

Newark Charter School Code of Conduct 2015 - 2016

The successful operation of a school requires the cooperation of many people. By enrolling at Newark Charter School we expect that our students and their families will abide by our philosophy and policies. The professional staff and Newark Charter School Board of Directors have established rules and guidelines for maintaining high standards for student conduct which in turn leads to a safe, orderly and inviting school in which to teach and learn. The Code of Conduct applies to all students. Newark Charter School will abide by all state and federal regulations related to code of conduct issues. Regulations also pertain to special education students. Due process will always be followed in the event that the student's infraction is related to a disability. The school will also establish behavioral guidelines to maintain an environment that is conducive to education without stifling expression and appropriate social interaction.

The Code of Conduct published is the most current version of the Newark Charter School Code of Conduct at the time of printing. However, the School Council and/or administration may suggest amendments to the code. Changes will be brought before the school council. Major policy decisions will then be forwarded to the Board of Directors for final approval. At the discretion of the approving body, those changes could take place at the time of the adoption. Parents and students will be notified of the changes through the Weekly Bulletin. Furthermore, the changes will be made to the Code of Conduct found on the Newark Charter School website.

Upon enrolling in Newark Charter School, the student is responsible for their actions both in and out of school. Any serious violations of school policy and/or any illegal or immoral behavior could result in serious disciplinary action. This is especially true in cases where the good reputation of the school with the neighboring community is compromised or jeopardized. The authority and responsibility for directing the activities of our school have been given to the professional staff as determined by the administration and Board of Directors.

The most current version of the Code of Conduct can be found on Newark Charter School's website, www.newarkcharter.org under the "School Life" tab.

THE NEWARK CHARTER SCHOOL CODE OF CONDUCT IS ENFORCED

- a) on school property prior to, during, and following regular school hours.
- b) while students are on the school bus for any purpose.
- c) at all school sponsored events and other activities where school administrators have jurisdiction over students.
- d) off campus.

Newark Charter School has the authority to suspend or expel its students for activities occurring off of school premises when it is determined that the student presents a threat to the safety or welfare of Newark Charter School students or personnel.

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, or helps another student in any way in an act which violates the Code of Conduct may be subject to disciplinary action.

Additionally, the School Director is authorized to take administrative action when a student's misconduct to and from school has a harmful effect on the other students or on the orderly educational process.

ABSENTEEISM/ATTENDANCE

Forming responsible habits regarding attendance and promptness is important. Parents are expected to support the goal of punctuality by having their children arrive on time, remain in school for the full day, and schedule appointments after school hours.

A parental written note of explanation must be presented in order for that absence to be excused. All written notes must have a parent signature. In the event that a student accumulates five consecutive absences, a doctor's note will be required. Notes may be faxed, handwritten, or emailed. The following is a list of reasons for an excused absence:

1. Illness of child – a physician's note may be requested.
2. Scheduled appointments to a physical or mental healthcare provider, including, but not limited to, a physician, dentist, orthodontist, psychologist.
3. Contagious disease within the home of a student.
4. Death in the family or of a close friend.
5. Legal business.
6. Observance of a religious holiday.
7. Remedial health treatment.
8. Emergency situations as determined by the school director.
9. Suspension from school.

Following such an excused absence, the student shall be allowed to make up all work missed, to take tests which were missed and to submit any assignments which became due during the absence. The time allowed for taking tests or turning in assignments shall be twice the number of school days missed. Without extenuating circumstances that have been approved by an administrator, the total length of the permitted time to complete all missed assignments/assessments will not exceed ten school days.

Please note that vacations and other outside activities scheduled during the school year will not be approved as an excused absence. Vacations and other activities should be scheduled outside of the academic calendar. Parents should not expect teachers to pre-assign work and/or lesson plans that will be covered during a student's absence. General topics missed may be given before a pre-planned absence. Parents are encouraged to refer to the teacher's web page for more detailed information.

In order to be compliant with Delaware Code, these requirements apply at Newark Charter School:

1) Following the **5th day** of unexcused absence, the school shall immediately notify the parent(s)/guardian(s) through written notification mailed to the residence.

2) Following the **10th day** of unexcused absence, a meeting will take place between the student's parent(s)/guardian(s) and the School Director or his appointee. The student's parent(s)/guardian(s) shall be notified by mail and phone call.

At this meeting, the School Director, or his appointee, will meet with the student and parents and make a ruling from among the following options:

- 1) Allow credit for the school work missed.
- 2) Require a make-up course in summer school (60 hours) to receive credit. (Grades 3-8)

3) Following the **20th day** of unexcused absence, the student's parent(s)/guardian(s) shall be notified by mail and phone to appear at the school for a Review Board hearing.

At this hearing, the Review Board will make a ruling regarding permanent dismissal from the school.

4) Following the **30th day** of unexcused absence, the school shall refer the case for prosecution.

Following the completion of prosecution of the case and the subsequent failure of the student to return to school within five school days thereof, the school shall immediately notify the Department of services for Children, Youth and Families requesting intervention services by the Department. The Department shall contact the family within ten (10) business days.

