELA	May 1-23
State Assessments		
DESSA	SS (4&7)	April 22- April 26
	Sci (5&8)	April 22- April 26
MAP	ELA/Math	April 15 -May17
	Smarter Balanced Spring Assessment	
	Math/ELA	May 6-17

Intervention Cycles	
Screening/ Data Collection : 9/5/23 - 9/22/23	
Cycle 1:	9/26/23 -11/3/23
Cycle 2:	11/6/23-12/19/23
Cycle 3:	1/4/2024- 2/9/2024
Cycle 4:	2/13/2024-3/21/2024
Cycle 5:	3/25/2024- 5/23/2024

Grading Periods			
	Start	Progress Report	End
1	8/28/23	10/4/23	11/17/23
2	11/27/23	1/31/24	3/15/24
3	3/18/24	4/24/24	6/11/24

**Students have the responsibility:**

- To take advantage of their educational opportunities by attending all classes daily and on time. To provide the school with a note explaining the reason for an absence.
- To initiate contact with teachers to request and receive make-up work after an approved EXCUSED absence and to complete all make-up work within the length of time specified in accordance with school attendance regulations and procedures.

**Students have the right:**

- To school policies that clearly define absence, unexcused absence, and tardiness.
- To appeal a decision regarding an absence (excused or unexcused).
- To make up assignments, projects, and tests missed during an approved EXCUSED absence, in accordance with school attendance regulations and procedures.

**START OF SCHOOL, ABSENCES**

Every parent, guardian, or other person having control of a child between the ages of 5 and 16 is required to send that child to school. School attendance is mandated by statute and regulations of the State Board of Education. All students are expected to attend school each day that school is in operation during the regular school year unless properly excused in accordance with state regulations. Notes from doctors, courts, lawyers, parents, or other responsible persons are required before an absence will be recorded as excused. Such excuses shall be kept on file in the school for the current school year. A physician's validation is required for absences due to illness of three (3) days or more. Absences for any reason other than those outlined below are unexcused. Students who are absent more than three days without a valid excuse are truant. *Parents/guardians of such students may be subject to legal penalties under the Delaware Code.*

**Students will not be permitted in the building before 7:30 AM.** Breakfast will be served from 7:30 a.m. until 7:50 a.m.\* Any student reporting to school **after 7:56\* a.m. is considered to be late** and must be signed in by a parent/guardian in the Main Office.

**\*These times may be extended in the event of late bus arrivals or weather-related delays.**

**\*These times may be amended due to interruption in school schedule due to health or natural disaster at the discretion of the CEO. In the event that school cannot be done in a physical environment then a virtual schedule will be shared with staff and families.**

**IMPORTANT!**

Any student, who has twenty (20) or more days of unexcused absences and/or tardies, as calculated under the school's policy for attendance and truancy, may be required to repeat their current grade and/or refused reenrollment at the school for the following year.

**Excuses recognized as valid are the following:\***

- Participation in a school-approved activity. A student who is absent during regular school hours due to school-directed activities (class trips, field trips, early dismissals for athletic participation, etc.) shall be marked as present for attendance purposes.
- Illness of the child, attested to by a physician note if the child is absent for more than three days.
- The presence of contagious disease in the child’s home, subject to regulations of the Department of Health and Social Services.
- Death in the immediate family. “Immediate family” includes parents, grandparents, siblings, legal guardian, and any other person living in the household with the student. Immediate family includes “step” and “half” relationships. Excused time may not exceed one week unless an exception is approved by the Principal. Excused time allowed for a funeral of other relatives will not exceed one day. Additional time may be allowed when services are held a long distance from the student’s home.
- Legal business, attested to by a lawyer or business note.
- Pre-arranged absences approved by the Principal or designee for such reasons as:
  - College or secondary school visits
  - Participation in educational experiences
  - Absences of one day for compelling personal reasons
  - Emergency situations
- A student who is receiving homebound instruction in accordance with school policies will be regarded as present and will not be penalized under any provision of this policy.
- Any student who is considered homeless based on the provisions of the McKinney Vento Act will not be penalized under any provision of this policy.

**\*No avoidable absence will be excused during state testing unless approved in advance by the Principal.**

Official notice concerning cumulative absences will be given to parents/guardians periodically; at a minimal, such notice shall be a part of all progress reports and report cards.

In administering the State policy, the school defines the most commonly used attendance terms as follows:’

**TARDINESS TO SCHOOL**

A student who is late to school should present a written explanation on the first or second day following the tardiness. Students should recognize that a written explanation from home does not automatically cause the tardiness to be excused. Reasons such as car trouble, personal business, heavy traffic, home obligations, etc., while understandable, are not acceptable excuses and tardiness for these reasons will be listed as unexcused. Reasons such as personal illness, medical appointments, and appearances in court will be considered to be excused tardiness when verified by a note from home. Students who do not attend at least half of the class periods on a given day will be marked absent for that day. Students who do not attend at least half of a given class period will be considered absent from the class unless excused by proper authority. When, in the judgment of the teacher, tardiness becomes excessive, the student will be reported to an appropriate staff

member for administrative action. Lateness to class may have a detrimental effect on student learning. **Three tardies to school are equal to one absence.**

### **EXCUSED ABSENCE**

An excused absence from school or class is an absence for one of the reasons listed above, so long as the required parental note of explanation is presented on the first or second day after the student's return to school or class. Following a valid 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. Following an excused absence from school or class, the time allowed for taking tests or turning in assignments shall be equal to the number of school days or number of class meetings missed during the absence. A teacher may extend the time allowed for making up work missed if the specific circumstances surrounding the absence merit such action. The responsibility for initiating make-up work and turning in assignments rests with the student.

### **PRE-ARRANGED ABSENCE**

A pre-arranged absence is a student's absence from school for one or more days for educational activities approved by the Principal. The absence should be pre-arranged by writing to the Principal, 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. Upon the development of a plan by the student and his/her teacher for making up the assignments that will be missed, the Principal may define the absence as excused. Students who must leave the building due to an emergency or other reason that did not permit a pre-arranged absence must obtain approval from the Principal or his/her designee. The student then is responsible for completing the sign-out procedure before leaving the building and must present the required parent's note of explanation upon his/her return to school.

