



SUSSEX ACADEMY  
HANDBOOK &  
STUDENT CODE OF  
CONDUCT

2022-2023

[www.sussexacademy.org](http://www.sussexacademy.org)

The Sussex Academy Handbook & Student Code of Conduct provides information and direction to students and families regarding school services, operations, expectations of behavior, and behavioral responses. Families and students are encouraged to read and regularly review the Handbook and Code to ensure a safe and productive school year.

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***If you do not have access to the internet and would like to request a printed copy of this Handbook, please contact the appropriate campus' main office.***

### **Terminology Notes:**

The term "Parent," as used in this document, is meant to include a natural parent, stepparent, parent by adoption, legal guardian, or other person who has custody of the student.

"The School," as used in this document, refers to Sussex Academy as an entity, including Administration, staff and faculty.

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## Complaints

If parents/guardians believe their rights have been violated, they must first utilize the Grievance procedure as outlined in this Handbook. They may then file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue SE, Washington, DC 20202-4605

## State of Delaware Ombudsman

The purpose of the Ombudsman is to ensure the proper administration of the school criminal offense reporting law contained in Section 4112 of this Title.

State of Delaware Department of Justice  
School Crime Ombudsman  
(800) 220-5414

## Sussex Academy Board of Directors

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# Introduction

## What is the Student Handbook?

The Student Handbook is an official declaration of Sussex Academy which:

- Describes strategies and practices our school community will use to promote positive learning environments
- Illustrates expected, appropriate, and respectful student behaviors
- Describes what actions and interventions are taken when students exhibit challenging, inappropriate, or harmful behaviors
- Outlines student rights, privileges, and responsibilities
- Provides information about the disciplinary process and how to get help from school system personnel concerning appeal requests, processes and procedures, and resources for students and families.

## Student Behavior Standards

Sussex Academy offers positive learning environments where students:

1. Assume responsibility for their own actions
2. Respect and believe in themselves and others
3. Demonstrate the ability to get along with others
4. Understand and respect differences
5. Obey guidelines, rules, and laws, and understand the consequences of their choices
6. Demonstrate generosity, kindness, and strive to be helpful

Provisions in the Handbook apply to all students in grades K–12. Differences in age and maturity are recognized in determining the appropriate behavioral expectations, interventions, and responses.

## When Is the Student Code of Conduct Enforced?

The Student Code of Conduct is enforced:

1. On school property prior to, during, and following regular school hours
2. While students are on the school bus for any purpose
3. At all school-sponsored events and other activities where school administrators have jurisdiction over students
4. Off-campus:

- a. Sussex Academy has the authority to hold students accountable for activities occurring off school premises when it is determined that the student presents a threat to the safety or welfare of Sussex Academy students or personnel.
- b. The receipt of an Attorney General's notice that a student has been arrested for a crime that may jeopardize the safety or welfare of students is sufficient evidence to warrant the initiation of the Process to Determine Appropriate Disciplinary Action.

Any student who actively hinders an investigation or any student who aids, is involved with the planning of, or helps another student in any way in an act which violates the Student Code of Conduct may be considered for disciplinary response.

Additionally, the school administration is authorized to respond when a student's behavior to and from school has a harmful effect on the other students or on the orderly educational process.

## **Who Establishes a Good School Environment?**

All stakeholders (students, parents, and school personnel) are responsible for contributing to a healthy school environment. The Student Code of Conduct recognizes the need for a cooperative relationship among these groups. This relationship is most productive when:

### **STUDENTS**

1. Attend all classes daily and on time
2. Are prepared for class assignments and activities
3. Come to class with appropriate working materials
4. Respect all persons and property
5. Refrain from abusive language and/or inflammatory actions
6. Conduct themselves in a safe and responsible manner
7. Are responsible for their own work
8. Abide by the guidelines and regulations set forth by the school, its personnel, and the student community

### **PARENTS**

1. Keep in contact with the school concerning their student's progress and conduct
2. Ensure that their student attends school daily and on-time
3. Provide proper immunization as required by State law or exemptions
4. Provide their student with the resources needed to complete classwork and homework
5. Refrain from abusive language and/or inflammatory actions
6. Bring to the attention of school authorities any problem or condition which affects their student or others
7. Discuss report cards, work assignments, and data provided in HAC with their student
8. Maintain up-to-date contact information including emergency contacts

9. Seek assistance from school personnel in an appropriate and respectful manner

#### **SCHOOL PERSONNEL**

1. Attend work regularly and on-time
2. Perform their duties with appropriate working materials
3. Respect all persons and property
4. Refrain from abusive language and/or inflammatory actions
5. Conduct themselves in a safe and responsible manner
6. Maintain a professional appearance
7. Abide by the guidelines and regulations set forth by the school and this code
8. Seek assistance in an appropriate and respectful manner
9. Maintain an atmosphere which empowers students and staff, encourages healthy relationships, and fosters engaged learning
10. Establish and maintain professional working relationships
11. Encourage the use of community/school services as needed
12. Encourage parents to keep in regular communication with the school
13. Provide opportunities for parent participation
14. Encourage and maintain the involvement of students in the operation of the school
15. Encourage community involvement
16. Communicate with parents, students, and other employees professionally

# Student Rights and Responsibilities

Sussex Academy guarantees students' rights allowed by state and federal laws and the guidelines and regulations of the Sussex Academy Board of Directors and school administration.

Sussex Academy recognizes and supports students' rights and responsibilities.

## Attendance

School administrators have an obligation under State Law to enforce compulsory school attendance laws. Students have an obligation to take advantage of the opportunity for a public charter school education. (See the "[School Attendance](#)" section of this Handbook for information on attendance policies and procedures.)

Students have the right:

1. To school policies that clearly define legal absence, unexcused absence, and tardiness.
2. To appeal a decision concerning an absence (excused or unexcused) and not be penalized in any way for excused absences. Participation in a school-approved activity will be considered an excused absence.
3. Where feasible, to make up assignments missed during any excused absence, according to the school regulations concerning makeup assignments following an absence.

Students have the responsibility:

1. To take advantage of their educational opportunities by attending all classes daily and on time.
2. To provide the school with documentation explaining the reason for an absence.
3. To request the makeup assignments from their teachers upon return to school and to complete the work within the length of time specified in the school's attendance regulations.

## Communication Devices

Sussex Academy acknowledges that electronic communication devices such as cell phones are increasingly common and provide students and their families with a sense of security and safety through immediate and direct communication. However, use of cell phones during the school day may disrupt the educational process. In addition, use of cell phones during fire drills, or in the case of an emergency, may create dangerous situations by disseminating misinformation or interrupting administrative procedures. Students are expected to adhere to building policy in regards to electronic devices (please see "[Technology Use Policy](#)" of this Handbook).

Cell phones and other electronic devices are personal property, and students are urged to take precautions to guard against loss or theft. Sussex Academy is not responsible for the loss or theft of students' property.

## Counseling & Consultation

Personal needs or concerns can seriously threaten and interfere with the educational development of students. The school has the responsibility to notify parents and/or students of available counseling services within the school setting and to inform parents and students of the services of other agencies when appropriate.

Students have the right:

1. To be informed accurately as to the nature of the guidance services available in their school and/or community.
2. To appropriate counseling for personal and educational problems. Access to consultation services within a reasonable amount of time should be assured.

Students have the responsibility:

1. To use counseling services for their educational and personal development, where appropriate and available.
2. To schedule appointments in advance unless the problem or concern is of an emergency nature. Parents and students have the responsibility of informing the school of information that may be useful in making intelligent educational decisions.
3. Please send correspondence to the appropriate school counselor:

**Elementary (Grades K-5)**

Juliane Hein  
[juliane.hein@saas.k12.de.us](mailto:juliane.hein@saas.k12.de.us)  
(302) 856-3300

**Grades 6-9**

Stacey Alinkoff  
[stacey.alinkoff@saas.k12.de.us](mailto:stacey.alinkoff@saas.k12.de.us)  
(302) 856-3636

**Grades 10-12**

Scott Cleaver  
[scott.cleaver@saas.k12.de.us](mailto:scott.cleaver@saas.k12.de.us)  
(302) 856-3636

## Curriculum

Students have the right:

1. To have access to clear and precise curriculum descriptions that will help them to make informed choices.
2. To participate in available programs that are appropriate to their individual needs at all grade levels.
3. To study all subjects in an atmosphere free from bias and prejudice.
4. Equal access to any available extra-curricular activity corresponding to their interests and abilities.

Students have the responsibility:

1. To seek clarification, if necessary, from the informed persons in the school.
2. To strive for mastery of skills by participating in available programs.
3. To contribute toward the development of a positive academic and social climate in the school.

4. To respect the rights of other individuals who have different viewpoints and to become informed about issues being studied.
5. To explore any available extra-curricular activity which corresponds to their abilities and interests.

## Free Speech/Expression

One of the basic purposes of schools is to prepare students for responsible self-expression in our society. Self-expression is permitted under the 1<sup>st</sup> and 14<sup>th</sup> Amendments to the U.S. Constitution. Students may inquire, question, and exchange ideas. Self-expression must not interrupt the orderly educational process of the school or be in violation of the Student Code of Conduct. Free expression must not be obscene, libelous, or disruptive.

Students have the right:

1. To participate in patriotic activities. Students also have the right to be excused from any patriotic act that is against their religious beliefs or deep personal convictions. Students who do not wish to participate in patriotic activities will not be forced to do so.
2. To request in writing to be excused from any activity which is against their religious beliefs.
3. To petition and survey student opinions by following established procedures.
4. To express their own opinions on issues in a reasonable manner.
5. To assemble peaceably on school property at an appropriate time and place. This right will be denied if it endangers the health or safety of others, damages property, or disrupts the educational activities of others.

Students have the responsibility:

1. To act in a respectful manner during patriotic activities whether participating or not.
2. To inform the school of activities which are in conflict with their religious beliefs.
3. To make reasonable requests to conduct surveys and petitions. The results obtained must be reported accurately.
4. To be well informed about issues and to express their opinions in a reasonable manner at an appropriate place and time.
5. To plan, get approval of, and hold activities that are based upon educational objectives.

## Grades and Grading

Grades are one indicator of the student's demonstrated knowledge or content mastery at a particular time. A student's grades should reflect the teacher's best assessment of the student's knowledge or content mastery. (Also see the "Grading Practices" section of this Handbook.)

Students have the right:

1. To receive a written copy of a teacher's grading systems at the beginning of each course.
2. To receive an academic grade that is based on the school's grading system that reflects the student's academic achievement.

3. To be given appropriate notice of when assignments are due.
4. To receive written notification of unsatisfactory progress at any time during the trimester.
5. To not have grades used as a disciplinary tool. A student who engages in academic dishonesty (e.g., cheating, plagiarism, copyright infringements) will receive an appropriate consequence in line with school policy and at the discretion of designated school personnel.

Students have the responsibility:

1. To ask for an explanation of a grading system which they do not understand.
2. To maintain standards of academic performance according to their abilities and to ask for explanations of grades which they do not understand.
3. To present assignments when due.