5) Following the **15th day** of excused and/or unexcused absence, the student's parent(s)/guardian(s) shall be notified by mail. The Office of the School Director will call a parent/guardian of the student in question and may require the parent/guardian to appear at the school for a conference. At this meeting, the School Director will make a ruling from among the following options:

- 1) Allow credit for the school work missed.
- 2) Require a make-up course in summer school (60 hours) to receive credit. (Grades 3-8)

6) Following the **30th day** of excused or unexcused absence, the school will reserve the right to determine promotion to the next grade level.

ACADEMIC DISHONESTY (Grades K - 6)

1. PLAGIARISM

Claiming or using someone else's work without correctly acknowledging the source of that information.

2. CHEATING

a. Using or copying another student's test answers or class/homework assignments or providing, without coercion, another student test answers or class/homework assignments.

b. Using unauthorized electronic device to calculate or create test answers or complete class/homework assignments.

c. Using unauthorized material to answer test questions or complete class/homework assignments.

A student in violation of this policy will be required to complete an additional, alternate or redo of the assignment. In addition, the student will receive a demerit and the teacher will inform the parent or guardian. Subsequent incidents of academic dishonesty will result in a referral to an administrator where more serious disciplinary action may be taken.

ACADEMIC DISHONESTY (Grades 7 – 12)

We believe that grading should reflect what students know. If students engage in academic dishonesty they have chosen to forfeit their opportunity to demonstrate their understanding of the content without consequence. The consequences for a first offense of academic dishonesty are as follows:

Homework

Students will receive a demerit and a zero on the assignment. Students are required to redo the assignment.

Process

For any form of academic dishonesty involving a process assignment, students will receive two demerits and one detention. Students must immediately redo and/or complete an alternate assignment for a 10% reduction in grade.

Product

For any form of academic dishonesty involving a product assessment, students will receive three demerits and two detentions. Students must immediately redo and/or complete an alternate assessment for a 10% reduction in grade.

Any subsequent offense of any form of academic dishonesty will result in:

- Consequences warranted for a first offense
- Conference with the student/parent/teacher/administrator
- Suspension or possible Review Board Hearing

Note that suspensions are indicated on a student's permanent record and sent to potential colleges with student transcripts.

ACADEMIC DISHONESTY FOR ADVANCED PLACEMENT (AP) COURSES

The Newark Charter Academic Dishonesty policy will be followed in AP classes. As an authorized AP Capstone Diploma Program School we are required by the College Board to administer a grade of a zero on any assignment where the student has engaged in academic dishonesty.

ADULT STUDENT

State law provides that a student reaches legal majority at age 18, however, attendance notes, and other matters pertaining to school activities, must be signed by a parent unless the student is living on his/her own. Proof of residence must be provided.

AFTER-SCHOOL SUPERVISION OF STUDENTS (Grades 4 – 12)

In an effort to ensure the safety and security of our students and our school, please be reminded that unsupervised students may not be on campus beyond the regular school day unless they are participating in a supervised activity. Supervised activities include clubs, sports, and tutoring/after school help from teachers. Staying after school to attend an athletic event as a spectator is not a supervised activity and is not permissible. For clarification, we support students attending athletic events as spectators but they must have transportation to and from the event. Students may not remain on campus unsupervised to attend an athletic event as a

spectator.

Possible exception: on **special occasions** to support school pride Newark Charter may provide after school supervision to allow students to remain at school until the start of a specified event. If this is the case, prior notification will be provided so that families may plan accordingly. Any 7th or 8th grader planning to take advantage of these "**special occasions**" will need to provide a note from their parent stating permission on the specific date to be permitted to remain at school. Without this prior approval 7th and 8th grade students will not be permitted to remain after school and will be sent home on the bus.

Consequences for violating this policy may include demerits being issued, detention(s) being issued and/or suspension from school.

ALCOHOL

Use or possession of alcohol at Newark Charter School is absolutely forbidden. Students may not use, possess or be under the influence of alcohol in school or on school grounds, when they come to school, or when they attend any school-sponsored activities. If a student is found violating this regulation he or she will be suspended immediately and the student will be required to appear before the Review Board.

ARSON

Arson is when a student intentionally or recklessly causes a fire that may result in damage to property (building and/or land). Students who commit arson will be immediately suspended, the Police will be contacted, and a Review Board hearing will be conducted.

ASSAULT

An assault is when a student intentionally, knowingly, or recklessly causes physical injury to another. Students who violate this will be immediately suspended, the Police will be contacted (Ages 9 and up), and a Review Board hearing will be conducted.

Referral to Police Agency is required for students upon a showing of intentionality or malice for assault against a staff member. Recommendation for expulsion may be considered.

BICYCLES

Bicycle racks are provided on campus. Students should be sure to securely lock their bicycles every time they are left in the bicycle rack. Students who ride bicycles to school are required by Delaware law to wear a safety helmet if they are 16 years of age or younger. The first time a student is observed riding a bicycle without a helmet the student will receive a warning. The second time the student's bicycle will be confiscated and the parent will be contacted. Subsequent offenses will result in disciplinary action.

BULLYING (See NCS website under 'Student Life' for complete Bullying / Cyberbullying Prevention Policy)

A student is being bullied when he or she is exposed repeatedly and over time, to negative actions on the part of one or more students. A negative action occurs when a person knowingly inflicts, or attempts to inflict, physical or emotional injury or discomfort upon another person. Isolated bullying types of behavior will be handled through parent contact and demerits being issued.