### **TRUANCY**

Under State law, a student is considered "truant" after three (3) days of unexcused absence. When a student is considered truant, the School is authorized to refer the parent or guardian and the student to court for prosecution.

### **UNEXCUSED ABSENCE**

An unexcused absence from school or class is an absence:

- That is for a reason not listed as excused.
- About which the parent has no knowledge.
- For which a parent's note of explanation was not provided on the student's first or second day after returning to school following the absence.
- A suspension in excess of 5 school days or expulsion.

Students suspended for one to five (1-5) school days are permitted to make up missed school work in the length of time equal to the number of days absent. Teachers are not required, but are permitted, to provide make-up work to students whose suspensions exceeds five (5) school days (i.e., suspension of 6 days and above). A student whose absence is unexcused shall receive no credit for assignments missed or tests given during the period of the unexcused absence, unless specifically permitted by the teacher.

While an unexcused absence may result in no credit for assignments or tests missed, students may – and are encouraged to – request missed assignments from their teacher so as to keep up with their classmates. The time allowed to request the instructional materials or assignments from the teacher shall be equal to the number of school days or number of class meetings missed due to the absence. A teacher may extend the time allowed if the specific circumstances merit such action. The responsibility to request assignments lies with the student.

EastSide Charter School will observe the following guidelines with respect to truancy:

- **ANY STUDENT WHO COMES TO SCHOOL AFTER 7:56 AM WITHOUT A VALID EXCUSE IS TARDY.**

Upon accumulation of five (5), ten (10), fifteen (15), and twenty (20) unexcused absences, the school will take action, as follows:

- **5 absences – A letter will be sent to the parent’s home via certified mail and a parent conference will be initiated.**
- **10 absences – A letter will be sent to the parent’s home via certified mail and a home visit will be scheduled.**
- **15 absences – A certified letter will be sent to the parent’s home and a truancy conference will be scheduled for a decision regarding possible referral to court for prosecution. Parent must appear at the school within ten (10) days of such notification.**
- **20 absences – The case will be referred to court for prosecution and a letter will be sent to the parent’s home.**

If contacted by the school pursuant to the provisions above, each parent or guardian of a student shall sign a contract with the school, agreeing to will make every reasonable effort to:

- Have their child/children abide by the school’s Code of Conduct;
- Make certain their child attends school regularly; and
- Provide written documentation regarding the reasons for any absence.

**A student who has twenty (20) or more absences may be refused reenrollment at EastSide Charter School for the following year. Recommendations to refuse reenrollment to a student will be made by a member of the Leadership Team, after consultation with the counseling staff. These recommendations must be approved by the Principal before they are effective.**

Exceptions to the EastSide Charter School Attendance and Truancy Policy may be made in cases of severe family hardship upon appeal to the Principal, made within 10 days of the parent’s receipt of written notice of the action being taken. If the parent/guardian contests the determination of the Principal, an appeal of the Principal’s decision may be made to the Chief Executive Officer.

## **PARENTAL SANCTIONS**

Parents/guardians who allow their children to be truant are subject to fines and imprisonment, as provided by Delaware law. A parent may be ordered to perform unpaid community service in lieu of a fine. If imprisoned, the court may impose conditions of release.

**STUDENT PENALTIES**

Penalties for unexcused absences may include community service, counseling, suspension, prohibition of participation in extra-curricular activities or school social events, or a recommendation that the student enroll in an alternative 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; ESCS Website; and the DOE website.

**PARENT PICK-UP**

If students are not picked up from school by 4:30 PM (unless participating in after school activities) law enforcement will be notified and/or your child will be dropped off at the local police department.



## Chapter IV – Dress Code

<b>Student Dress Code</b>	
<b>Led by: Climate Team</b>	
<b>Purpose / Goal(s)</b> <ul style="list-style-type: none"><li>Promote a healthy, learning-ready environment</li></ul>	<b>Highlights</b> <ul style="list-style-type: none"><li>Upholding Dress Code Guidelines</li></ul>

### **Philosophy, Responsibility, and Rights:**

The goal at the EastSide Charter School is to create an environment conducive to learning for all students. With this in mind, the following conditions have been adopted for students attending our school. Please note, items of clothing not specifically covered in the list below can be prohibited at the discretion of the administration.

Students have the responsibility to follow guidelines for dressing and grooming in a manner which shows cleanliness, promotes safety, and demonstrates respect for themselves and others. Students have the right to dress and groom as they choose as long as they do not disrupt the educational process or endanger the health and safety of themselves or others as outlined in established school guidelines below.

### **Dress Code Guidelines (All Grades K - 8):**

- Only documented religious or medical headwear may be worn in school. Hats, hoods, do-rags, scarves, ski masks and other headwear are not permitted without permission by a member of the leadership team. Bows and other accessories are permitted.
- Outerwear, such as a heavy coat, is not permitted while in the building unless during dismissal.
- All skirts, skorts and shorts must be at least mid-thigh at length in front and back.
- All shirts must cover shoulders, cleavage, stomach and back. Belly shirts, deep-v-necks, and transparent items are not permitted.
- Pants with visible holes above the knee (which expose skin) are not permitted.
- Only closed-toe footwear with a back may be worn. Flip flops, slides, and bedroom slippers are not permitted.
- Any clothing must be worn as intended:
  - Pants must be worn properly and are to be pulled up and secured at the waist;
  - Leggings and other skin-tight clothing are not permitted. Leggings if worn under a skirt or shorts, are permitted;
  - Undergarments are not to be visible;
  - Pajamas or any other sleepwear are not permitted.
- Clothing and accessories which meet the following criteria is not permitted:
  - Advertises, glorifies, or symbolizes any illegal substance such as drugs or drug paraphernalia;
  - Advertises, glorifies, or symbolizes any dangerous substances such as tobacco, weapons or alcohol;
  - Contains derogatory phrases, profanity, or graphic images of a sexual content; or
  - Glorifies violence or criminal behavior or gang activity.
- Students may not wear lewd, suggestive, or excessively tight clothing with writing on the buttocks, spiked jewelry or long chains.