## **Marriage, Pregnancy and Parenthood**

Students who are married, expectant parents or parents do not lose their right to a free public education. Students are encouraged to continue their education through programs designed to meet their special needs.

Students have the right:

1. To remain in the regular school program or to attend a special program designed to meet their needs.
2. To be referred to a marriage, pregnancy, or parenthood agency for counseling if they request it.

Students have the responsibility:

1. To attend school regularly or to take advantage of special programs designed to meet their needs. Students who are pregnant should seek professional medical advice regarding school attendance.
2. To request counseling for marriage, pregnancy, or parenthood.

## **Publications**

One of the important rules of the school is to provide effective ways in which students may express themselves on a wide range of subjects. Official school publications, such as school newspapers, should reflect the policy and judgment of the student editors and should include viewpoints representative of the entire school community.

Administration will suppress or recall literature that they consider primarily commercial in nature, or material that could disrupt the orderly operation of the school.

Students have the right:

1. To possess, post, and distribute literature that will not disrupt the school program and which follows the school's guidelines for responsible journalism.
2. To be free from censorship of their publications within the guidelines previously agreed upon by students and administrators.

Students have the responsibility:

1. To use only those bulletin boards or wall areas assigned for use by students and student organizations. Students must also accept responsibility for the effect that the posting, publication, or distribution of this literature might have on the normal activities of the school.
2. To refrain from publishing libelous and obscene materials or those that are political in nature, to seek full information on the topics about which they write, to observe acceptable standards of good taste, and to observe the normal rules for responsible journalism.

## **School Climate & Environment**

A healthy school environment is free from distractions, disturbances, drugs, weapons, and harassment. It is also the presence of a friendly and productive atmosphere in which students and school personnel work together to achieve collaboratively determined goals. Sussex Academy is dedicated to empowering and supporting students, their families, school faculty and staff in their growth and learning.

Students have the right:

1. To have a safe school environment.
2. To attend classes without distractions and disturbances.
3. To attend a school free of drugs and weapons.
4. To attend a school free of harassment.

Students have the responsibility:

1. To conduct themselves in a safe and responsible manner.
2. To abide by the guidelines and regulations set forth by the school.
3. To refrain from possessing, carrying, or using illegal drugs and/or weapons.
4. To respect all persons as individuals with rights.

## **Student Activity Fee**

School policy requires that we collect an activity fee from each student. This year, the activity fee will pay for student agendas, clubs, technology fees, a yearbook, miscellaneous classroom supplies, and end-of-year activities. (NOTE: No field trip fees are included in the activity fee. Field trip fees will be collected separately prior to participation in the scheduled trip.)

The activity fees for the 2022-2023 school year are as follows:

- Elementary (Grades K-5): \$185
- Middle School (Grades 6-8): \$205
- High School (Grades 9-12): \$225

If financial assistance is necessary, families must fill out and return a Meal Benefits form. If they qualify for free or reduced lunch, they can also qualify for a reduced or waived activity fee.

## Student Lockers

Student lockers are the property of the school and may be subjected to search at any time with or without reasonable suspicion. Personal possessions, such as coats, purses, book bags, etc., may also be subjected to search with reasonable cause.

Students will be free from unreasonable search and seizure of property as guaranteed by the 4th Amendment of the U. S. Constitution. This individual right is balanced by the school's responsibility to protect the health, safety, and welfare of others. School lockers are school property and may be subjected to search at any time, with or without reasonable suspicion.

Students have the right:

- To privacy in their personal possessions unless the Head of School or their designee has reasonable cause to believe that illegal, harmful or non-school related items, such as, but not limited to, electronic or communication devices that are being used to disrupt the educational process or endanger the health, safety, or welfare of others.

Students have the responsibility:

- To not carry or conceal any materials that are illegal and that may disrupt the educational process, or endanger the health, safety, or welfare of others. Students are responsible for the contents of their lockers.

## Student Vehicles & Driving Privileges

High school students who have a valid Delaware Driver's license may request driving and parking privileges on school property. Since there is a limited number of parking spaces available for students, parking permits are issued on a first come, first served basis. A complete application packet must be submitted for consideration. Parking permits are \$10.00 per year plus a \$5.00 deposit to be refunded when the permit is returned at the end of the school year. Applications are available for download on the school's website. **Seniors will have priority approval followed by juniors.**

Student driving is a privilege that may be extended to students in exchange for their cooperation in the maintenance of a safe school atmosphere. Reasonable suspicion of a student's serious violation of the Code of Conduct may result in the student being asked to open an automobile in the school environment to permit school authorities to look for unsafe items. Failure to open any part of the motor vehicle on the request of school authorities will result in loss of privilege to bring the vehicle on campus.

Eligibility:

- Eligible students may apply for a parking permit beginning in August of each school year.
- Students who have extensive disciplinary occurrences will not be issued a permit and may have their permit suspended during the school year if deemed necessary by Administration.
- Only students who are eligible to drive without supervision (6 months from DE license issue date) can apply for a permit.
- As students become eligible to drive without supervision, applications for permits can be submitted for consideration.

## Student Dress Code

*The following guidance will govern the dress of Sussex Academy students.*

### Dress Code, Elementary Campus (Grades K-5)

- Students **may** wear the blue or white crew-neck t-shirts or polo shirts with the school logo. Students **may not** wear apparel with other writing or logos while in regulation uniform.
- All bottoms must be khaki color. Students **may not** wear leggings, jeggings, or skin-tight pants alone; however, students **may** wear navy, white, or gray leggings under shorts, skorts, or skirts. All skirts, shorts, and skorts must meet the fingertip-length rule.
- Students **may** wear any spirit wear, athletic apparel, and school store apparel outerwear over uniform tops with their uniform bottoms.
- Students **may** wear spirit wear shirts (for example, goat/chicken shirts) on Fridays with their uniform bottoms.
- Students **may** wear the vendor-approved P.E. uniform on P.E. days only.
- Students **may not** wear sandals, clogs, or open-toed shoes. Athletic shoes—velcro or lace-up with arch support—are **mandatory** on P.E. days.
- Students **may not** wear hats and other head coverings in the buildings except in cases of medical and/or religious reasons.

Outdoor classroom activities are an integral part of the Sussex Academy Elementary curriculum. We do go outside, where shoes may get wet and/or dirty. It is suggested that a second pair of shoes be kept at school, as well as bug spray and sunscreen. During cold weather, hats, gloves, scarves and coats are a must—we do not stay indoors due to cold weather.

### Dress Code, Secondary Campus (Grades 6-12)

- Middle school students (grades 6-8) **may** wear the blue or white crew-neck t-shirts or polo shirts with the school logo. Students **may not** wear apparel with other writing or logos while in uniform.
- Students **may not** wear leggings, jeggings, or skin-tight pants alone; however, students **may** wear navy, white, or gray leggings under shorts, skorts, or skirts. Sussex Academy-approved **uniform** bottoms (not sweat pants or athletic shorts) that are available for purchase in the school store are acceptable. All skirts, shorts, and skorts must meet the fingertip-length rule.
- Students **may** wear any spirit wear, athletic apparel, and school store apparel outerwear with their uniform bottoms.
- Students **may not** wear sandals, flip-flops, or open-toed shoes. Athletic shoes—velcro or lace-up with arch support—are **mandatory** on P.E. days.
- **P. E. Uniform:** The gym uniform is either the blue and gray shorts and t-shirt, or other school-approved spirit wear. Students **must** wear an approved or appropriate P. E. uniform during P. E. class. If a student has P. E. first period, they may arrive in their gym uniform; if a student has P. E. last period, they may leave school without changing back into their uniform.
- **Dress Down Days:** There will be dress-down days throughout the year, normally occurring on a Friday.

These will either be “free” or “donation-based” and will be announced.

- Students **may not** wear hats and other head coverings in the building except in cases of medical and/or religious reasons.

**Clothing may not at any time:**

- depict, advertise or advocate the use of alcohol, tobacco, marijuana or other controlled substances.
- depict pornography, nudity or sexual acts.
- share or depict hate speech.
- depict violence or threaten the health or safety of any other student or staff member.

**Staff Response Procedures**

- At the beginning of each school day, homeroom/first period teachers will note and address any dress code violations in a professional manner. It is the responsibility of the homeroom/first period teacher to assure that the violation has been addressed before the end of first period.
- Dress code violations will be entered as an “FYI” in the RAP system (Secondary Campus only).
- Responses could include redirection, a phone call home, and the opportunity to change. Extra clothes will be made available on-site for students (provided the correct size is available), and should be returned clean within two school days.

## **Student Government**

The student government is a means for providing students with an opportunity to express themselves and to act on school matters through the democratic process. All members of the school community share the responsibility for helping the student government. Students should be given the opportunity to participate in those decisions that affect the learning climate of the school. So that the student government can function as an informed organization, school policies should be made available.

Students have the right:

1. To form and operate a student government within their school under the direction of a faculty advisor. This right will be carried out within the guidelines and practices recommended by the National and State Student Government Associations, and within the guidelines and regulations of the school.
2. To recommend members of the faculty to serve as sponsors for the school’s government organization.
3. To seek office in student government regardless of race, gender identity, sex, color, creed, political beliefs, or academic standing.
4. To attend official student government meetings as student government officers and representatives in accordance with school regulations.

Students have the responsibility:

1. To work, as members of the student government, on the needs and concerns expressed by the student body.

2. To get the prior consent of any faculty member recommended.
3. To conduct election campaigns in a positive, mature manner with all due respect provided to other candidates.
4. To participate regularly and to conduct themselves in an appropriate manner, to demonstrate positive leadership in school government, and to operate within school regulations.

## **Student Records**

Student records are defined as any materials concerning individual students kept in any form by the school or its employees, except for personal notes of teachers and other school personnel intended for their use only. Student records are maintained to provide information that can be used to develop the best possible educational program for each student. To be FERPA compliant, care must be exercised by the school staff to make sure that student records are treated confidentially and that the information contained therein is accurate and appropriate.

Eligible students and parents or guardians have the right:

1. To release, inspect, review, and challenge the information contained in the student's records within school guidelines for students who are 18 years of age or older and parents of students who are under 18 years of age. School personnel will provide assistance to students and parents to help them understand the material in the record. This access may not be denied because of failure to pay fines or fees.
2. To be protected from the release of personally identifiable information to unauthorized persons.

Eligible students and parents or guardians have the responsibility:

1. To give school personnel ample notice that they want to inspect and review their records. Eligible students and parents have the responsibility to meet their financial obligations as it relates to school fees or fines.
2. To release information to those individuals or agencies that are working in a positive manner for the benefit of the student. The permission to release information, where required, must be in writing.

# Grading Practices

## Organizational Statement on Grading

Sussex Academy believes in fostering an environment that inspires a love for learning, where students feel safe to explore their intellectual curiosities and take academic risks on their journey to mastering grade-level standards. Because we value an emphasis on learning, we believe students should be given multiple opportunities, within reason, to demonstrate their learning progression and mastery so that it is truly reflected by grades.