According to state law and Department of Education regulations, when a situation rises to bullying, as defined above, it must be treated as a criminal offense and must be reported to the appropriate authorities. The student will also be required to appear before the Review Board. (See Review Board)

Acts of bullying rarely occur unless there is an audience to watch, especially when the bully feels powerful by onlookers who laugh, encourage, or just "look the other way" out of fear. The school actively trains potential bystanders on what they should do intervene and report acts of bullying. There is no excuse for watching a fellow student get harmed and do nothing. Therefore, when it is learned that a student has witnessed an act of bullying, and has not done anything to intervene or report it, then that bystander may be issued a demerit and parent notification will be made.

Students may elect to utilize the anonymous online bully reporting form found on the Newark Charter School website under the 'Student Life' tab.

BUS TRANSPORTATION

The following rules can be enforced only with the cooperation of all persons concerned with transportation.

- Students must listen to the driver and follow the driver's directions. The driver has the authority of a classroom teacher.
- If crossing the street to board the bus, students MUST look both left and right for cars, make sure the RED lights are flashing, and wait for the driver's signal to cross. Students should always cross the street in front of the bus.
- Before boarding and after exiting the bus, students must keep a safe distance (at least 10 feet) from the bus.
- Students are to enter the bus promptly, immediately take their seats, and remain seated whenever the bus is moving.
- Students are to conduct themselves on the bus in such a way that will not distract the driver. Distracting the driver puts everyone on the bus at risk.
- Students must remain properly seated at all times. (Back to Back; Bottom to Bottom)
- Classroom conduct is to be observed when on the bus. The driver has the authority to prohibit any conversation.
- Students must remain out of the driver's seat and refrain from unnecessary conversation with the driver while the bus is in motion.
- Students are not to touch the emergency equipment on the bus (emergency doors, windows, roof hatches, body fluid/first aid kits, 2 way radios, etc.) except as directed by the driver or during an actual emergency.
- The bus windows should not be opened without permission from the driver.
- Students are to keep their hands and feet to themselves. (NO fighting, horseplay, etc.)
- Students are not to eat or drink while on the bus.
- Students are not to throw objects of any kind either inside the bus, out of the bus, or around the bus.
- Students should keep the bus clean, sanitary, and orderly. They must not damage or abuse bus seats or equipment.
- Students are not to use abusive language or profanity, obscene or rude gestures, or spit while on the bus.
- Students are not to leave the bus without the driver's permission, except on arrival at their assigned bus stop or at school.
- Students from the Patriot Way Campus will not be permitted to ride the McIntire Dr Campus buses, and the students from the McIntire Dr. Campus will not be permitted to ride the Patriot Way school buses.

Students must ride their assigned bus to and from their assigned stop. Switching buses for any reason is strictly prohibited unless a note is written from both parents and approved by the administration of NCS.

Following the Bus Safety Rules and Regulations will ensure safety, prompt arrivals, and departures of buses, and positive attitudes on the part of students. Students who do not follow the reasonable requests of the bus driver jeopardize their riding privileges. Bus misbehaviors will result in a referral to an administrator. Subsequent bus misbehaviors will result in suspension of bus riding privileges for a period of time determined by the administration and the bus company. Continual bus misbehaviors could result in permanent revocation of bus riding privileges.

Amendments to bus stops must be requested to and approved by Newark Charter School Administration. After September 30th, additional bus stops will only be considered due to extreme circumstances.

CAFETERIA

The cafeteria is open all day and lunches are sold during the lunch periods. Students must follow NCS food ordering procedures to purchase meals at school. Students are expected to wait their turn in the food line and demonstrate decorum while eating. Before being dismissed students are to clean their table areas, dispose of trash, and put their chair back in place. Students are expected to cooperate with the staff members on duty to maintain order and cleanliness in the cafeteria.

CHANGING CLASS

A student may not leave a classroom during a period without an official pass from the teacher present. Moving from one location to another should be done quietly so as not to disturb the classes in session. When changing classes students should be in the classroom and ready to begin class when the second bell sounds.

CLASS CUTTING

Students are required to attend all classes. If a teacher does not appear in the class after a couple minutes, students are to contact the Main Office. If a student misses a class without a valid excuse or misses more than ten minutes of a class without a valid excuse, the student may earn five demerits.

CUBBIES (Grades K - 8) / LOCKERS (Grades 9-12)

Each student will be assigned a “cubbie” (Grades K – 8) in his or her homeroom or a locker (Grade 12). Students are responsible for keeping their cubbies / lockers neat and orderly. High School students are required to pay a lock fee and use a lock that was purchased by Newark Charter School. Cubbies / lockers and locks are the property of Newark Charter School and may be subjected to search.

CYBERBULLYING (See NCS website under 'Student Life' for complete Bullying / Cyberbullying Prevention Policy)

Neither the school's network nor the broader Internet (whether accessed on campus or off campus, either during or after school hours) may be used for the purpose of harassment. All forms of harassment in cyberspace, often called cyberbullying, are unacceptable. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages (including text messages), or Web site postings (including blogs). Often the author (sender or poster) of the inappropriate material is disguised as someone else. Students who feel that they have been the victims of such misuses of technology should not erase, nor respond to, the offending material. They should print a copy of the material and immediately report the incident to an administrator. All reports of harassment in cyberspace will be investigated fully. Sanctions may include, but are not limited to, the loss of computer privileges, demerits, suspension, or review board hearing. The Newark Police Department may be called upon to assist with the investigation or prosecute offenders when deemed appropriate.