### **Violations:**

- Students are required to adhere to the dress code that is outlined above.
- As students enter the building, the greeter will assess their attire for compliance with the dress code. Additionally, teachers should check student attire as they enter the classroom at the start of the day and throughout the day.

3. Teachers should call the Climate Team to notify them of any student who is in violation and record the dean call in LiveSchool.
4. Failures to comply with the dress code will result in disciplinary action using the following sequence as guidance:
  - a. First/Infrequent Offense:
    - i. Reprimand (Demerit in LiveSchool)
    - ii. Notification to parent/guardian
    - iii. Lent pieces of traditional EastSide uniform
  - b. Subsequent/Excessive Offense:
    - i. Reprimand (Demerit in LiveSchool)
    - ii. Notification to parent/guardian
    - iii. Lent pieces of traditional EastSide uniform
    - iv. Loss of privileges at the discretion of a Dean
    - v. Mandatory Return with Parent Conference
    - vi. Additional consequences at the discretion of the Dean or leadership team member
5. The Climate Team will record the outcomes of each offense in LiveSchool.

**Academic Programming:**

Courses of study at EastSide Charter School are grounded in common texts and resources. Teachers use interim assessments, scope and sequences, and other course resources to plan daily lessons and units of study. All core courses are designed in accordance with state standards and designed to with the goal of achieving college preparatory skills.

The following courses are offered as part of the elementary program:

	K	1	2	3	4	5	6	7	8
ELA	McGraw Hill WONDERS	McGraw Hill WONDERS	McGraw Hill WONDERS	McGraw Hill WONDERS	McGraw Hill WONDERS	McGraw Hill WONDERS	HMH Into Literature	HMH Into Literature	HMH Into Literature
Math	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL	McGraw Hill REVEAL
SS	McGraw Hill IMPACT	McGraw Hill IMPACT	McGraw Hill IMPACT	McGraw Hill IMPACT	McGraw Hill IMPACT	McGraw Hill IMPACT	Savvas MyWorld	Savvas MyWorld	Savvas MyWorld
Math APEX					Savvas enVision Math	Savvas enVision Math	Savvas enVision Math	Savvas enVision Math	Savvas enVision Math
ELA APEX						HMH Into Literature			

<b>Grading Policy</b> <i>Assessing, Grading, Reporting, Communicating, and Norming</i> <b>Led by: Instructional Leadership Team</b>	
<b>Purpose / Goal(s)</b> <ul style="list-style-type: none"> <li>Measure student success in an authentic manner utilizing valid data points</li> </ul>	<b>Highlights</b> <ul style="list-style-type: none"> <li>Grading scale and system is standardized throughout school and focuses on intentional, valid, and actionable data metrics</li> </ul>
<b>Materials</b> <ul style="list-style-type: none"> <li>Standards-based Curriculum</li> </ul>	<b>Non-negotiables</b> <ul style="list-style-type: none"> <li>Teachers enter grades on a <b>weekly</b> basis</li> <li>Teachers utilize materials provided by curriculum publishers</li> <li>Teachers plan assessment dates with coaches.</li> </ul>

### **Philosophy, Responsibility, and Rights:**

The goal at the EastSide Charter School is to provide meaningful instruction and feedback for students to use as progress. Part of this is how students earn grades and it is communicated to parents. Students have the responsibility to engage in their educational process to the best of their ability. Students have the right to receive accurate and frequent feedback to help them grow as learners. Teachers have the responsibility to provide students with regular feedback so that they are aware of their developmental status. Teachers have the responsibility to provide families with accurate reports on student progress on a regular basis.

### **Means of Assessments:**

An assessment refers to the process of gathering evidence and evaluating students' learning outcomes and performance. These definitions are part of a policy developed to ensure that there is a systematic and objective method to measure and document students' knowledge, skills, and abilities to make appropriate data-driven decisions to drive student outcomes and achievement.

- Summative assessments are conducted at the end of a unit or a larger period of time. These assessments have higher stakes and provide a comprehensive evaluation of students' achievement and help determine their final grades and progress. These assessments include common unit tests, interim assessments, and standardized assessments such as DeSSA.
- Performance-based assessments focus on students' ability to apply their knowledge and skills in real-world contexts. These assessments require students to demonstrate competencies. Performance-based assessments emphasize critical thinking, problem-solving, and practical application of knowledge. These include essays, productions, multimedia projects, and general performance tasks.
- Formative assessments are used *during* the learning process to monitor students' progress and provide ongoing feedback to guide their learning. These assessments are low-stakes which typically focus on targeted skills as opposed to a survey of skills. These include exit tickets, quizzes, class discussions, progress monitoring tools, homework and teacher observations.
- Diagnostic assessments are administered at the beginning of a period of time to gather information about students' prior knowledge, skills, and performance. These assessments help tailor instruction accordingly to areas of growth. Diagnostic assessments include pre-tests and screeners such as MAP.

### **Grading Categories and Weights**

- **Common Assessments 40%** (*Summative/Performance-Based - Quantitative*). This category includes grades normed as a grade for a culminating evaluation of units. Generally speaking, they are the norm-referenced, standards-based assessments which are published for the end of a unit or a standards-based interim assessment. These are a grade-wide data point to see how an entire grade band of students are performing and progressing. There are usually 3-4 qualifying items in a trimester (about one per month).
- **Quizzes, Exit-Tickets, and Assignments 30%** (*Formative - Quantitative*). This category is regarding items adjacent to a particular lesson or cluster of lessons. Most of the time, these are provided by an evidence-based curriculum source. These assignments are determined as a grade band, but are a class-specific data point to evaluate how a particular cohort of students are performing and progressing. There are usually 5-8 qualifying items in a trimester (about one per week or bi-weekly).
- **Classwork and Participation 20%** (*Formative - Qualitative/Quantitative*). This category includes items which are embedded in the lesson. These differ from class to class and are an individual-specific point of data. Qualitative data points are also included here such as teacher-observations, class discussions, and other less-explicit means of data collection. There are usually 9-10 qualifying items in a trimester (about one per week).
- **Homework/Skill Practice 10%** (*Formative - Qualitative*). This category is specific to the practice of skills outside of the classroom. Homework (for example) is an important part of the

process of practicing skills, but it is not weighted heavily in consideration of external factors that can impact it. This category is generally assessed on completion instead of accuracy. There are usually 9-10 qualifying items in a trimester (about one per week).