## Grading Practices for Equity

With the intention of not putting into practice inaccurate or inequitable grading policies, that according to research perpetuate harmful consequences such as barring students from getting into the college they want, keeping students out of honors level classes, and preventing students from being promoted or graduating, all grading policies should adhere to the following practices:

- Students will not be graded on subjective categories based on compliance. Such categories include but are not limited to:
  - Effort
  - Participation
  - Behavior
  - Attendance
- Students will only be graded on their mastery of skills and content
- Teachers teaching common courses will collaborate to ensure students are being assessed on a consistent set of skills, content (prioritized standards), and expectations
- Teachers will not award extra credit in the form of any expectation that depends on students/families having the time, money, or resources to successfully participate
- Teachers will not set a grade parameter around retakes (meaning that any grade could qualify for a retake, *and the reassessment will be averaged with the original assessment to calculate the final grade*). Below are some example practices that will be put into place around retakes:
  - Student provides some demonstration of growth on missed skills
  - Students may be required to review homework or other assignments for items related to skills they missed
  - *Student will only be permitted one retake per summative assessment*
  - *Late submissions could jeopardize the opportunity for reassessment*
  - Retakes do not have to be in the same format as the original assessment
  - End-of-course assessments are final and cannot be retaken

## Grading Practices that Promote Intrinsic Motivation

Grades and grading practices shall promote intrinsic motivation, exploration of learning curiosities, and put an emphasis on becoming resilient learners.

- Students shall not be graded on assignments that are meaningless to skill and content mastery and all grades will represent an intentional relationship to assessment criteria for skill and content mastery
  - If the work is important, require it. If not, don't grade it.
  - Grade the work—the learning and mastery—not the timing
  - Grades are not for control. They are for teaching and monitoring growth.

- Allow for mistakes and allow for revisions.<sup>1</sup>
- Grading practices should foster regular communication between teacher and student
  - Feedback given through multiple formats
  - Opportunities for students to demonstrate learning using multiple formats
  - Learning shall be facilitated through a clear formative process leading up to all summative assessments
  - Students should have an opportunity to engage in a process that allows them to revise, resubmit, and receive feedback on work before being expected to take a summative assessment
- Students will be expected to cultivate responsibility therefore consistent communication between teacher and home is paramount to every student's success
  - Parents should be notified when students are not turning in assignments and/or failing or performing below ability
  - Teachers can assign a minimum failing grade for students who fail to submit assignments after parent contact and missing subsequent agreed upon deadlines
  - Teachers should keep in mind that what is equal is not always equitable, and what is equitable is not always equal. Teachers should use or seek appropriate discretion to differentiate practice accordingly
    - *Due dates should be assigned and adhered to while remaining mindful that situations occur where students should be allowed to submit late work without penalty; however, habitual patterns of submitting late work should be addressed by the teacher appropriately, as they occur*

## Clarity of Grading Practices

Students and families should always have a clear understanding of the criteria on which they are being graded.

- Grades should always be communicated through the lens of progression towards skill and constant mastery
  - Teachers shall create rubrics and/or proficiency scales to evaluate and communicate student learning
- Teachers shall provide a detailed written grading policy to students and families on the first day of school that includes how a final grade is calculated
- Grades/feedback should be updated in Schoology or preferred platform at a minimum of at least once a week, or once every 5 school days

## Schoolwide Procedural Parameters for Grading Practices

Although teachers are afforded a level of autonomy in establishing classroom grading practices, the following procedures will be practiced consistently schoolwide:

Teachers of grades 4-12 will assign grades using the following scale:

Grade	Numeric
A +	97-100
A	93-96

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<sup>1</sup> From *Grading for Equity: What It Is, Why it Matters, and How it Can Transform Schools and Classrooms* by Joe Feldman

A-	90-92
B+	87-89
B	83-86
B-	80-82
C+	77-79
C	73-76
C-	70-72
D	65-69
F	64 and below
F	50 (lowest possible)

*The lowest grade a student can be assigned at the end of a trimester is a 50.*

## **Incomplete Work**

*All summative assessments must be completed to receive credit for a course (unless waived by the teacher in lieu of an alternate assessment).*

*Unfinished or unsatisfactory summative assessments will be recorded as incomplete until satisfactorily completed. Incomplete work must be finished and turned in by the end of the trimester (unless otherwise agreed upon) and will not be eligible for reassessment.*

Teachers shall use only the categories of “formative” and “summative” in their gradebooks and the formative category weight shall be 20 percent when calculating the final trimester grade. *For courses in the secondary school that conclude with a final exam, the final exam should be weighted 20 percent when calculating the final trimester grade.*

No formative grade shall ever be penalized for inaccuracy unless students are given the opportunity to revise and resubmit for full credit. Formative grades should be reflective of the learning process, not mastery.

There are no minimum number of assignments that are required in any given trimester; however, grades should be reflected through multiple formats of assessment, and some form of assessment should be given at least once on a weekly basis or every 5 class periods. Teachers will submit grade verification reports at the end of each trimester, including at the end of the course.

Teachers in grades K-3 will communicate grades on a mastery progression level only.

Performance Indicator	Meaning
E	Student is meeting grade-level expectations with distinction
3	Student is meeting grade-level expectations

2	Student is progressing toward grade-level expectations
1	Student is not meeting grade-level expectations
N/A	Not assessed
M	The standard(s) for the area indicated have been modified

*Detailed commentary will be provided along with the performance indicators.*

# School Attendance

## Sussex Academy Attendance Policy

Students must be in school by 11:00 a.m. to be considered present for the day; students arriving after 11:00 a.m. will be documented as absent. The standard school instructional day for **Elementary** begins at 8:15 a.m. and ends at 3:15 p.m. The standard school instructional day for **Secondary** begins at 8:00 a.m. and ends at 2:55 p.m. Students engaged in after-school activities must report immediately to the assigned area and assigned school personnel. Students having an excess of 21 days in the school year may jeopardize their eligibility for course credit, grade promotion, and High School graduation.

## Excused Absences and Early Dismissal

### Elementary Campus (Grades K-5)

Please call and/or email the main office if your child is absent or will be late, or if you will be picking your child up early. Also, if your child is going to have a different mode of transportation at dismissal (e.g., parent pick-up instead of riding the bus) please call and make sure to speak with someone in the office—don't assume that we received a note or email.

An attendance email must be sent from a parent or guardian email account on the morning of the absence or early dismissal to:

[attendance@sussexacademy.org](mailto:attendance@sussexacademy.org)

The email must be in the following format:

Subject line: Student name and grade

The body of the email must include the following:

- Date of absence or early dismissal
- Reason for absence or early dismissal
- Any related Doctor's notes or other related documentation should be scanned and attached.

### Secondary Campus (Grades 6-12)

An attendance email must be sent from a parent or guardian email account on the morning of the absence or early dismissal to:

[attendance@sussexacademy.org](mailto:attendance@sussexacademy.org)

The email must be in the following format:

Subject line: Student name and grade

The body of the email must include the following:

- Date of absence or early dismissal
- Reason for absence or early dismissal
- Related Doctor's notes or other related documentation should be scanned and attached.

If a student does not present a valid excuse within three (3) days of returning to school, the absence will be considered unexcused. No notes or verification of absences will be accepted after three (3) days.

If a student is absent three (3) days or longer, the student must also have a note from a physician or other official documentation upon returning to school.

Note: If your child has a chronic illness or health condition that may cause frequent absences, please provide documentation from the healthcare provider to the appropriate school nurse:

**Elementary:** Donna Allen, MSN, RN  
[donna.allen@saas.k12.de.us](mailto:donna.allen@saas.k12.de.us)  
(302) 856-3300

**Secondary:** Dawnyel Furlong, MSN, APRN, NP-C  
[dawnyel.furlong@saas.k12.de.us](mailto:dawnyel.furlong@saas.k12.de.us)  
(302) 856-3600

## Cumulative Absences and Notice to Parents/Guardians

Cumulative absences include both excused and unexcused absences. Parents will be sent notice of cumulative absences according to the following policy:

1. Five (5) absences will result in a letter being sent home with dates of absences.
2. Ten (10) absences will result in a meeting with parents/guardians and school counselor.
3. Fourteen (14) absences will result in an attendance meeting with the student and School Dean or designated school personnel; in addition, the student will no longer be eligible for prearranged absences, field trips, or other school-related activities that take them out of class.
4. Twenty-one (21) absences may affect eligibility for promotion to the next grade (Grades K-12), graduation (High School) and credit for coursework (Grades 6-12).

## Appeal Process

Parents may appeal the attendance procedures by filing a written request to the Head of School within 10 days of the 17th day absent. Appeals are limited to the following:

1. The total number of days absent.
2. Days absent were a result of school-related activities.
3. The days absent were caused by factors beyond the student and parent's control.

The Dean of Students will schedule a meeting with parents/guardians to hear the appeal. The Dean of Students will render a written decision within 10 days of meeting.

Parents may appeal the Dean of Students' decision by submitting a written request to the Head of School within 10 days of the Dean of Students' decision. The Head of School will review both the parent/guardian's and Dean of Students' documentation and render a written decision within 10 days of the request for an appeal. The Head of School's decision will be final.

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

Sussex Academy recognizes that mental health is as important as 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, similar to going to a doctor for a physical illness.

The information below defines mental and behavioral health and provides resources to support students' social, emotional and behavioral wellness.

**Mental health:** 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 counselors can be reached by calling the school directly.

## Resources Outside the School

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

LGBTQ 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)

# Bus Transportation

The bus is an extension of the school day. The Student Code of Conduct remains in effect any time a student is on a school bus, including but not limited to the assigned bus to and from the school, activity buses, sports buses, and field trip buses.

## **Bus Privilege**

Riding the school bus is a privilege for each student. If the following guidelines and regulations are not followed, the student may no longer be given the opportunity or privilege to ride the bus. If this privilege to ride a bus is suspended or revoked, the parent(s)/guardian(s) will be responsible for transporting their child to and from school.

## **School Bus Safety Rules**

During grades K-5, the Bus Safety Rules are presented to all students in Sussex Academy, including walkers. The purpose of these presentations is to ensure students are aware of the bus safety rules and safe procedures while entering and exiting the school bus, and safe street crossing techniques, etc.

1. Listen to the bus driver/bus aide and follow directions.
2. Stay seated (back-to-back, bottom-to-bottom, book bag on your lap).
3. No eating or drinking.
4. No fighting. Keep your hands and feet to yourself. No horseplay.
5. All body parts belong inside the bus (e.g., hands, head, hair, feet).
6. Talk quietly. No shouting, screaming, or loud noises.
7. Do not throw objects inside, outside or around the bus. Keep everything inside your book bag.
8. Do not touch emergency equipment (e.g., back and side doors, windows, roof hatches, first aid and body fluid kits, two-way radios).

Along with the School Bus Safety Rules, the following regulations will assist with safety, prompt arrivals and departures of buses and promote positive attitudes on the part of students. Violations of these regulations may result in disciplinary response.