DEFAMATORY OR DEMEANING ACTIONS, ETHNIC INTIMIDATION

1. Actions or remarks, spoken or written, by students that defame or demean the dignity or self esteem of individuals or groups on the basis of their grade, status, race, color, creed, sex, national origin, marital status, physical and mental disability, physical appearance, political or religious beliefs, family, sexual orientation, social or cultural background.
2. Cellular phones or other devices capable of transmitting an audio signal or electronic image may not be used on school premises to take pictures of persons or record their conversations without prior approval from school administration.

Sanctions may include, but are not limited to, demerits being issued, suspension, or Review Board hearing leading to possible expulsion.

DEFIANCE OF SCHOOL PERSONNEL'S AUTHORITY (Insubordination)

A verbal or non-verbal refusal to comply with a reasonable request from school personnel, or refusal to identify oneself at the request of school personnel, and/or refusal to comply with disciplinary action, is an act of defiance. Defiance of school personnel's authority is the same as insubordination and may result in a parent conference, demerits, may lead to possible suspension, or a Review Board hearing.

DISCIPLINARY SYSTEM (Demerits, Referrals, Detentions, Suspension, and Expulsion)

To ensure an environment that is conducive to learning, Newark Charter School has a demerit/referral system for those who break the rules. This is intended to serve as a learning process for those who violate school regulations and as a deterrent for those who may be tempted to do so.

Demerits are issued for minor offenses and are similar to warning tickets. This permits the school to deal with discipline matters in a graduated fashion. The school will keep track of demerits issued and detentions served, and notify parents as certain levels are reached. The purpose of demerits is to detect any developing patterns of behavior that require corrections.

The following list represents, but is not limited to, minor offenses where a demerit(s) may be issued. The appropriate number of demerits will be determined by a staff member.

Offense
Late to class
Bullying behavior
Uniform violation
Inappropriate / Disruptive behavior
Insubordination
Food / Drink / Gum

Offense (cont.)
Disrespect
Unauthorized use of electronics
Inappropriate language
Academic dishonesty

An accumulation of demerits will result in detentions and other additional penalties. After 3 demerits, the student will serve a detention as scheduled by the school. After 6 demerits, a student will serve two detentions. After 9 demerits, a parent conference will be scheduled with the School Director and the student will serve two detentions. In the event that a student earns 9 demerits for two consecutive years, following the 9th demerit, in the second year, the student will appear before the Review Board. After 12 demerits, the student will serve a suspension. After 15 demerits, the student will appear in front of the Review Board where other action (suspension, probation, expulsion) will be considered. (See also Suspension and Review Board sections in this handbook for further information).

Referrals are issued for more significant offenses, classroom disruptions, and continual classroom misbehavior. Referrals are written by the teacher and submitted to the administration. Depending on the severity of the violation, the administration will determine the appropriate consequence including but not limited to: detention, suspension, and referral to the Review Board. (See also Detention and Review Board sections in this handbook).

Detention

Detentions are issued by the administration when a student reaches 3 demerits and/or when a student misbehaves in the classroom or other areas of school property. Detentions will be scheduled by the administration. Students will be provided with a 24-hour notice of detention. Students are required to serve the detention on the assigned date. The only acceptable excuses for missing a detention are medical or family emergencies, excused absence from school, medical or dental appointments (must be verifiable and on the doctor's letterhead), or extreme unforeseen circumstances. The student must reschedule the detention on the first day of return.

Unacceptable excuses for missing detention include, but are not limited to: forgetting, lack of transportation, and athletic or other extracurricular events. A student who misses a detention due to an unacceptable excuse will be considered to be in defiance of school regulations and be required to serve an additional detention for the first offense and will be suspended for subsequent offenses.

If the student shows up after the designated start of detention without a valid excuse for the lateness, he or she will not be permitted to serve detention on that day. The student will then be subjected to serve two detentions. Students may do school work during detention but may also be required to do a written assignment that relates to the misbehavior. Students are not permitted to sleep, read magazines, bring food or drink, talk, play cards or other amusements, utilize personal music playing devices or otherwise disturb the detention proctor or other students serving detention. Students who misbehave during detention will be removed and will be required to serve two detentions. Subsequent misbehavior during detention may result in suspension.

Suspendible Offenses

There are certain offenses that may result in an out-of-school suspension and may require a parent interview:

- Fighting
- Bullying / Cyberbullying
- Defiance or disrespect of school personnel's authority / Insubordination
- Major disruption of the educational atmosphere
- Repeated misconduct and/or continual disregard of school regulations
- Offensive touching
- Violation of computer use policy
- Violation of the tobacco policy
- Being in unauthorized areas
- Defamatory or demeaning actions
- Inflammatory actions

Any action taken by school officials the school will comply with the notification requirements of House Bill 322 which includes notification of police.

Any behavioral infraction resulting in suspension will be assigned 2 to 5 demerits.

Via the Common Application, and many other college application systems, colleges may request to be informed of disciplinary violations for all years of a student's high school career, from 9th grade onward. Newark Charter High School will report disciplinary information for infractions that resulted in probation, suspension, removal, dismissal, or expulsion. Counselors will work closely with students and families in reporting these matters to colleges that request the information during the application process. In accordance with recommendations from the National Association of College Admission Counseling (NACAC), Newark Charter High School will also report any significant change in a candidate's academic status or qualifications, including personal school conduct record, between the time of recommendation and graduation.