**End of Marking Period**

1. Students earn grades based on the assessments entered by teachers throughout the term. Averages are calculated through Powerschool and follow the below metrics:

Grade	Lowest	Highest
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	55	64

2. Students who would earn anything lower than a 55 for the **marking period final grade** should have their score adjusted manually overwritten to equal 55. Individual assignments **may** be entered as lower than a 55. **Progress Reports** should include actual score meaning that it may be lower than a 55. Raw scores are an important factor for conferences and data analysis.

3. Kindergarten uses a system indicating M-Mastery, D-Developing, or B-Below instead of the above chart.

**Homework**

Homework assignments are an extension of lessons taught in class and are designed to reinforce the skills learned at school. Homework is assigned every evening and varies in type. Homework includes studying and independent reading.

<b>Kindergarten</b>	<b>1<sup>st</sup>-2<sup>nd</sup> Grade</b>	<b>3<sup>rd</sup> -8<sup>th</sup> Grade</b>
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<p>At this age, homework is a family activity. Kindergarten students need to read with their parents or older siblings for at least 15 minutes every night. Homework assignments might include reading together, playing family games, practicing math facts, writing, and practicing sight word cards.</p>	<p>Families are encouraged to spend 30 minutes on each night's assignment. Homework assignments might include reading together, playing family games, practicing math facts, writing, and practicing sight word cards. In addition, students should read for at least 20 minutes for enjoyment.</p>	<p>Homework assigned should not take more than 1.5 hours. In addition, students should read for at least 30 minutes for enjoyment.</p>
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**Academic excellence**

Honor roll is calculated for each semester, based on performance in all core content subjects. Honor roll is calculated for grades 3-8 during the regular school year. To be eligible for Honor Roll, a student must pass all of his/her classes. EastSide Charter School recognizes students who excel academically with the following designations:

<b>High honors</b>	<b>Honors</b>
<p>Students who are eligible to receive this award have demonstrated excellence in the classroom by earning an average of 90-100% in all subjects.</p>	<p>Students who are eligible to receive this award have demonstrated excellence in the classroom by earning an average of 80-90% in all subjects.</p>

**Promotion Policy**

Promotion decisions for students in grades K-8 will be made during the last week of school. Promotion status will be determined based on the student's core content subject grades and reading level, followed by a review of the student's overall academic performance. To determine a student's promotion status, see the following grid.

<b>Promotion</b>	
K	Must pass core competencies, as determined by the 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 or ELA to be promoted)

**Promotion Policy**  
Led by: Leadership Team

<b>Purpose / Goal(s)</b> <ul style="list-style-type: none"> <li>Maintain a standard for all students to achieve</li> </ul>	<b>Highlights</b> <ul style="list-style-type: none"> <li>Promotion is the goal</li> </ul>
<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

**Philosophy, Responsibility, and Rights:**

The goal at the EastSide Charter School is to create an environment where students are able to progress in their learning on a yearly basis in accordance with state and federal standards. Students have the responsibility to engage in their classes and personal learning to the best of their ability.

Students have the right to free, appropriate public education.

**Promotion and Retention Guidelines (All Grades K - 8):**

3. Successful promotion to the next grade is the end of year goal for all students. However, at times, retention to the current grade is a necessary and beneficial strategy to help with a child's progress.
4. The following criteria is considered during discussion of retention:
  - a. Student is failing (earning an average of less than 65) in more than one course as an end of year average; and
  - b. A student has an IEP and their IEP goals are not met.
5. Parents will receive mailed letters as these discussions begin. Conversations regarding the above criteria begins during the Trimester 2 Progress Reports.
6. Final decisions regarding retention are at the discretion of the Head of School. If a parent wishes to appeal the decision, they may do so in writing to the Head of School prior to June 1st.

**Reporting Progress to Parents**

Communication between the school and parents is critical for student success. Report cards are distributed during your Vision Plan Conferences. **You should attend Vision Plan Conferences to receive your child’s report card.** Parents are expected to attend conferences two times a year. In addition, interim progress reports are shared with parents midway through the reporting period. Parents also have full access to student grades, which can be reviewed 24 hours a day, 7 days per week via eSchool. We believe in open doors, and parents can always request a meeting with teachers and administrators to discuss and decide upon solutions that will better support the child at home. Requests to visit classrooms must be made at least 24 hours in advance.

**Retention Communication:**

<b>February Decision</b>	<b>May Decision</b>	<b>June Decision</b>
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Failure notices communicated to parents if students are not on track to master any core content subject.	Final summer school assignment notice to parents, based on academic performance during reporting periods 1-3.	Promoted to next grade level if all promotional criteria are met.
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### **Special Education and Specialized Programs Overview**

EastSide Charter School 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 models. At any time, parent/guardians who think their child may be eligible for special education and related services may request that EastSide conduct a multi-disciplinary evaluation. Requests should be made in writing to the Assistant Principal of Student Support. All such requests will be addressed promptly.

EastSide Charter School is required by the Individuals with Disability Education Improvement Act (IDEIA) 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 IDEIA and that school districts and charter schools must follow. Students are eligible for special education, assistive technology, and related services if they need specially designed instruction and have one or more of the following physical and/or mental disabilities:

- Autism, Deaf-Blindness, Deafness, Emotional Disturbance, Hearing Impairment, Intellectual Disability, Developmental Delay, Orthopedic Impairment, Other Health Impairment (OHI), Pre-K Speech Delay, Speech or Language Impairment, Traumatic Brain Injury, Visual Impairment
- Special Learning Disability including: basic reading skills, reading comprehension, math calculations, math comprehension, listening comprehension, written expression, oral expression, reading fluency

It is EastSide’s intent to exhaust all measures (e.g., specialized programming, services, support, etc.) tailored to meet the needs of individual students, to ensure they receive a world class educational experience regardless of disability.