Students must ride their assigned bus to and from their assigned stop. Switching buses for any reason is strictly prohibited.

1. Students are not to leave the bus without the driver's permission, except on arrival at their regular bus stop or at school.
2. Students should help keep the bus clean, sanitary, and orderly. They must not damage or destroy bus seats or equipment.
3. The bus windows should not be opened without permission from the driver.
4. The Drug and Alcohol policy is in effect on the school bus.
5. Students are not to use abusive language, profanity, obscene gestures, or spit on the bus.
6. Students may not bring live animals, balloons, glass containers, or skateboards onto the bus.

7. Musical instruments, athletic equipment, and school projects brought on the bus must fit between the student's legs and not be placed on the seat or in the aisle. Care and safety when transporting instruments, sports equipment, and projects should be considered a priority. Students misusing the instrument, equipment, or project or allowing another student to misuse the instrument, equipment, or project while on the bus will result in losing the privilege to transport the instrument, equipment, or project on the bus. Whenever possible, the musical instrument and athletic equipment should be in appropriate bags to avoid sharp edges being exposed to students.
8. Students are to enter the bus, immediately take their seats, and remain seated until the bus comes to a complete stop.
9. Students are to conduct themselves while on the bus in such a way that will not distract the driver. Distracting the driver puts everyone at risk.
10. Students with school-issued parking passes will be ineligible for bus transportation.

### **Surveillance on School Buses**

School buses may have surveillance cameras which include audio and video capability. These tapes and/or hard drives may be used in disciplinary procedures.

### **Safety Procedures for Boarding and Exiting the Bus**

1. Students should never stand or play in the street while waiting for the bus.
2. If crossing a street to board the bus, students must look both right and left for cars, wait for the driver's signal to cross, and make sure the red lights are flashing. Always cross the street in front of the bus. Before boarding and exiting the bus, students must keep a safe distance from the bus.
3. Students should enter the bus without crowding or pushing.
4. Do not stand in the danger zones of a school bus (minimum of 10 feet all around the bus).

### **Meeting Students at Assigned Bus Stops**

Sussex Academy requires a parent/guardian or designee to meet their child at their assigned bus stop each and every day for the following groups of students:

1. All kindergarten students
2. Students who have special needs and require adult assistance (Noted in student's IEP)

### **Bus Change**

Bus transportation cannot be viewed as a taxi and/or shuttle service. Below are guidelines for bus changes:

1. Bus routes and assignments can ONLY be changed by the School.
2. The Office will not give permission for a student to ride a different bus, except in emergencies.
3. Changing bus assignments for social events, school projects, parental vacations, getting to a work location, visiting another student, or allowing multiple drop-off locations for different days are not acceptable reasons.

The administration of the school is placed in an indefensible position regarding liability and insurance when students ride a bus without their name being on the bus roster.

### **Parking Passes**

Sussex Academy enforces Title 14, 4115 of the Delaware Code. This section addresses students who choose to drive to school and receive parking passes from their respective high schools.

Students and parents will need to sign the parking permit stating that they have read and understand the school policy and return the permit to the high school administration.

### **Bus Behavior Contracts**

When a student accumulates repeated bus referrals and/or three (3) bus suspensions, the student may be placed on a bus behavior contract. Subsequent bus referrals may result in extended bus suspensions.

Grades K—12: 5-day suspension, 10-day suspension, 30-day suspension, and permanent denial of bus privileges.

### **Denial of Bus Privileges**

Denial of bus privileges is either a temporary or permanent removal of the opportunity to ride the school bus. In all cases of denial of bus privileges, an attempt will be made to notify the parent/guardian by telephone, with a written notification of the denial sent to the parent/guardian within twenty-four (24) hours. Denial of bus privileges will not be used as a disciplinary action for non-bus related violations.

During the denial of bus privileges, it will be the parents'/guardians' responsibility to provide the student's transportation to and from school. Denial of bus privileges includes both the regularly assigned bus and activity buses. Should the student be absent during the bus suspension, the responsibility for initiating the make-up work and turning in assignments rests with the student.

Prior to the denial of bus privileges, the student will:

1. Be given oral or written notice of the charges or complaints.
2. Be given a fair and impartial hearing and have the opportunity to present the student's side of the story.
3. Have had prior opportunity to know that the misbehavior was in violation of established rules and regulations.
4. Be advised that denial of bus privileges may be appealed to the next high authority.

### **Bus Route Problems**

Problems concerning bus routes and bus arrival times should be referred to Sussex Academy Dean of Students Matt Keen via email: [matthew.keen@saas.k12.de.us](mailto:matthew.keen@saas.k12.de.us).

# Technology Use Policies

## Electronic Device Use Policies: Elementary Campus (Grades K-5)

1. Students **may not** bring personal computers to school.
2. Students **may only** use school computers under supervision.
3. Computers and related equipment are delicate; students **may not** have food or drink around them.
4. Students **may not** use school computers for personal use or email/instant messaging.
5. Students in grades 2 through 5 are issued a Google Chromebook. Each student is responsible for their assigned Chromebook. Students are responsible for any repair/replacement charges for accidental damage to, loss, or theft of the device.
6. Students in grades K and 1 will have class iPads to use during school.

## Electronic Device Use Policies: Secondary Campus (Grades 6-12)

1. Middle school students (Grades 6-8) **may not** have or use cell phones or other personal devices during school hours.
2. High school students (Grades 9-12) **may** have cell phones out during non-structured times, unless otherwise authorized by school personnel or in line with their teacher's classroom policy which may be established per classroom. .
3. All students (Grades 6-12) **may not** use their cell phone to make personal calls during school hours, unless authorized by the appropriate school personnel. If the student needs to use their phone to make a call, they should see a school faculty member to make arrangements.
4. Students **must** adhere to the Acceptable Use Policy.
5. In the event that students forget their Chromebook at home, they may borrow one from the school library; however it must be returned to the school library the same day that it is borrowed.

Sussex Academy is not responsible for loss, theft, or damage to students' personal property, and administration will not investigate lost or stolen cell phones. If a student brings their cell phone to school, it is highly recommended that it be kept locked in the student's locker during school hours.

## Acceptable Use Policy for All Students of Sussex Academy

The purpose of Sussex Academy computer network is to promote the exchange of information to further education and research and is consistent with the mission of Sussex Academy.

Access to Sussex Academy computers and the associated school network is a privilege—not a right. If a user violates any of the acceptable use provisions outlined in this document, future access will be denied. Some violations may also constitute a criminal offense and may result in legal action. Any user violating these provisions, applicable state and federal laws, or posted classroom and school policies is subject to loss of access privileges and any other Sussex Academy disciplinary options.

1. Use must be in support of education and research consistent with Sussex Academy policies and curriculum standards.
2. The school network is not for private or commercial business use, political, or religious purposes.
3. Any use of the school network for illegal activity is prohibited.

4. Use of the school network to access obscene or pornographic material is prohibited.
5. Sending material likely to be offensive or objectionable is prohibited.
6. Destruction or vandalism of technology equipment is prohibited.
7. Unauthorized installation of copyrighted software or files for use on school computers is prohibited.
8. No commercial/shareware/freeware software of any kind will be installed or downloaded to any Sussex Academy computer unless first approved by the Technology Coordinator.
9. Email cannot be used for private or commercial offerings of products or services for sale or to solicit products or services.
10. Email cannot be used for political or religious purposes.
11. Network storage areas may be treated like school lockers. Network administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on school computers will be private.

#### **My Responsibilities and Acknowledgements as a School Network User**

1. I will respect the rights and property of others and will not improperly access, misappropriate or misuse the files, data, or information of others.
2. I will adhere to all copyright laws.
3. I will protect all school technology equipment from potentially damaging substances such as food, drink, and gum.
4. I will not share my account with anyone or leave the account open or unattended.
5. I will keep all accounts and passwords confidential and not accessible to others.
6. I will change passwords regularly using combinations of letters and numbers avoiding standard English words and names.
7. I am responsible for making back-up copies of documents critical to me.
8. I will take precautions to prevent viruses on all school computer equipment.
9. I understand that email communications are not considered private communications and can be reviewed by the school to ensure that email is being used in accordance with the requirements of this policy.
10. I will only use my account credentials to sign into my Chromebook or any school device.
11. I agree to not deface or destroy my Chromebook or other school device in any way.

Interpretation, application, and modification of this Acceptable Use Policy are within the sole discretion of Sussex Academy. Any questions or issues regarding this policy should be directed to Sussex Academy Administration. All appropriate Sussex Academy Policies are applicable to technology equipment and use. If a parent/guardian elects to prohibit access to the Internet by his/her student(s), the parent/guardian must notify school Administration in writing.

# 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 and Sussex Academy Policy, Guidelines, and Regulations. These violations are examples of those acts that disrupt the school environment and the instructional process.

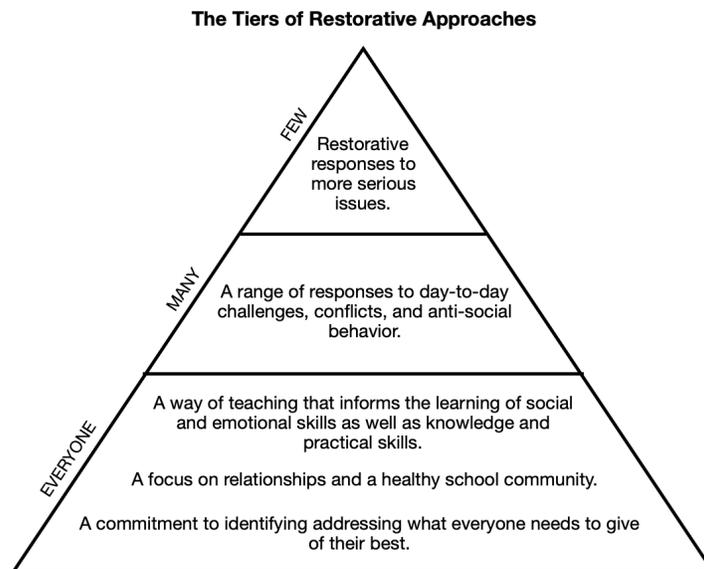
The aim of this chapter is to provide school personnel, parents, students, and the community with a clear understanding of these behaviors and the related administrative responses. The list is not all-inclusive and a student committing an act of misconduct that has not been listed will still be subject to administrative response.

The following section lists and defines behavioral expectations, lack of compliance with behavioral expectations, and administrative guidelines for interventions and consequences. Administration will conduct such an investigation as is reasonable under the circumstances to confirm that the charged offense has in fact been committed.

Sussex Academy employs restorative practices as both a response and to proactively support a healthy school climate. A restorative approach, as described below, is intended to strengthen existing school support systems and family involvement.