Dismissible Offenses

There are certain offenses that when committed by a student may result in dismissal (expulsion). The following are dismissible offenses:

- Accumulation of 15 demerits (per Review Board recommendation)
- Any involvement with drugs or alcohol at school or at a school sponsored activity
- Any possession of a weapon at school or at a school sponsored activity
- Assaults
- Bullying
- Ethnic Intimidation
- Harassment (physical, sexual, or verbal harassment)
- Stealing (depending on circumstances; restitution must always be made.)
- Fighting (depending on the circumstances)
- Terroristic threatening (including false alarms)
- Vandalism

Any of these infractions may also result in suspension. In addition to any action taken by school officials, the school will comply with the notification requirements of H.B. 322 which includes notification of police.

DISCIPLINE OF STUDENTS WITH DISABILITIES

A. For disciplinary reasons, the school director may change the placement of a student with a disability to an alternative school/program for up to ten days or suspend such a student, if the total days suspended in the current school year do not exceed ten school days, in accordance with guidelines for disciplining students without disabilities.

B. The school director may also change a student's placement to an alternative setting selected by the student's school-level individualized educational plan (IEP) team, for up to 45 days if:

1. The student carries a weapon to school or to a school function; or
2. The student knowingly possess or uses illegal drugs, or sells or solicits the sale of controlled substances while at school or a school function.

C. The administration may seek the determination of an impartial hearing officer that a student with a disability should be removed from NCS. A hearing officer may order that the student be placed at an alternative school/program for up to 45 days if the officer determines that maintaining the student at his/her current school is substantially likely to result in injury to the student or to others.

D. If the school contemplates expulsion, alternative placement (with or without expulsion), or suspension (inside or out of school) of a student with a disability in excess of ten (10) school days cumulatively in one school year, a special education team meeting at the school will be convened to discuss the student's discipline. The meeting may be held up to ten (10) days after the removal of a student from school under paragraphs A or B above. This meeting is termed a manifestation determination. This meeting may be held up to ten (10) days after the school's decision to take it's stated type of disciplinary action. A copy of Prior Written Notice will be afforded to the parent detailing the intention of school no less than 5 business days prior to a change of placement (defined below).

E. The team's manifestation determination will resolve if (1) the alleged conduct was related to the student's disability; or (2) the student was inappropriately placed at the time of the offense and the likelihood that a change

in the student's program and / or placement would alleviate the misconduct leading to the discipline proposed. If the IEP team determines that none of the above standards are met, the student may be disciplined according to the Student Code of Conduct, except that a student eligible for special education or related services under the I.D.E.A. may not be denied a free appropriate public education. If any of the standards are met, the student may not be suspended, expelled or moved to an alternative placement for longer than ten (10) days in one school year, but may be disciplined in accordance with the student's IEP, and the team should review the student's IEP or 504 Plan and placement.

F. A parent / guardian who disagrees with the special education (IEP) team's determination or the school director's disciplinary decision may request a meeting to review the decision. If the student has been placed in an alternative school / program, the student will remain in the alternative placement until the due process hearing officer renders a decision or for 45 days, whichever occurs first, unless the school and parent(s) / guardian(s) agree otherwise.

G. A student identified as disabled under Section 504 of the Rehabilitation Act of 1973 and who is currently engaging in illegal use of drugs or use of alcohol, may be disciplined to the same extent that students without disabilities are disciplined.

H. Nothing stated herein shall preclude an IEP team from placing a student with a disability, determined to have brought a firearm or weapon to school, in an interim alternative educational setting in accordance with State and Federal law.

Definitions Used in this Section:

"Student with a disability" refers to a student eligible for special education or related services under either: (1) the Individuals with Disabilities Education Act (I.D.E.A.), as implemented by state regulations compiled in the Administrative Manual: Programs for Exceptional Children (AMPEC); or (2) Section 504 of the Rehabilitation Act of 1973.

"Change of placement" – If/when a public school intends to remove a student with a disability that is covered under the IDEA (special education) from the placement outlined in their IEP for more than 10 cumulative school days in a given academic year.

DRUGS

Use, possession, or distribution of drugs, look-alike substances, drug paraphernalia, at Newark Charter School is absolutely forbidden. Any involvement with drugs is an offense that could result in expulsion. If a student uses drugs, is in possession of drugs, is found under the influence of drugs during school time, on the school property, on a school bus, or at activities sponsored by the school, the student may be suspended from school and/or appear before the Review Board. The police will be contacted.

Students are not permitted to have over-the-counter or prescription drugs in their possession. Any over-the-counter or prescription drug that a student may need access to during the school day must be stored and administered in the nurse's office. The only exception is an epi-pen or inhaler with pre-approved permission from the School Nurse. Disciplinary action may result in suspension or Review Board Hearing.

ELECTRONICS, USE OF (Grades 9 – 12)

Electronics including, but not limited to iPads, Kindles, Tablets, and Laptops, are permitted when being used for authorized academic use. These devices may not be connected to Newark Charter School network/server. Newark Charter School is not responsible for lost, stolen or damaged personal property.