## 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 EastSide Charter School 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 EastSide Charter, 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 8<sup>th</sup> 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. EastSide Charter 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

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

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EastSide uses data to monitor the academic growth of all students. EastSide also specifically monitors each special education student's progress towards meeting the goals outlined in their IEP. This progress monitoring data is sent home at 10 week intervals along with report cards.

## **English Language Learners - ELL**

EastSide Charter School will provide non-English or limited English Language Learners (ELL) with English language instruction and cultural orientation. The goal of the ELL Program is to have students attain English language proficiency that will enable the students to succeed in their mainstreamed classes.

Families who are new to EastSide Charter will be asked to complete a Home Language Survey as part of the registration process. Information from the survey will be used as a first level screening to ascertain if the student may require additional assessment to determine if he/she is eligible for ELL services. In addition to providing ELL services to students, EastSide Charter will provide interpreters for parent/teacher conferences and other school related activities.

### ***Child Find***

EastSide Charter School identifies and refers for evaluation students who are thought to be eligible for special education services and need interventions. These screening and referral processes include academic placement tests, standardized reading, and mathematics assessments given at the time of initial admission, classroom performance, benchmark examinations, vision and hearing screenings, and the student assistance program known as SAP.

Parents who think their child is eligible for special education may request at any time that the school conduct a multi-disciplinary evaluation. Requests for a multi-disciplinary evaluation must be made in writing to the school's Assistant Principal of Student Support. If a parent makes an oral request for a multi-disciplinary evaluation, the school shall provide the parent with a form for that purpose. If the school denies the parents' request for an evaluation, the parents have the right to challenge the denial through an impartial hearing or through voluntary alternative dispute resolution such as mediation.

Whenever a student is referred for a multi-disciplinary team evaluation, EastSide Charter School must obtain written consent from a parent before the evaluation can be conducted. Parental consent for an evaluation shall not be construed as consent for their child to receive special education and/or related services. Delaware law requires EastSide Charter to provide the parents of children who are applying to or already enrolled in EastSide Charter School with a notice that is sufficient to inform the parents of (1) available special education services and programs, (2) how to request those services and programs, and (3) those systematic screening activities that lead to identification, location, and evaluation of children with disabilities enrolled in EastSide.

## Chapter VI – School Health Policy

A full-time nurse is present at EastSide Charter School to address 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 of 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. 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 a temporary removal from school until proof of missing vaccinations, testing, or physical 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. 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 epipen, 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 VIII – Student Information & Records**

### **STUDENT RECORDS**

Student records are defined as any materials concerning individual students kept in any form by the Board of Directors, the school, and its employees, except for personal notes prepared by teachers and other school personnel intended for their use only. Student records are maintained to create a record of information that can be used to develop the best possible educational program for each student. Care will be exercised by school staff to ensure that student records are treated confidentially and that the information contained therein is accurate and appropriate. Violations of the Student Code of Conduct and disciplinary actions normally will be recorded and maintained on an annual basis. Expulsion will be recorded in the student's cumulative record folder.

#### **Students and parents have the responsibility**

- To give school personnel ample notice that they want to inspect and review their records.
- To meet their financial obligations for school fees or fines. Report cards will not be issued and a student may be denied reenrollment at EastSide Charter if financial obligations to the School are not met.
- To release information to those individuals or agencies who are working in a positive manner for the benefit of the student. Permission to release information, where required, must be in writing.

#### **Students have the right**

- To release, inspect, review, and challenge the information contained in their school records within school guidelines and legal age requirements. School personnel shall provide assistance to students and parents to help them understand the information in student records. This access may not be denied because of failure to pay fines or fees.
- To sign for a release of the information contained in their records to authorized agencies. A student must be fourteen years of age or older to sign this release.
- To be protected from the release of personally identifiable information to unauthorized persons.

### **DISCLOSURE OF STUDENT INFORMATION – DIRECTORY INFORMATION**

EastSide Charter School may disclose certain information, known as Directory Information, at its discretion without consent. If a parent or emancipated student does not want Directory Information released, he or she must send written notice annually to the Principal at the address listed in the front of this booklet. Such notice must be received within 30 days of the student's receipt of this book. The following student information is Directory Information: school year, name, birth date, district code, school code, entry date, exit date, address, telephone number, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous school attended by the student, and photographs of students in school or school activities provided the photographs do not reveal information concerning academic placement.

### **INSPECTION AND REVIEW**

Parents may submit to the Principal a written request identifying records they wish to inspect. The Principal will notify them of the time and place at which records may be inspected. Access shall be provided within 15 school days of the receipt of the request.

### **AMENDMENT OF RECORDS**

Parents may ask EastSide Charter School to amend a record they believe is inaccurate by submitting to the Principal a written request identifying the part of the record they want changed, specifying why they believe it is inaccurate. If the school denies the request, the school will notify the parents of the decision, advise them of the right to a hearing, and provide information about the hearing procedures.

### **DISCLOSURE WITHOUT CONSENT**

Disclosure of personally identifiable information contained in students' education records requires parental consent, with the following exceptions:

Such records may be disclosed to school officials with legitimate educational interests. School officials include EastSide Charter School employees; Board of Director members; a person or company retained by the School to perform a special task, for example, an attorney, auditor, medical consultant, or therapist; or a parent or student serving on a committee or assisting another school official. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill a professional responsibility.

Upon request, EastSide Charter School may disclose education records without consent to officials of another school or district in which a student seeks or intends to enroll.

## Chapter IX – 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 which 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 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.

### 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 of persons may use the grievance procedures:

- Students 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 is eligible.
- Is being denied the opportunity to compete for a position in an activity where the selection is limited.
- Is being 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 Principal or his/her designee.
3. If the Principal fails to resolve the issue, the grievant, upon request, will be given a written notice by the Principal 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 Principal'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 Principal's written decision.
5. The Board of Directors or 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 following receipt of the appealed decision.