## Restorative Approaches and Practices

The restorative approach (inspired by the indigenous philosophy and practices of restorative justice) is all about making, maintaining, and, when things go wrong, repairing relationships. Restorative practices are based on respect for everybody involved in any given event or situation, and are both responsive and preventive. Restorative approaches and practices involve giving everyone a voice, valuing everyone’s unique perspective, considering everybody’s thoughts, feelings, and needs, and believing in people’s ability to find solutions to problems by working together. Learning and teaching are more robust and engaging when healthy relationships are prioritized and *everyone* feels seen, heard, and respected..



The most commonly and widely used restorative practice is the Circle. This is because Circle Process employs all of the essential components of the restorative approach: **attentive listening, honest and thoughtful speech, a slower pace, and an egalitarian dynamic where everyone has an equal chance to participate and contribute.** Restorative practices also align with the following important concepts:

- The ‘whole-child’ approach
- The importance of relationships in development and learning
- Conflict Resolution Education (CRE) and Peer Mediation
- Trauma-sensitivity
- Cultural sensitivity, awareness, and appreciation
- Mindfulness practice

## Harm Repair

Interpersonal conflict will be handled restoratively, beginning with one-on-one conversations with all affected parties, where everyone gets the opportunity to tell their unedited side of the story. If a group dialogue is determined to be safe and there is universal consent, the next step is to have a larger conversation with all affected parties present. The goal of this meeting is for everyone to have a chance to speak and be heard, and to collaboratively develop “agreements”—standards of behavior that each participant is accountable for that will allow all to move forward and coexist peacefully.

## Learning Circles

Rather than immediately implement traditional punitive measures such as in-school suspensions and detentions, students who have been referred for behavioral reasons will participate in learning and recovery circles. These circles may be student-led with adult oversight, and will be based on topics related to healthy relationships, conflict resolution strategies, self-discipline, and accountability.

## Teacher Team & Family Concerns

Whether academic or behavioral, concerns of a teacher team and/or the student’s family a collaborative meeting may be requested. This meeting will serve the purpose of connecting school personnel and families, identifying the student’s individual strengths and challenges, and developing a plan that will help the student thrive as well as hold them and all relevant stakeholders accountable both at school and at home.

Please send questions to Sussex Academy’s K-12 Restorative Practices Coordinator:

Julia Byrem  
[julia.byrem@saas.k12.de.us](mailto:julia.byrem@saas.k12.de.us)  
(302) 856-3636

## Behavior and Discipline Policies, Responses and Interventions

Students have a responsibility to contribute to a healthy school environment by knowing and respecting Sussex Academy and State guidelines and regulations. Behavioral expectations of students include but are not limited to the following:

1. Attend all classes daily and on time
2. Are prepared for class assignments and activities
3. Come to class with appropriate working materials
4. Respect all persons and property
5. Refrain from abusive language and/or inflammatory actions
6. Conduct themselves in a safe and responsible manner
7. Are responsible for their own work
8. Abide by the rules and regulations set forth by the school, school personnel, and the student’s peer community

### Levels of Occurrence and Intervention

**Level 1:** These events are handled in the moment with a restorative dialogue between student and the staff or faculty member reporting. The occurrence is considered resolved at the time of documentation, and classified as “FYI.” School-to-home communication by the reporting staff or faculty member is required at the time of reporting, and can be by email or a phone call.

**Level 2:** These occurrences are referred to Administration by the staff or faculty member reporting. The occurrence is classified as a “Referral.” These events can include, but are not limited to, disruptive behavior, disrespect to staff, and inappropriate language. The options for response can include, but are not limited to, small group dialogues to process and repair harm, one-to-one restorative dialogues, and low-level mediations. Further behavioral responses and interventions may be appropriate depending on the behavior and past restorative interventions. This could include time out of the classroom for partial day, half day, or full day. Information regarding the incident will be communicated by the reporting staff member. Results of an investigation and next steps or further responses will be communicated by Administration. School-to-home communication by reporting staff or faculty member is required at the time of report, and must be a phone call. Follow up through email is acceptable.

**Level 3:** These events are more serious and require a higher level of intervention, such as harm repair conferencing, higher level mediations and formal disciplinary actions. These events can include crimes or multiple offenses. Any incident that requires removal from school may be processed restoratively and in line with any associated adjudication processes. When appropriate, students may have an opportunity to have a talking circle with peers before leaving and upon reentry. A formal reentry conference requires participation from all significant stakeholders and affected parties.

**Level 4:** See the *Due Process Procedures* section of this Handbook.

Behavior	Possible Levels of Intervention			
	1	2	3	4
Abusive or inappropriate language	✓	✓	✓	

Acceptable Use Policy violation	✓	✓	✓	✓
Alcohol possession & use			✓	✓
Assault III			✓	✓
Attorney General Report			✓	✓
Bomb threats			✓	✓
Bullying	✓	✓	✓	✓
Bus violation(s)	✓	✓	✓	
Criminal mischief (vandalism)		✓	✓	✓
Defiance of school authority	✓	✓	✓	✓
Disruption of the educational process	✓	✓	✓	
Drug paraphernalia			✓	✓
Failure to return school laptop / Chromebook	✓	✓		
Failure to provide identification when requested	✓	✓		
Failure to report for disciplinary action	✓	✓	✓	
Felony theft (> \$1000)			✓	✓
Fighting / Disorderly conduct			✓	✓
Fire alarm incident			✓	✓
Gambling		✓	✓	✓
Improper use of free or reduced lunch card		✓	✓	✓

Inappropriate behavior	✓	✓	✓	
Inhalants		✓	✓	✓
Leaving school grounds without permission		✓	✓	✓
Loitering	✓	✓	✓	✓
Offensive touching - Employee victim		✓	✓	✓
Offensive touching - Student victim		✓	✓	✓
Pornography (possession & production)		✓	✓	✓
Prohibited controlled substances (possession & use)		✓	✓	✓
Sexual harrassment - Employee victim		✓	✓	✓
Sexual harrassment - Student victim		✓	✓	✓
Social distancing / Mask violations	✓			
Stealing	✓	✓	✓	✓
Tampering with public records		✓	✓	✓
Terroristic threatening - Employee victim			✓	✓
Terroristic threatening - Student victim			✓	✓
Tobacco (possession and use)		✓	✓	✓
Trespassing		✓	✓	✓
Unexcused absence / Truancy	✓	✓	✓	✓
Unexcused Tardy	✓	✓	✓	

Unlawful sexual contact III		✓	✓	✓
Unsafe driving	✓	✓	✓	✓
Unsafe item(s)	✓	✓	✓	✓
Violent felony		✓	✓	✓
Weapons offense		✓	✓	✓

## Interventions and Responses - Administrative Guidelines

Sussex Academy believes in creating a healthy school climate, both socially and academically. Sussex Academy's approach emphasizes proactive and preventive strategies for supporting and teaching appropriate behaviors. Behavioral supports and interventions are implemented using a four-tiered approach. The student supports and interventions are to be used in a proactive and preventive nature and can be used to support students after a behavior violation has occurred to help prevent future occurrences.

A major consideration of the Student Code of Conduct is to identify appropriate interventions and responses resulting in student accountability and improved behavior. While administrative personnel bear the major responsibility for effectively carrying out the discipline policies, all staff play a vital role in resolving problems influencing student behavior.

Administration will choose one or more responses at the corresponding level. The lowest available level should be considered first, followed by progressively more intensive responses, based on severity, age, and repetition of behavior.

## Medications

Prescription medications should not be in the possession of any student at school. If a student is required to take a prescription medication at school, it should be brought to (and taken from) the school nurse by a parent or guardian and left with the school nurse. If a student is found to be in possession of a medicine prescribed to that student and in its original labeled container the following steps will be taken:

1. The parent will be contacted.
2. The student will receive a written warning requiring the parent's signature.
3. The medication will be confiscated and given to the school nurse.
4. Second and subsequent violations of this medication policy will be treated as Defiance of School Authority.

The possession of a prescription medication that is either not prescribed to the student who possesses it or is not in its original, labeled container may be treated as the possession of an illegal drug.

# School-wide Student Services

## Health Services and School Nurse

### School Nurse

The duty of the nurse is to promote and maintain the health and safety of the school community including classroom teaching and direct intervention in emergencies, illnesses, communicable diseases, and other health problems. Additionally, the nurse maintains current immunization and health records. The school nurse coordinates resources of the school and community in maintaining student health.

### Illness or Injury During School

If a student becomes ill while in school, he/she should request a pass from the teacher to report to the nurse who will evaluate the child and determine next steps. Students must not leave the building without authorization due to illness. If the nurse is not in, students are to report to the office.

All injuries should be reported to the school nurse. If the nurse determines that further medical treatment is required, every attempt will be made to contact a parent or guardian to inform of the nature and seriousness of the injury. If unable to reach parent/guardian, the back-up contacts, who were listed on the emergency treatment card, will be called.

### Administration of Medication

During school hours prescription drugs shall be stored and taken only in the nurse's office for student safety. All prescription medications sent to school must be in the original container labeled with the correct medication, name, dose, time, and date. Controlled medications must be brought to the nurse's office by a responsible adult and NOT sent with the child. Parents/guardians must sign a permission form for the nurse to administer medication in school. Some medications will also require an action plan from the ordering physician. The school nurse will keep a record of all medications given.

Non-prescription medication will be administered only after receiving signed consent by parents/guardians. The consent form lists medications provided by the nurse. Parents should send medications from home for frequent problems (migraines, menstrual cramps, etc.)

### Delaware Immunization Regulations

Delaware law requires all students entering a school system to provide proof of immunizations. The Delaware Department of Education collaborates with the Delaware Division of Public Health to establish mandatory immunization requirements based on guidelines from the Centers for Disease Control and Prevention (CDC).

Delaware required immunizations:

- Five or more doses of DTaP or DTP Td vaccine (unless 4th dose was given after the 4th birthday)
- Four doses of IPV or OPV (unless 3rd dose was given after the 4th birthday)
- Three doses of Hepatitis B vaccine

- Two doses of Measles, Mumps and Rubella vaccine
- Two doses of Varicella or a written disease history by a licensed healthcare provider
- In August 2016, entering 9th Graders must additionally have 1 dose Tdap (adult booster) and 1 dose meningococcal

Delaware allows two exemptions to immunizations:

- Medical Exemptions
- Religious Exemptions- must be submitted on the Delaware Affidavit of Religious Belief and must be notarized

## Delaware Tuberculosis Regulations

Delaware requires tuberculosis (TB) screening for all students entering a public school. Anyone with a positive screening is required to have a follow-up medical assessment.

Tuberculosis Screening Requirements for Students- TB risk assessment, skin test (Mantoux), or other approved testing, such as blood test, administered within the past 12 months prior to school entry

## Health Examinations and Screenings

Delaware requires all students to have periodic health screenings provided by the school and two health examinations.

### Health Screenings

Vision and hearing screenings are provided by the school nurse for students in kindergarten and in grades 2, 4, 7 and 9 (or 10). Screenings are completed by January 15 of each year. Screening is additionally provided to students who are new enterers, referred by a teacher or administrator, or are considered for special education services. Postural and Gait screening is provided by the school nurse for students in grades 5 through 9. On-site follow-up by a Physical Therapist is offered to schools to determine if further referral is needed from the Postural and Gait screening.