EMAIL, COMMUNICATING WITH TEACHERS

Students are permitted to communicate through email with teachers by using the teacher's designated Newark Charter School email address. All communications with teachers must be regarding Academic or School related issues. All other emails are to be reported to an administrator.

EXTENDED LEAVE FOR STUDENTS

An extended leave for students is defined for Newark Charter School as ten or more days away from school, where the student is in good standing (as defined below) and is temporarily residing out of state. Both the

parent(s) and the school administration must agree that the period of leave is for good cause, and the following provisions apply.

Newark Charter School discourages extended leaves of absence for students. Parent requests for students to be out of school for an extended period of time (for example, a parent's work requiring a temporary transfer or sabbatical out of state, a family emergency in another country, etc.) will only be considered if the following conditions are met:

- 1) The total time of the extended leave not be for more than 90 school days,
- 2) The leave must not be take place during any of the first 30 school days of the year,
- 3) The leave must not take place during more than one school year,
- 4) The student's past academic performance must be very good,
- 5) The student's past behavioral performance must be very good,
- 6) If an extended leave is granted it may not be granted in subsequent years,
- 7) The parent must agree to the school's conditions regarding withdrawing from the school and subsequent re-admittance,

It is understood that teachers are not expected to provide students with work in advance prior to the period of leave, nor are they expected to provide make-up work for students when they return. However, when the student returns essential assessments, projects, etc., may be required to be completed. These essentials will be determined by the teacher.

EXTORTION

Extortion is when a student attempts to obtain money, goods, or information from another by threat or force. All extortion incidents will be reported to the Newark Police Department. Students who commit extortion may be suspended and a Review Board hearing may be conducted.

EXTRACURRICULAR ACTIVITIES / ATHLETICS

Student participating in any extracurricular / athletic activity must pass all classes and carry a 2.0 GPA or higher. If at the interim, a student participating in an extracurricular activity is failing 2 or more subjects they will be removed from the activity to focus time on academics. Any student that is in danger of failing any subject at the interim will be required to provide their coach/moderator with a weekly progress report.

Students must be in good standing regarding Newark Charter's excellence in decorum standard. Infractions such as demerits, suspensions or Review Board hearings will impact students access to extracurricular activities and/or athletics. Individual Coaches and moderators have authority to place additional consequences per their prior communicated expectations (ie team rules / attendance policies / participant contracts).

Any student absent on the day of an activity, may not participate without Administration approval.

In the event that school is closed or that students are dismissed early from school, (for example, but not limited to, inclement weather) all activities for that day will be canceled.

Families of participants are required to ensure that the participants are picked up promptly at the agreed upon time. Failure to do so may result in the students dismissal from the extracurricular activity.

FIELD TRIPS

Administration may determine that a student is not meeting the school's standard for decorum. If such a determination is made, a parent or guardian may be required to accompany the student on the field trip.

The few field trips that are deemed as reward field trips are only for students who have met the standards in academics, decorum and attendance.

FIGHTING

Fighting in school will result in immediate removal of both parties from the building. During this time, the administration will attempt to ascertain who was at fault. If the fault can be determined, further action (suspensions and/or appearance before the Review Board) could result. In addition, depending on the severity of the fight, a longer suspension period and police contact may result.

In many situations, a student has the opportunity to walk away and report an incident involving physical contact. However, if a student retaliates to the initial physical contact, he or she could be held culpable for fighting.

Students who witness a fight are responsible for either attempting to stop the fight or leaving the area to get help. Spectators who encourage fighting will be subject to disciplinary action.

Referral to Police Agency is required for students who intentionally and offensively touch a staff member who is attempting to break up a fight or who is attempting to keep a student from injuring him/herself or others. Recommendation for expulsion may be considered.

FIRE/EMERGENCY/LOCKDOWN DRILLS

In accordance with Newark Charter School's Comprehensive School Safety Plan, Fire/Emergency/Lockdown drills are held monthly at unspecified times. It is important that students learn the correct procedure in each of their classes. Students should walk quickly and quietly from the building using the exit designated for each room.

FOOD AND DRINK (Grades K - 6)

Designated locations are the only places in the buildings where food and drink may be consumed. Food or drink may be permitted in classrooms for special occasions if prior approval has been granted by the administration. Students who eat and/or drink in areas other than the designated eating location or who carry food and/or drink into classrooms or hallways will have these items permanently confiscated and may be issued a demerit. Gum chewing in school is not permitted. The faculty of NCS would like to discourage soda being sent to school for lunch or other school functions.

Any family who wishes to take part in the School Nutrition Program provided by Newark Charter School are required to follow NCS food ordering procedures.

FOOD AND DRINK (Grades 7 - 12)

Students in grades 7-12 may carry and access water bottles throughout the day. Due to the timing of our lunches, high school students are permitted and encouraged to access a healthy snack during activity period. Students are expected to make every effort to prevent spillage and properly dispose of all trash to maintain our beautiful campus.

It is not permitted for a parent or student to order food for delivery to the school without prior approval by an administrator. Parents are strongly discouraged to deliver food for the purpose of a celebration to be eaten in the cafeterium during the students' scheduled lunch time.

Any family who wishes to take part in the School Nutrition Program provided by Newark Charter School are required to follow NCS food ordering procedures.