## **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. The Principal or designee, however, may extend a suspension beyond the five (5) day period, pending a decision on a recommendation to expel or 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 parent or guardian 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 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 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 Principal.

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.

Students who are suspended from school should complete lessons assigned by the school on either the internet or other assignments issued by the school.

### **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 Principal or his designee) a student will be allowed to return to the school community. If the Principal 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 principal 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 Principal or his designee.

71 Del. Laws, c. 218, § 1; 70 Del. Laws, c. 186, § 1; 74 Del. Laws, c. 175, §§ 10, 11.;

**IN-SCHOOL SUSPENSION (ISS)** is the temporary placement of a student in a supervised area other than the area indicated by the regularly assigned schedule.

### **SUSPENSION OF BUS PRIVILEGES**

(SEE APPENDIX A: 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. Such suspensions generally are for a period of not more than five (5) school days. The Principal or designee, however, may suspend bus privileges for a period in excess of five (5) days for repeated and/or serious misbehavior. 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 where bus privileges are suspended, 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 with transportation to and from school. Suspension of bus privileges will not be used as a disciplinary action in the case of non-bus related violations.

## **EXPULSION**

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

A student may be expelled for any behavior that is detrimental to the learning environment or the safety or well-being of students and staff, or any behavior that is illegal under Delaware or federal law. Such behavior may include attempted crimes, aiding or abetting 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 or instruments that are illegal, as well as truancy, defiance of school authority, disruption of the educational process, fighting, inappropriate sexual behavior, or setting a false fire alarm are other 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. The Principal or his designee 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 Principal 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 Principal concludes that the student committed the offense and that the nature of the offense warrants a recommendation for expulsion, the Principal shall submit to the CEO a summary of the investigation and a recommendation for expulsion.
- e. If the CEO Principal concludes that the student committed the offense and that the nature of the offense warrants a recommendation for expulsion, the CEO shall submit to the Board of Directors a summary of the investigation and a recommendation for expulsion.
- f. The principal can mandate that the student be sent to an alternative school instead of being expelled. The principal 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 EastSide Charter School, 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, at the student's expense;
  - 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 three (3) 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.
- c. 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 Principal 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 counselor 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 school 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 Principal 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. If the student is assigned homebound instruction

they will be assigned PLATO or EXACT PATH which are internet based platforms 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 (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). At EastSide Exact Path covers this requirement as it provides lessons and assessments targeted at a student’s learning levels.
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.

EastSide Charter School 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 Principal will 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 X – Violations of the Student Code of Conduct

The Student Code of Conduct defines specific acts that are considered violations of expected student behavior. School rules come from many sources including state law, school policy, and Charter School Guidelines and Regulations. These violations are examples of those acts which 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 EastSide Charter School.

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 EastSide Charter School.

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 that are punishable by law.
- The sale, transfer, or possession of drugs that would constitute an offense punishable by law.
- Not following policies regarding health and safety of others including protocols during the pandemic as determined by the CEO
- Felony charges.

The Code is in force:

- On school property at all times.
- From the time a student leaves his/her place of residence on the 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 any other vehicle operated for or by EastSide Charter School for any purpose.
- At all school-sponsored events, athletics, and other activities at which school administrators have jurisdiction over students.
- During the continuation of any incident that began at school (including activities involving cyber-social networks)
- Anytime that a student's actions outside of school can be perceived to have a negative impact on the school environment by the principal or his designee.

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 of the Code and their related 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 Principal or designee shall conduct an investigation that 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 a short-term educational option for students whose behavior requires removal from the regular school program. Referral to an alternative program will be made according to procedures established for the program.

**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. The student must be escorted to a supervised area designated by the Principal.
- 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 Principal may suspend a student for up to five (5) days. The Principal 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 Principal 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. **ELECTRONICS** means cell phones, electronic tablets, electronic game systems, or head phones.
- G. **NON PRESCRIPTION MEDICATION** means any over-the-counter medication; some of these medications may be a "drug-like substance."
- H. **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.
- I. **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.
- J. **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.
- K. **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.
- L. **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/off school grounds, on field trips, and at functions held at the school in the evening.

**VIOLATIONS AND DISCIPLINARY ACTIONS**

EastSide Charter School works hard to inspire positive behavior, de-incentivize negative behavior, and keep parents informed of their child’s behavioral progress in the school. EastSide celebrates and lives our “Good Habits” – Responsibility, Collaboration, Persistence, and Courage. Students practice how to live these habits both in and out of school, are celebrated when they do, and reflect and review the Habits when their choices do not reflect them.

The table below includes a List of Offenses and Behavioral Infractions that warrant 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 behavior. Multiple offenses of a lesser offense may be treated at the next higher level.

**LIST OF OFFENSES**

*The following list is not at all exhaustive; a student engaging in misconduct that is not listed will be subject to the authority of the Principal or Designee.*