### Health Examinations

All students entering a public school for the first time and students entering Grade 9 must provide documentation of a health examination within thirty days after entry. The examination must be current (completed within two years of entry) and conducted by a currently licensed physician, advanced practice nurse, nurse practitioner, or physician's assistant. Acceptable forms are:

[Delaware School Health Examination Forms - Children Grades PreK - 6](#)

[Delaware School Health Examination Forms - Adolescent Grades 7 - 12](#)

[DIAA Medical Forms](#)

An alternate form may be accepted if it includes, at a minimum: health history, immunizations, results on medical testing and screenings, medical diagnoses, prescribed medications and treatments, and healthcare plans.

### Lead Testing

Regulation [815 Health Examinations and Screening](#) state that children who enter school at kindergarten or at age 5 or prior, shall be required to prove lead screening per 16 Del.C. Ch.26 ([Childhood Lead Poisoning Prevention Act](#)).

For children enrolled in kindergarten, documentation of lead screening shall be provided within sixty (60) calendar days of the date of enrollment. Failure to provide the required documentation shall result in the child's exclusion from school until the documentation is provided. Exemption from this requirement may be granted for religious exemptions, per 17 Del.C. 2603. Delaware has a [Lead Poisoning Prevention Program](#) that follows [Centers for Disease Control and Prevention \(CDC\) guidelines](#).

### **Reasons Students Should Remain out of School**

- Fever of 100.4 or above. Child should be fever free without use of fever-reducing medication for 24 hours before returning to school.
- Vomiting and/or diarrhea with or without fever. Child should be free from vomiting/diarrhea for 24 hours before returning to school.
- Any rash of unknown cause until cleared by healthcare provider.
- Persistent coughing or difficulty breathing with or without fever.
- Yellow/green nasal or eye drainage.
- Severe pain.

Please contact your child's primary healthcare provider for medical concerns.

## **Counseling & Behavioral Support Staff**

### **School Counselor—Elementary School (Grades K-5)**

Juliane Hein  
[juliane.hein@saas.k12.de.us](mailto:juliane.hein@saas.k12.de.us)  
(302) 856-3300

### **School Counselor—Grades 6-9**

Stacey Alinkoff  
[stacey.alinkoff@saas.k12.de.us](mailto:stacey.alinkoff@saas.k12.de.us)  
(302) 856-3636

### **School Counselor—Grades 10-12**

Scott Cleaver  
[scott.cleaver@saas.k12.de.us](mailto:scott.cleaver@saas.k12.de.us)  
(302) 856-3636

### **MTSS Coordinator (Grades K-12)**

Alyson Silva  
[alyson.silva@saas.k12.de.us](mailto:alyson.silva@saas.k12.de.us)  
(302) 856-3636

### **Restorative Practices Coordinator (Grades K-12)**

Julia Byrem  
[julia.byrem@saas.k12.de.us](mailto:julia.byrem@saas.k12.de.us)  
(302) 856-3636

## Sussex Academy Multi-Tiered System of Supports (MTSS)

In the interest of creating and maintaining a positive school climate, Sussex Academy uses a Multi-Tiered System of Supports (MTSS) that emphasizes proactive and preventive strategies that define, support, and teach positive social and academic behaviors. MTSS is a whole-school, data driven, and prevention-based framework intended to improve learning outcomes for each and every student. Maintaining and changing student behaviors involves a continuum of acknowledgements, supports, and interventions. Through MTSS, our school develops a positive school climate with tiered interventions that address the growth of the whole child (*Center for Positive Behavior Intervention Supports, University of Connecticut*). Sussex Academy is committed to providing prevention and intervention support for the social, emotional, and behavioral well-being of all students.

Sussex Academy is committed to teaching students how to engage, connect, and succeed in their school community.

### The MTSS framework consists of three tiers:

#### Tier 1

*High-quality instruction and supplemental support, plus positive school-wide climate and social emotional learning, occurs for all students.*

#### Academics:

- Student instruction utilizes the high-leverage strategies identified in Literacy and Math Instructional Guidelines
- Support groups are developed based on data to address gaps in learning
- Students on grade-level receive enrichment support to maintain/exceed grade-level expectations
- Scaffolding of content, processes, and products occurs based on student's needs
- Universal screening for literacy and math at all grade levels occur at minimum of 3x per year (MAP Growth)
- Analysis of universal screener data occurs within one week of screening to determine students in need
- Students at risk for a learning gap experience reteaching of essential standards

#### Social-Emotional/Behavioral:

- Schoolwide climate programs emphasize clear behavioral expectations and positive reinforcement
- Classroom teachers implement strategies to build a classroom community and increase students' sense of belonging
- Daily community meetings are implemented at all grade levels
- Social emotional skills are taught explicitly, and multiple opportunities for practice and engagement with these
- skills are provided each day
- Restorative practices are used to address minor behavior infractions
- Universal screening for emotional/behavioral risk occurs a minimum of 3x per year at all grade levels

#### Attendance:

- Supported by positive school climate, engaging instruction, and school-wide expectations surrounding on-time attendance
- Attendance initiatives are layered into Tier 1 approaches as part of school's strategic plan
- Use of data to inform which subgroups of students need support with improving daily attendance
- Strategies include high quality consistent family engagement and strong relationships between teachers and students

## Tier 2

*High-quality instruction, supplemental support, and a Tier 2 intervention occur for some students*

Academic:

- Students are not on grade-level based on target % according to universal screener (MAP Growth); and a learning gap exists
- Students receive support with Tier 2 supplemental adaptive programs that enhance but do not supplant the core curriculum
- Students receive Tier 2 intervention that directly targets a skill deficit, or specific learning need in order to decrease learning gap
- Targeted instruction for struggling students is received during electives or designated intervention periods several times per week for each area of need
- Small group instruction occurs with 6-8 students at least 3x per week
- Progress monitoring occurs to show student growth in response to the intervention and a decrease in a learning gap
- Progress monitoring assesses academic performance, to quantify a rate of improvement or responsiveness to instruction, and to evaluate the effectiveness of the intervention

Social-Emotional/Behavioral:

- Students are not responding to Tier 1 Social-Emotional/Behavioral programming and data from the universal programming and data from the universal screening and or the teacher completed Behavioral Referral Form indicating needs for additional supports
- Students receive evidence-based Tier 2 intervention that targets the identified deficit and/or the skill areas that need to be strengthened
- Tier 2 intervention occurs for 8 weeks
- During the 8 week intervention period, progress monitoring occurs to assess how students are responding to the intervention. The progress monitoring data is used to make adjustments to specific interventions within Tier 2 and to determine when students have made progress and can move to Tier 1
- Fidelity and implementation of the intervention is assessed to ensure that students receive the evidence-based interventions as designed

Attendance:

- Students that are exhibiting attendance concerns are identified for Tier 2 supports via ongoing data monitoring
- At a student attendance improvement conference, a student attendance plan is created to remove identified barriers to regular attendance
- At the meeting, all parties both external partners and internal staff are included and the conference is held, even if parents/guardians are unable to attend the conference
- The attendance team or designee must progress monitor the student's attendance to ascertain if the barriers that were identified at the conference are being addressed and the student's attendance is improving as a result

## Tier 3

*High-quality instruction, supplemental support, and a Tier 3 intervention for a few students*

Academic:

- Students are not on grade-level based on target % according to MAP Growth; a significant learning gap exists

- Instruction and intervention target a student’s specific learning needs
- Students receive daily individualized and tailored instruction targeted for deficits with a focus on academic-level mastery with acceleration into grade-level mastery
- Small group instruction occurs with 1-3 students; duration and frequency of Tier 3 interventions increase with lowering the student-teacher ratio
- Tier 3 interventions are different from Tier 1 and 2 interventions, especially if a student has not made progress toward Tier 2
- Progress monitoring occurs to show student growth and response to interventions with closely monitored data points for gradual improvement of progress toward Tier 2
- Frequent monitoring and fidelity of implementation of the intervention occurs weekly to ensure advancement into grade-level materials

Social-Emotional/Behavioral:

- Students are not responding to Tier 1 and 2 Social-Emotional/ Behavioral supports as identified by behavioral feral form, universal screening, and progress monitoring
- Social-Emotional/ Behavioral supports are targeted to students’ specific needs
- Supports are implemented to both individual and group format depending on individualized needs of student
- Tier 3 interventions often involves a community-based mental/behavioral health agency that provides support in school, home, and community as determined by the agency's assessment
- Progress monitoring occurs on a routine weekly basis to determine how the student is responding to the intervention. This data is used to make adjustments to specific interventions within this tier and to determine when students have made progress and can step down to a lower tier

Attendance:

- After progress monitoring, if a student's attendance does not improve and 10 or more unexcused absences occur, the student may be referred to truancy court
- The case will first be heard in Regional Truancy Court. If the student’s attendance does not improve as a result of that intervention the hearing officer may refer the case to Family Court
- The truancy provider will be assigned to the family early on in the process

Please send questions to Sussex Academy’s K-12 MTSS Coordinator:

Alyson Silva  
[alyson.silva@saas.k12.de.us](mailto:alyson.silva@saas.k12.de.us)  
 (302) 856-3636

# Transgender and Gender-Diverse Students

## Policy Statement

The programs, activities, and employment practices of Sussex Academy must be free from discrimination based on sex, sexual orientation, or gender identity.

Accordingly, this policy is intended to articulate the mandate of the school to create a culture in which transgender and gender-diverse students feel safe, supported, and fully included, and to provide equal educational opportunities for all students. In all cases, the goal is to ensure the safety, comfort, and healthy development of the transgender or gender-diverse student while maximizing the student's social integration and minimizing stigmatization.

Sussex Academy recognizes that students have a choice as to whether to make public or keep private their transgender status or gender-diverse presentation at school, and that it is the right of that student to have their choice respected. Further, transgender and gender-diverse students will receive the same opportunities to participate fully in the continuum of their immersive educational experience at Sussex Academy. These opportunities include, but are not limited to, access to the curriculum, social events, clubs, athletic participation, and all other basic curricular and extracurricular activities as enjoyed by all students.

### A. Confidential Information

Information about a student's transgender status, legal name, or gender assigned at birth may constitute confidential information. School personnel will not disclose information that may reveal a student's transgender status or gender-diverse presentation to others, including other students, and other school personnel, unless legally required to do so or unless the student has authorized such disclosure.

### B. Information Sharing

Transgender and gender-diverse students have the right to discuss and express their gender identity openly and to decide when, with whom, and how much to share private information. When contacting the parent or guardian of a transgender or gender-diverse student, school personnel should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth unless the student, parent, and/or guardian has specified otherwise.

### C. Official Records

The school is required to maintain a mandatory permanent pupil record ("official record") that includes a student's legal name and gender assigned at birth; however, the school is not required to use a student's legal name and gender assigned at birth on other school records or documents. The school will change a student's official record to reflect a change in legal name or gender upon receipt of proper documentation that such change has been made in accordance with applicable law. In situations where school staff or administrators are required by law to use or to report a transgender or gender-diverse student's legal name or gender

assigned at birth, school staff and administrators will adopt practices to avoid the inadvertent disclosure of such confidential information.