FORGERY

- A. Creating a false document to be used for school purposes (i.e. school passes, parental notes).
- B. The willful act of imitating or counterfeiting the signature of parents/legal guardian or custodian, teachers, or administrators, for the purpose of deceiving a Newark Charter employee.

A student who violates this policy will receive a demerit and the teacher will inform the parent or guardian. Subsequent incidents of forgery in any class will result in a referral to an administrator where more serious disciplinary action may be taken.

GAMBLING

Gambling of any kind is prohibited at the school. Money and paraphernalia will be confiscated when the activity is discovered. Consequences for violating this policy may include demerits being issued, suspension from school, and/or Review Board hearing.

GRADING SYSTEM – GRADES 4 - 12

Report Cards will be issued four times per year. The grades displayed will be in numerical form. Although traditional letter grades will not be displayed, Newark Charter recognizes the following grading scale:

A	100 - 90
B	89 – 80
C	79 – 70
D	69 – 60
F	< 59

HAZING

Hazing is when a student willfully ridicules, harasses or causes participation in embarrassing pranks as a form of induction or initiation into a group/organization/sport. Students who commit hazing will be reported to the administration who will take appropriate action. Consequences may include demerits being issued, suspension from school, and/or Review Board hearing.

HEALTH SERVICES

A nurse is on duty every school day. If a student becomes ill, the student should get permission from his or her teacher to report to the nurse. If a student is not in class or there is a real health emergency, the student may report directly to the nurse. A student should never remain in a restroom. Parents are required to follow Newark Charter School official sign out procedures when a student needs to leave early due to illness.

Parents should only respond to the school nurse's recommendation for a student to be sent home. Parents are encouraged not to entertain requests from students for early dismissal without consultation with the school nurse.

Students ill with a fever or vomiting should stay at home until 24 hours after symptoms have ended. Any student returning to school after having a communicable disease or after having a limb cast must first see the nurse before proceeding to a classroom.

Parents must complete an "Emergency Card" and promptly return it to the homeroom teacher. The "Emergency Card" enables the nurse to notify parents or guardians in case of illness or injury. Please note that parents need to inform the school nurse if anyone other than those listed on the emergency card will be sent in to school to pick up a child. Upon arrival, picture ID will be required before that person will be allowed to leave with the child.

If a student requires special medication, the student must register the medicine with the school nurse in her/his office and the medicine must be taken in the presence of the nurse in her/his office. All prescription medication must be in the original container with clearly labeled directions and accompanied by a parent's note. Failure to follow this policy could result in disciplinary action. (See Drugs)

A student may have an asthmatic inhaler in his or her possession for self medication as long as it is a prescription drug and a parent permission slip for the student to self medicate is on record in the school nurse's office. The inhaler **MUST** be used in the nurse's office and an asthma action plan must be kept on file.

Chronic illnesses must be documented with yearly physician updates. All emergency medications require current directives from a doctor and will be stored in the nurse's office. The nurse must be informed of any chronic conditions or life threatening allergies and provided with appropriate medication.

Any student who has sustained an injury requiring doctor's care must have written permission to resume gym class or other physical activity. In addition, readmission to school from the emergency room requires written clearance from that student's health care provider.

Injured students requiring special immobilization devices (such as: splints, buddy tape, ace wraps, etc.) may not participate in PE until those said devices have been removed per doctor's guidance.

Please note that if you are new to the public school system, a new physical and TB test are required upon admission to Newark Charter School. This is the law.

INFLAMMATORY ACTIONS

Inflammatory actions are language, gestures or actions which might create or are intended to create a disturbance. Inflammatory actions on the part of a student may lead to a parent conference, demerits being issued, and possible suspension from school.

INJURY

If an accident occurs during the school day, the student will first report first to the teacher on duty. The teacher will then permit the student to go to the nurse. All accidents that result in injuries – even minor injuries – must be reported to the nurse and to parents. An accident report will be completed by the nurse.

LASER LIGHT

A laser pointer is a dangerous instrument when used in a manner which intentionally or recklessly presents a risk of injury to a person's eye. Laser lights are not permitted in school or any school related activity. Consequences for violating this policy may include demerits being issued and/or suspension from school.

LATE FOR SCHOOL / EARLY DISMISSLS

At Newark Charter School we believe that coming to school on time and remaining in school for a full day is imperative for a successful educational career. Instructional time is lost when a student misses any portion of the academic day. Every effort should be made to assure that students arrive at school on time and stay in school until dismissal. If a student is late to school or has an early dismissal, he or she must present a note stating the reason for lateness or early dismissal. When a student accumulates any combination of 5 unexcused late arrivals and/or unexcused early dismissals, a student detention will be issued. For every additional combination of 5 unexcused late arrivals and/or early dismissals an additional detention will be issued.

Students and parents must recognize that a parental note of explanation does not automatically excuse the lateness or early dismissal. Reasons such as car trouble, personal business, heavy traffic, needed at home, etc. are not acceptable excuses, and will be listed as unexcused. Reasons such as personal illness, medical or other physical or mental health care appointments and appearances in court will be considered as excused lateness when verified by a note from a parent or guardian.

LEAVING SCHOOL

Newark Charter School is a closed campus. Students are not permitted to leave campus during school without parent permission and administrative approval. The "campus" refers to the school buildings, and outside areas utilized regularly during recess and physical education. This closed-campus policy is also in effect during half-days and other abbreviated school days. Students arriving by bus or other means of transportation are to proceed directly to the school. Students are not permitted to loiter in non-school areas (including the parking lot) either before or after school. Consequences for violating this policy may include demerits being issued, detention(s) being issued and/or suspension from school.