<p><b>Level 1 Incidental Violations (Non-referred/Non- recorded)</b></p>	<p><b>Level 2 Level 1 Behaviors Repeated 3 times Minor Violations (Recorded/Referred to Dean for Review)</b></p>	<p><b>Level 3 Major incidents that violate the Student Code of conduct or Delaware State Law (Recorded /Referred/Possible Student Removal by Dean)</b></p>
<ul style="list-style-type: none"> <li>✓ Consumption of food/beverages in class (gum, candy, soda, chocolate, sandwiches, fruit, etc.)</li> <li>✓ Unprepared for class</li> <li>✓ Yelling in a quiet area</li> <li>✓ Running in the hallway</li> <li>✓ Tapping other students</li> <li>✓ Throwing objects that do not result in injury</li> <li>✓ Excessive talking in class</li> <li>✓ Uniform violation</li> <li>✓ Failure to complete classwork assignments</li> <li>✓ Insubordination (e.g., refusal to complete work)</li> <li>✓ Refusal to participate in cooperative learning activities</li> <li>✓ Refusal to participate in round-robin reading model</li> <li>✓ Refusal to complete a test</li> <li>✓ Chewing or eating erasers, pencils, paper</li> <li>✓ Repeatedly playing with objects that cause student to lose focus</li> </ul>	<ul style="list-style-type: none"> <li>✓ Intentional vandalism of other people’s property (including names tags on desk)</li> <li>✓ Loitering in an unauthorized area</li> <li>✓ Offensive touching (minor)</li> <li>✓ Pushing, shoving, playing tag in an unauthorized area</li> <li>✓ Any “game” that involves a negative physical exchange               <ul style="list-style-type: none"> <li>- Inappropriate/abusive language (e.g., shut up, cuss words, put downs)</li> </ul> </li> <li>✓ Cheating/Plagiarism</li> </ul>	<ul style="list-style-type: none"> <li>✓ Not following health and safety guidance including appropriate use of PPE, handwashing, and any other guidance determined by CEO based on guidance from health and government professionals.</li> <li>✓ Fighting</li> <li>✓ Defiance of school authority; addressing a teacher other than by his/her proper name or swearing at a teacher in conversation</li> <li>✓ Abusive language repeated after teacher’s redirect</li> <li>✓ Offensive touching (major)</li> <li>✓ Smacking, kicking, slap boxing, smack cam, any form of horseplay that results in pain, redness</li> <li>✓ Horse-play in the bathroom (e.g., swinging on doors, jumping off counters, standing on toilet seats, looking under bathroom stalls)</li> <li>✓ Walking out of class</li> <li>✓ Disruptive behavior that impedes the teacher’s ability to continue planned lesson</li> </ul>

✓ Tapping, making noises, or beats with mouth or body parts		<ul style="list-style-type: none"> <li>✓ Intentional vandalism of school/teacher property (bathrooms, walls, cafeteria, laptops, desks, tables, chairs)</li> <li>✓ Incessant tapping, making noises, or beats with mouth or body parts</li> <li>✓ Throwing objects that result in injury</li> <li>✓ Pulling the fire alarm</li> <li>✓ Exiting the building without supervision</li> <li>✓ Repeated bus suspensions</li> </ul>
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Electronics are not allowed in school and will be confiscated if seen. Electronics will be held in the front office and must be picked up by a parent or guardian. Any student who refuses to give their electronic device to school personnel when asked may be suspended.

### Level II Violations

Level II Violation	Description
<b>Physical Aggression</b>	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).
<b>Pre-fight</b>	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.
<b>Provocation</b>	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.
<b>Inciting Violence</b>	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.
<b>Inappropriate Behavior to Others</b>	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.
<b>Major Disrespect towards Staff</b>	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 disdain for class or school, obscene hand gestures)
<b>Major Insubordination</b>	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.
<b>Insubordination</b>	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).
<b>Constant Disruption</b>	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.
<b>Plagiarism, Forgery, Cheating</b>	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).
<b>Cutting Class</b>	Cutting class includes failing to attend scheduled or rostered activities as well as leaving the building without permission.
<b>Damaging or Stealing</b>	Damage to or stealing of any property of \$50.00 or less (misdemeanor).
<b>Contraband Possession</b>	Possession of any flammable paraphernalia without the intent to use (e.g., lighters, matches, stink bombs, poppers, etc.)

<b>Misuse of Technology</b>	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.
<b>Inappropriate Sexual Behavior</b>	Consensual sexual activities, requests for sexual favors, or verbal and physical conduct of a sexual nature on school property.
<b>Gambling</b>	Gambling includes betting or wagering for money, favors, or fun. <i>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.</i>



## Level III Violations

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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, EastSide 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

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### “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

<b>Firearm, Weapon or Dangerous Instrument</b>	<p>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 the Principal. Law enforcement officials shall be informed.</p>
<b>Terrorist Threat/Act</b>	<p>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.</p>
<b>Drug, Alcohol, or Tobacco Possession, Use, or Illicit Activity</b>	<p><u>Drug Possession:</u> Illegal/inappropriate drug-possession, use, or illicit activity (selling, storing, producing, or purchasing) on school grounds, or at school-sponsored events is absolutely prohibited.</p> <p><u>Tobacco Policy:</u> 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.</p> <p><u>Violations:</u> 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.</p>
<b>Theft</b>	<p>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.</p>
<b>Arson and/or Possession of Fireworks and Other Explosive Devices</b>	<p>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.</p>
<b>Vandalism</b>	<p>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.</p>
<b>Bullying</b>	<p>Intentional electronic, written, verbal or physical act, or a series of acts:</p> <ol style="list-style-type: none"> <li>(1) directed at another student(s) or staff;</li> <li>(2) that occurs in a school setting*;</li> <li>(3) that is severe, persistent or pervasive; and</li> <li>(4) that has the effect of doing any of the following:             <ol style="list-style-type: none"> <li>(i.) substantially interfering with a student's education;</li> <li>(ii.) creating a threatening environment; or</li> <li>(iii.) substantially disrupting the orderly operation of the school</li> </ol> </li> </ol> <p>*"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.</p>

<b>Disorderly Conduct</b>	Reckless behavior that could cause injury, including throwing objects (tables, chairs), pulling fire alarms, etc.
<b>Threatening Staff Member</b>	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.
<b>Fighting</b>	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.
<b>Assault</b>	An unlawful physical attack by one person upon another.
<b>Sexual Harassment</b>	<p>EastSide 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:</p> <ul style="list-style-type: none"> <li>• submission to such conduct is made a condition of the student’s right to learning</li> <li>• such conduct interferes with an individual’s academic performance or creates an intimidating, hostile, or offensive educational environment</li> <li>• submission to or rejection of such conduct is used as the basis for academic decisions</li> </ul> <p>Forms of sexual harassment include but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Derogatory comments, jokes, or slurs; sexually-oriented sounds or remarks</li> <li>• Uninvited, unnecessary or offensive touching, pinching, patting, grabbing, brushing against another person’s body, or impeding or blocking movement</li> <li>• Derogatory or offensive pictures, posters, cards, cartoons, graffiti, drawings, or gestures</li> </ul> <p><i>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.</i></p>
<b>Sexual Misconduct</b>	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.
<b>Other Harassment</b>	<p>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.</p> <p><i>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.</i></p>