#### **D. Names and Pronouns**

A student has the right to be addressed by a name and pronoun that corresponds to the student's gender identity as asserted at school. A court-ordered name or gender change is not required, and the student need not change their official records.

#### **E. Gender-Segregated Activities**

In situations where students are segregated by gender (e.g., health education classes), a transgender or gender-diverse student will have the right to be included in the group that corresponds to the student's gender identity as asserted at school.

#### **F. Restroom Accessibility**

A transgender or gender-diverse student will be provided access to a gender-neutral, single stall restroom, the School Nurse's restroom, or another location that confers privacy, but no student will be required to use such a location.

#### **G. Locker Room Accessibility**

Any student who has a need or desire for increased privacy will be provided with a reasonable alternative arrangement such as the use of the Nurse's Office or alternate location. Any alternative arrangement should be provided in a way that protects the student's ability to keep the student's transgender or gender-diverse status confidential. A transgender or gender-diverse student will not be required to use a locker room that conflicts with the student's gender identity consistently asserted at school.

Resource: [Presidential Documents](#)

#### **H. Physical Education Class**

A transgender or gender-diverse student will be permitted to participate in physical education class in a manner consistent with the student's gender identity consistently asserted at school. Participation will not be conditioned by requiring legal or medical documentation.

#### **I. Clothing**

A transgender or gender-diverse student has the right to dress in a manner consistent with the student's gender identity or gender expression within the restrictions of the Sussex Academy Dress Code and Uniform Policy.

#### **J. Discrimination/Harassment/Bullying**

Complaints alleging discrimination or harassment based on a student's actual or perceived transgender status or gender diversity are to be handled in the same manner as all other discrimination, harassment, or bullying complaints.

## References

SB 97, 147th General Assembly. <https://legis.delaware.gov/BillDetail?legislationId=23264>

DIAA Manual on High School Interscholastic Athletics, Policy 5.1.4.1.  
<https://regulations.delaware.gov/AdminCode/title14/1000/1009.shtml>

FAQs Concerning 1009 DIAA High School Interscholastic Athletics  
<https://www.doe.k12.de.us/cms/lib/DE01922744/Centricity/Domain/348/FAQs%201009%204-23-19.pdf>

New Jersey School Boards Association, "Gender Identity and School Law." Volume 46, Issue 3.  
<https://www.njsba.org/news%20publications/school-leader/novemberdecember-2015-volume-46-%203/gender-identity-and-school-law/>

GLSEN. "Model Local Education Agency Policy on Transgender and Non-binary Students."  
<https://www.glsen.org/article/transgender-model-district%20policy>

U.S. Department of Education. "Examples of Policies and Emerging Practices for Supporting Transgender Students"  
<https://www2.ed.gov/about/offices/list/oese/osh/emergingpractices.pdf>

National School Boards Association "Transgender Students in Schools"  
<https://www.nsba.org/nsba-faqs-transgender-students-schools>

Delaware Regulations: Administrative Code: Title 143: 1000, 1099 DIAA High School Interscholastic Athletics, 5.1.4.1.

# Bullying Policy Statement

Sussex Academy recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. The School strives to provide safe learning environments for all students and all employees. In order to accomplish that goal, the School requires a Bullying Prevention and Response Policy which meets the requirements of 14 DEL C. 4112D as well as the physical and emotional needs of each and every one of our students.

Sussex Academy hereby prohibits the bullying of any person on school property or 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 from grades Kindergarten through 12. In addition, cyberbullying (as defined herein) is prohibited by students directed at other students. Incidents of cyberbullying will be treated in the same manner as incidents of bullying. The School further prohibits reprisal, retaliation, or false accusation against a target, witness, or one with reliable information about an act of bullying.

## Definitions of Bullying and Cyberbullying

As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or school employee that a reasonable person, under the circumstances, should know will have the effect of:

1. Placing a student, school volunteer or school employee in reasonable fear of substantial harm to his or her emotional or physical well-being or substantial damage to his or her property; or
2. Creating a hostile, threatening, humiliating, or abusive educational environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target; or
3. Interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits; or
4. Perpetuating bullying by inciting, soliciting, or coercing an individual or group to demean, dehumanize, embarrass, or cause emotional, psychological, or physical harm to another student, school volunteer, or school employee.
5. As used in this policy, cyberbullying means the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which (1) interferes with a student's physical well-being; or (2) is threatening or intimidating; or (3) is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the educational programs of the school. Communication will be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group, or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.
6. The place of origin of speech otherwise constituting cyberbullying is not material to whether it is considered cyberbullying under this policy, nor is the use of school materials.

## Reporting Requirements and Procedures

Any school employee who has reliable information that would lead a reasonable person to suspect that a person is a target of bullying will immediately report it via email to **both** the Dean of Students (Matt Keen) **and** the Restorative Practices Coordinator (Julia Byrem).

A student and parent, guardian, relative caregiver, or legal guardian will follow the procedures listed below to provide information on bullying activity:

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 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. Letter boxes will be placed in locations so that students who feel unable to talk directly with staff can have a point of contact. Information found in the box will be treated with care and the Dean of Students or designated school personnel will be responsible for this information.
4. Written complaints will be reasonably specific as to actions giving rise to the complaint and should include information as to:
  - a. Conduct involved;
  - b. Persons involved, designated bully, target, and bystanders' roles;
  - c. Time and place of the conduct alleged, number of incidents;
  - d. Names of potential student or staff witnesses; and
  - e. Any actions taken in response.
5. A system will be established whereby students can submit anonymous complaints of bullying that only designated persons will have access to. Any person may also submit a bullying complaint by contacting the Delaware Attorney General's Office Ombudsman hotline number.
6. Anyone may report bullying and a report may be made to any staff member. Staff members should encourage that reports of bullying be made in writing.
7. The Dean of Students or designee will be responsible for responding to bullying complaints.
8. Every identified complainant who files a written complaint with a staff member will receive an explanation of results to the extent that it is legally allowed and will be given an opportunity to inform the designated person as to whether or not the outcome was satisfactory.
9. Every confirmed bullying incident will be recorded in eSchool, which will provide a central record for designated staff to read. This record will give an indication of patterns which may emerge of both bullies and victims.

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

## **Investigative Procedures**

The school is required to have a procedure for the administration to promptly investigate in a timely manner and determine whether bullying has occurred and that such procedure include investigation of such instances, including a determination of whether the target of the bullying was targeted or reports being targeted wholly or in part due to the target's race, age, marital status, creed, religion, color, sex, disability, sexual orientation, gender

identity or expression, or national origin. This does not preclude the school from identifying other reasons or criteria why a person is a target of bullying.

1. All complaints will be appropriately investigated and handled consistent with due process requirements.
2. Neither complainant nor witnesses will be promised confidentiality at the onset of an investigation; 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 bullying from several sources. 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, the designated person will review the complaint in conjunction with any other related complaints, and 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 conduct interviews separately and in rapid succession.
5. After identifying those who committed the act or acts of bullying, the administrator will apply the appropriate disciplinary response. The bully will be informed that graduating consequences will occur if the bullying continues.
6. The administrator will keep a written record of the bullying incident and any disciplinary actions taken, as well as a record of any written statements of those committing the bullying, victims, and witnesses. Discussions with all parties will 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.
7. A follow-up will be completed two weeks after an incident 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 bullying allegation as well as confirmed incident will be recorded in eSchool.

All reported incidents of bullying, regardless of whether the school could substantiate the incident, must be reported to the Department of Education by the Head of School or designee within five (5) working days pursuant to Department of Education regulations.

The school administration 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.

A monthly report of the number of allegations as well as substantiated cases of bullying will be submitted to Administration for review.

## **Notice to Parents**

A parent, guardian, relative caregiver, or legal guardian of any target of bullying or person who bullies another will be notified pursuant to 14 DEL C 202(f.) The date and time of this contact as well as who made the contact must be documented in eSchool.

The school will use the state-approved form for notification to the parent, relative caregiver, or legal guardian of the name and contact for the Department of Justice School Ombudsperson Contact Information

## **Retaliation**

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

## **Implementation**

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

## **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 and to the appropriate person or persons using the procedures specified in the school bullying prevention policy and this Administrative Memorandum, but there will be no such immunity if the act of reporting constituted gross negligence and/or reckless, willful, or intentional conduct.

## **Other Defenses**

- A. The physical location or time of access of a technology-related incident is not a valid defense in any disciplinary action by the school initiated under this policy provided there is sufficient school nexus.
- B. This section does not apply to any person who uses data or computer software 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 policy.

## **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 will prevent school officials from fulfilling all of the reporting requirements of § 4112, Title 14 of the Delaware Code, or from reporting probable crimes that occur on school property or at a school function which are not required to be reported under that section. Nothing in this section will 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. Questions regarding specific incidents and reporting requirements should be directed to the Supervisor of Public Safety and/or the schools assigned School Resource Officer.

## **School Ombudsman Information**

The telephone number of the Department of Justice School Ombudsman will be provided in writing to parents, students, faculty and staff; and will be on the school's website. The contact information will also be prominently displayed in the school.

This is in keeping with the creation of different avenues for parents, students, and staff members to effectively report incidents of bullying in a timely and efficient manner.

## **General Electronic Mediums Relevant to Cyberbullying**

The school will provide a list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings. Postings on Facebook, Twitter, MySpace, YouTube, SnapChat, Twitter, Instagram, KiK and Pinterest will, at minimum, be included in the list of mediums where posting of speech will be presumed to be available to a broad audience within the school community, regardless of privacy settings or other limitations on those postings.

This list is NOT considered exclusive and any social media outlet which allows for communications that may be viewed by the intended victim will be considered as an electronic medium for the purposes of enforcing the electronic bullying aspects of this policy. Internet sites such as "blogs" which may be created or used by individuals for the specific purpose of bullying as defined above will also be treated in the same manner as other publicly accessible internet portals.

## **Regulatory Compliance**

Implementation of this policy will comply with all rules and regulations the Delaware Department of Education may promulgate to implement Title 14 Section 4112D of the Delaware Code.

## **Questions**

Questions about the information contained in this Administrative Memorandum should be directed to the Dean of Students.

## **References**

14 Del. C. §§1605(7)(a,b), 4112D  
16 Del. C. §§903-904  
14 Del. Admin. C. §624  
Family Education Rights and Privacy Act (FERPA)

Health Insurance Portability and Accountability Act (HIPAA)

# School Constable

Sussex Academy is staffed by a school constable, who responds to calls and provides other services to our students, faculty and community:

- Responds to emergencies and investigates reports of crimes that occur on school property.
- Supports the school discipline and counseling teams only when those individuals have already been involved in de-escalating a crisis situation. Constables should be the last person called and only then if the school team is unable to stabilize the situation.
  - The Constable should not be a first responder or involved prior to the school discipline and counseling team unless the crisis surpasses the ability of the school team and falls solely under the job duties of the Constable.
- Is responsible for all on-campus driving and parking concerns or issues.

Sussex Academy is required by State law or regulation to report certain student conduct to the appropriate Police Agency. School officials are responsible for the safety of students and the security of the school property. School officials will promptly report to the appropriate police agency all police matters that come to their attention. Incidents should be reported that occur in the school environment, including incidents that occur on or in connection with school buses. Additionally, evidence of those crimes which have occurred off school property but which come to the attention of school authorities will be reported.

Delaware Code requires mandatory reporting of offenses listed in DE Code Title 14, Chapter 41, Section 4112. School officials who have reliable information that would lead a reasonable person to believe one of the following has occurred on school property or at a school function must immediately report the incident to school administration.

- Student, school volunteer, or school employee has been the victim of a violent felony, assault III, unlawful sexual contact III; or
- School employee has been the victim of an offensive touching, terroristic threatening; or
- Student under 18 has been the victim of sexual harassment, as defined under Title 11 of the Delaware Code; or
- Person on school property has drugs, weapons, bombs or dangerous instruments.

The Head of School or designee will make every effort to notify the parent(s)/guardian(s) and will conduct a thorough investigation. If the investigation finds good reason that a crime has been committed, there will be an immediate report to the police for any violent felony, drugs, weapon, bomb, or dangerous instrument, and within three (3) days report for any crime listed under 4112. Reporting to police is not required for a misdemeanor committed by an offender under the age of 12. The following list is not all inclusive, but at a minimum, the following should be reported to law enforcement or the Department of Education.

- Assault and extortion against a pupil, or an assault, offensive touching, terroristic threatening or extortion against a school employee.
- Crimes that rise to felony level: reckless endangering, assault offenses, homicide, arson, criminal mischief, bombs, robbery, rape, extortion, fraud, forgery, weapons, etc.
- Laws controlling controlled substances and alcohol

- Incest, sexual abuse, or the neglect or abuse of children.
- Use, possession, or sale of dangerous instruments or deadly weapons, (e.g. Knives, firearms, ammunition, explosives).
- Possession or production of pornography
- Offenses involving school property: false alarms, telephone threats, computer crimes, criminal mischief, theft of school equipment or property, reckless driving, safety hazards.
- Theft of school or personal property of school personnel.
- Evidence of bullying.

# Due Process Procedures

## Preliminary Discipline Investigation & Reporting Requirements

### Investigatory Procedures & Timeline

- In any instance when student Disciplinary Action which may result in removal of the student out of the Regular School Program for one day or more is contemplated, Administration will conduct a preliminary investigation to determine if there is reasonable basis to pursue Disciplinary Action.
  - The Head of School or designee may remove the allegedly offending student from the general student population while conducting the preliminary investigation if the student's presence in the School Environment poses a threat to the health, safety, or welfare to persons or property within the School Environment, as determined by the Head of School or designee. Initial due process will be provided.
  - When obtaining written statements from witnesses, reasonable efforts may be made to notify the Parent of each witness.
  - Reasonable efforts will be made to include the allegedly offending student or Parent in the preliminary investigation.
- The investigation will be completed within three (3) school days of the date the incident in question was reported.
- The Head of School or designee will confiscate any contraband as defined in the Student's Code of Conduct or under the School's policy or state or federal law, which may be used for criminal/juvenile delinquency proceedings. Such contraband will be labeled and secured in a locked area. Any confiscated contraband, or that reasonably understood to be illegal contraband, which may be used for criminal/juvenile proceedings will be turned over to the appropriate police agency as soon as practicable.

### Reporting Requirements

- If the investigation reveals that there is reliable information that would lead a reasonable person to believe that a mandatorily reportable crime under 14 Del.C. §4112 has been committed, the Head of School or designee will immediately notify the appropriate law enforcement agency of the incident.
  - All reports to the appropriate law enforcement agency must be made immediately by telephone or in person and will be followed by a written report of the investigation within three (3) business days.
- The Head of School or designee will report all offenses listed as a mandatory report to the Department of Education under 14 Del.C. §4112 and 14 DE Admin. Code 601 within five (5) business days of the incident by completing the information in the eSchoolPlus discipline center or successor Delaware Department of Education approved student database management application.

## Initial Due Process

A student will be afforded initial due process rights for discipline procedures which result in the removal of the student for one day or more from the Regular School Program due to a violation of the school's Student Code of Conduct.

Prior to any removal of one day or more from the Regular School Program due to a violation of the school's Student Code of Conduct:

- The student had prior opportunity to be informed in accordance with the established Student Code of Conduct rules and/or regulations.
- The administrator/designee will inform, orally or in writing, the student of the allegation(s) against him/her, the conduct which forms the basis of the allegation(s), and the policy, rule, or regulation violated.
- The student will be given an explanation of the evidence supporting the allegation(s) and an opportunity to present his/her side of the story including any evidence.

### Due Process Delay Provision

- A student whose presence in the School Environment poses a threat to the health, safety, or welfare to persons or property within the School Environment, as determined by the Head of School or designee, may be immediately removed from school provided that, as soon as practicable thereafter, the initial due process procedures are followed.

## Procedures for the Expulsion of Students

When it is alleged that a student committed a violation of the Student Code of Conduct and may be subject to a recommendation for Expulsion, the following procedures will be followed.

- The Head of School or designee will conduct a preliminary investigation to determine if there is reasonable basis to pursue Disciplinary Action.
- If the investigation verifies that Disciplinary Action may be warranted, initial due process procedures will be followed.

After the student has been afforded initial due process procedures, if the Head of School or designee decides that Disciplinary Action in the form of a recommendation for Expulsion will be made, the following procedures will be followed:

- The student will be given written notice of charges and the Parent will be notified verbally and in writing as soon as practicable thereafter.
- Administration will hold a Conference with the Parent and the student where Administration will explain to the Parent and the student the purpose of the meeting is to inform them: 1) of the recommendation for Expulsion; 2) that the student will be serving a Short-term Suspension pending the outcome of the Expulsion hearing and; 3) of the procedures that will take place as follow-up to the recommendation for Expulsion.
  - The conference will be held by phone or in person.

- The Head of School or designee will have at least one other person present to take notes during the conference.
- All documentation related to the recommendation for Expulsion will be delivered to the Head of School or designee within two (2) business days of the Building Level Conference or seven (7) business days of the incident, whichever is sooner.

### **Expulsion Hearings**

- Upon receipt of a recommendation following the Conference, the Head of School or designee will review documentation to affirm that appropriate discipline procedures were followed. The Head of School or designee will, within ten (10) business days of the date of the incident, notify the student and the Parent by letter that an Expulsion hearing will be held to consider the recommendation.
  - The Head of School or designee will not have been a participant in the disciplinary investigation or Conference resulting in the recommendation for Expulsion.
- Written notice will, at a minimum, be sent by regular U.S. and certified mail to the Parent describing the circumstances which led to the recommendation for Expulsion and will give the date, time, and location of the hearing.
- The hearing will be held not less than seven (7) business days or more than twenty (20) business days after receipt of written notice. The written notice will be deemed to be received on the fourth business day following the day of mailing. This time period may be waived by agreement of the parties. A copy of the documentation will be made available, upon request, to the student and Parent at the school office prior to the mailing.
- If requested, the student and Parent will also be given a copy of the following:
  - The reason(s) for the recommendation;
  - The name(s) of witnesses who may appear; and
  - Copies of information that may be submitted as evidence.
- The school will receive written Parent permission for any witness who is a minor.
- The hearing will be conducted by Administration.
- Administration will have full authority to admit or exclude evidence.
  - Evidence presented at the Expulsion hearing may include, but is not limited to, witness statements, police or Attorney General's Reports, and photocopies of evidence.
  - Administration is not bound by common law or statutory rules of evidence or by technical or formal rules of procedure except as herein stated.
  - Administration may exclude plainly irrelevant, immaterial, insubstantial, cumulative and privileged evidence.
  - Administration may limit unduly repetitive proof, rebuttal and cross examination.

- In conducting the hearing, Administration will submit evidence first followed by the response of the student, if any.
  - Further evidence by either party may be presented at the hearing if Administration determines such evidence is necessary.
- The representative presenting the case on the part of the school will not testify.
- The hearing will be recorded in a manner that will permit transcription.
- The student will have the following rights:
  - To be represented by legal counsel at the student's expense;
  - To cross-examine witnesses;
  - To testify and produce witnesses on his/her behalf; and
  - To obtain, at the student's expense, a copy of the transcript of the hearing.
- In lieu of a formal Expulsion hearing, a student may elect to waive the hearing and admit to the student's violation charge(s). The student and Parent will submit a signed written hearing waiver which indicates that the student is knowingly and voluntarily waiving their right to the hearing. Such election may be exercised until the commencement of the hearing. This waiver does not absolve the student from required consequences under Federal or State Law or the Student Code of Conduct.

### **Expulsion Decision by School Board**

- Any decision to expel a student will be reported to the Delaware Department of Education within five (5) business days of the decision to expel. When Administration expels a student, the written decision will address with specificity the reason for non-placement and the evidence in support thereof. Such decisions will be submitted to the Delaware Department of Education's Office of School Climate and Discipline within five business days of such decision, with a copy to the student's Parent.
- Except as is otherwise provided herein, within ten (10) business days of the decision by the Board, the Board, through its designee, will submit its decision to the Head of School and Parent and student in writing. The written decision will include notice of the right to appeal to the State Board of Education.

### **Calculation of Time**

- In calculating the period of time for the term of the Expulsion, school days will be used. Students receiving residential services from a Department of Services for Children, Youth and Their Families (DSCYF) program will have the amount of school days served in such a program counted as part of the calculation of time for an Expulsion.

### **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 had not been afforded due process.

The following persons or groups of persons may use the grievance procedures:

- Students or groups of students.
- Parent/guardian of a student.
- Groups of parents/guardians of students.

The grievance procedure may be used as follows:

- Where it is alleged that any student of group of students is being:
  - Denied access to an appropriate educational opportunity.
  - Denied participation in any school activity for which student is eligible.
  - Denied the opportunity to compete for a position in an activity where the selection is limited.
  - Subjected to an arbitrary or unreasonable regulation, procedure, or standard of conduct.
- Where it is alleged that the rights of an individual student and/or group of students are being denied or abridged.

## **Grievance Procedures**

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

- The grievant will request, in writing, within three (3) school days of the action that is the subject of the complaint, a conference with the person(s) who allegedly treated the student unfairly.
- A conference will be held within one (1) to four (4) school days after the request.
- If the conference does not resolve the complaint, the grievant may file a written grievance with the Head of School or designee specifying what decision/action is being grieved and why within three (3) school days following the conference.
- The Head of School or designee will resolve the appeal by investigating the situation, reviewing the grievance and relevant records or documentation, and will schedule a conference with the grievant to address the grievance no later than (5) school days following the receipt of the notice of appeal. The Head of School or designee will issue a written determination within five (5) school days following the investigation/conference.