### Level III Violations (cont.)

## Chapter X – Investigative Procedures

- A. The Principal or his/her designee, will promptly investigate any allegation of a violation of this Code of Conduct and determine whether a violation has occurred.
- B. All complaints will be appropriately investigated and handled in a manner that is consistent with due process requirements.
  - 1. Neither complainant nor witnesses will 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 will 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 violation from several sources. This prevents the offender, when confronted, from assuming that a victim if applicable, is the complainant. Student accusers or victims may have a parent or trusted adult with them, if requested, during any investigatory activities.
  - 2. After receiving notice of the alleged violation, 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 violation has occurred.
  - 3. Once the administrator has confirmed that a violation has occurred, the administrator will take prompt steps to determine who committed the violation and whether others played a role in the violation. The administrator will avoid forewarning the student suspects, and will interview suspects separately and in rapid succession.
  - 4. After identifying those who committed the violation, the administrator will apply disciplinary action, consistent with the student's due process rights and the range of consequences identified herein. Prior to the imposition of any disciplinary action the student shall:
    - a) be given oral or written notice of the charges and be told on what evidence the decision may be made
    - b) be given the opportunity to present the student's side of the story;
    - c) have had prior opportunity to know that the alleged actions were in violation of established rules and regulations; and
    - d) The offender will be informed that graduating consequences may occur if the violation is repeated.
  - 5. The administrator will keep a written record of the violation and any disciplinary action(s) taken. The administrator will keep any written statements of the offender, the victims (if any), 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 into or prosecution relating to the incident is ongoing.
- C. The school believes that victims of violations should be given support. If it is suspected that a student has been the victim of a violation, staff members will make an effort to:
  - 1. Find a private opportunity for discussion with 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 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.

## Chapter XII – Reporting of Crimes

The State of Delaware requires that schools report certain crimes to the appropriate authorities. 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 Principal 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 Principal or his designee will make an 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 Principal or his designee 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

### Student Code of Conduct - Transportation

The following rules can be enforced only with the cooperation of every person concerned with transportation. Observance of these rules will ensure safety, prompt arrivals and departures of buses and proper attitudes on the part of pupils. Good citizenship will be promoted. Violations of these rules may result in the suspension of bus riding privileges and other disciplinary action.

- A. Students must promptly obey the driver at all times and be courteous to him/her and to fellow pupils. The driver is in full charge of the bus and pupils and has the authority of a classroom teacher.
- B. Students must be on time. The bus has to run on schedule and cannot wait for those who are tardy.
- C. Students should never stand or play on the roadway while waiting for the bus.
- D. Before boarding the bus, students must keep a safe distance from it while it is in motion.
- E. Students must enter the bus without crowding or disturbing others and occupy their seats immediately.
- F. Students must not try to get on or off the bus while it is in motion. When on the bus, students must remain seated until the bus comes to a complete stop.
- G. Students must keep out of the driver's area and remember that unnecessary conversation with the driver is prohibited while the bus is in motion.
- H. In approaching the bus or a bus stop along the highway, students should walk on the left side of the road, facing traffic. They should be sure that the road is clear of all traffic or that all traffic has stopped before crossing. Upon leaving the bus, they should immediately walk around the front of the bus and stop before crossing. They should make sure that all traffic has come to a complete stop before crossing.
- I. In crossing the street or highway at any time, pupils should look first to the left and then the right, and only then and if safe, WALK – not run – to the bus.
- J. Other than ordinary conversation in a normal tone, classroom conduct is to be observed when on the bus.
- K. Students must not call out to passers-by. They should not open the bus windows without permission from the driver and never extend head or arms out of the windows. Students shall not leave the bus without the driver's permission.
- L. Students should help keep the bus clean, sanitary, and orderly. They must not damage or abuse the equipment.
- M. Students are not permitted to smoke while on the bus.
- N. Students must not use profanity while on the bus.
- O. Students must not throw articles of any kind in, out of, or around the bus.
- P. Students are not to eat or drink while on the bus.
- Q. Other forms of misconduct that will not be tolerated are acts such as, but not limited to: indecent exposure, obscene gestures and language, and spitting.
- R. Students are to conduct themselves while on the bus in such a way that it will not distract the driver from his or her job of driving.

## APPENDIX B

### **Bullying Prevention Policy**

EastSide Charter School recognizes that a safe learning environment is necessary for students to learn and achieve high academic standards. EastSide Charter School 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, EastSide Charter School 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. EastSide Charter School 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**

*EastSide Charter School is committed to supporting a school-wide bullying prevention program.*

- A. EastSide Charter School 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) Work to 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 the principal or his 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, reformatory 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. EastSide Charter School 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. EastSide Charter School 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 Principal or 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 Principal, 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 Principal or 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. EastSide Charter School 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 C

### EastSide Charter School Policy for Suicide Prevention

Eastside Charter School (ESCS) 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. ESCS and ESCS 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. ESCS’s process is to immediately report any student thought to be demonstrating the warning signs of suicide to the school nurse, school counselor, or principal. 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 ESCS 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 HIPAA 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 principal prior 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 D**

### **Educational Technology Acceptable Use Policy**

It is essential that all users of EastSide Charter School (ESCS) technology understand both the benefits and the responsibilities associated with the use of technology. Instructions for implementing the School's Acceptable Use Agreement will be provided by administrators, teachers, or library staff, as applicable.

EastSide Charter School'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 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 EastSide Charter School.

This agreement encompasses all student and community use of technology systems provided by the EastSide Charter School. All students and community members who use EastSide Charter School's educational technology in any form are required to sign the Acceptable Use Agreement and return it to the Principal or designee in charge of technology. Faculty and staff have all agreed to a separate Acceptable Use Policy applicable to them.

The use of EastSide Charter's 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 ESCS'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 ESCS.

### **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 ESCS Acceptable Use Agreement will be handled in accordance with the Student Code of Conduct.
- Allegations that an employee violated the ESCS 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**

ESCS 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 ESCS 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 ESCS 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.

### **[Link to DE code](#)**

- [www.Regulations.delaware.gov/admincode/title14/600/614](http://www.Regulations.delaware.gov/admincode/title14/600/614)