LOCKERS (See Cubbies)

LOITERING

Loitering is a student's unauthorized presence in an area. A student who violates this policy will receive a demerit.

LOST AND FOUND

We urge students to label all belongings. Students are encouraged not to bring large sums of money or items of great value to school. School officials cannot be responsible for the loss of any item. Any found article will be sent to the Main Office. If an item is not in the lost and found, a student or parent should report the missing item to a staff member in the office. Periodically unclaimed items in the lost and found will be donated to the Goodwill or other charitable organizations.

OFFENSIVE TOUCHING

Offensive touching is intentionally touching another person, either with part of the body or with any instrument, thereby causing offense or alarm to the person. A student guilty of offensive touching will be subject to suspension and possible police involvement.

OUT OF SCHOOL CONDUCT

The Code of Conduct applies to out of school conduct of a student if the school believes that student presents a threat to the health, safety or welfare of other students and staff. In such cases, the school may require the student to report to the Review Board, which could ultimately lead to expulsion. Such out of school conduct shall include, but is not limited to:

- Acts of violence which are punishable by law;
- Possession of a weapon that is punishable by law;

- Sexual offenses which are punishable by law;
- The sale and transfer of drugs/alcohol that would constitute an offense punishable by law.

The purpose of this section is to exclude from Newark Charter School students who have been charged with or convicted of serious crimes and whose presence represents a potential threat to the health and safety of students and staff.

PARKING (for students)

Students have the option to drive to school and park in the designated student spaces of the school parking lot. They will be issued an official NCHS parking permit, which must be displayed at all times in their car, after they have handed in a completed registration form and provided all required documents

Campus parking is a privilege. This privilege may be revoked if a student fails to operate his/her vehicle in accordance with state law, school policies and decorum expectations.

The speed limit in the parking lot is 10 mph and will be enforced. Each vehicle must display a visible valid NCHS parking permit at all times. Non-registered vehicles or illegally parked vehicles are subject to permit revocation and/or towing.

Students must maintain a 2.0 grade point average and have satisfactory attendance to be eligible for parking. Excessive tardies may result in the temporary suspension of a parking permit at the discretion of the administration. NCHS will not be held responsible for any loss, theft or damage to vehicles.

Vehicles on school property are subject to search.

Students may not park in the staff parking lot.

PERSONAL ELECTRONICS (Grades K - 6)

Communication devices such as, but not limited to, cellular phones and/or electronic signaling devices, may not be used at school, on field trips, and/or on the school bus without permission from a NCS staff member. The device must be turned off and secured in students' backpacks. Students violating this policy will be issued a demerit slip and have the item confiscated and turned over to an administrator who will return the item at a later date. Newark Charter School is not responsible for lost, stolen and damaged personal property.

PERSONAL ELECTRONICS (Grades 7 – 12)

Students in grades 9-12 are permitted to use their personal technology (cellular phones, tablets, laptops, etc.) prior to 7:35 and in the cafeteria during lunch. "Use" during these times does NOT include talking on the phone. During lunchtime while in the cafeteria students may choose to use one earbud to listen to music quietly without disrupting others. Personal technology may not be used in a way that is distracting or disruptive. After school students may use personal technology to include talking on the phone.

Students may NOT access personal technology during the change of classes and earbuds should not be seen in the hallways before or during school.

Teachers may choose or chose not to utilize students' personal technology as an instructional tool in the classroom. If a teacher decides to allow students access to personal technology, it is the teacher's responsibility to establish classroom procedure to designate a specific segment of the class as "Authorized" for a specific instructional use and then reestablish the classroom as "Unauthorized" when personal technology access is no longer appropriate for instructional use. Teachers may choose to establish their classroom as "Unauthorized" at all times.

A student must ask staff for permission to access personal technology for a specific task during the day if it is during an unauthorized time. i.e. A student may have a need to enter a date on a calendar, add a task to a "to do list" or send a text to a parent.

These devices may not be connected to the Newark Charter School network/server. Newark Charter School is not responsible for any lost, stolen or damaged personal property.

Unauthorized use of personal technology, including unintended ringing or notification of messages, may result in

demerits, confiscation, loss of privilege and parent contact.

PHYSICAL EDUCATION

Physical Education is a required course for students in grades K-9. If a student is physically unable to participate in the regular physical education program the student must present a written statement from a parent stating the extent of the disability and the extent of the limitation of participation. Official notification from a doctor may be required.

Student athletes are expected to take physical education classes. Failure to attend/participate will result in no participation in practice or game that day.

All students will be required to wear the physical education uniform that is purchased through Newark Charter High School.

POSSESSION OR USE OF TOBACCO AND TOBACCO RELATED PRODUCTS

As per Newark Charter School's official tobacco policy, possession or use of tobacco and tobacco related products by students is not permitted in the school buildings, on school grounds, in leased or owned vehicles, even when they are not used for student purposes, and at all school affiliated functions. A student violating this policy will be suspended from school. Subsequent violations will result in longer suspensions and may involve more serious disciplinary measures including an appearance before the Review Board for possible dismissal.

The tobacco policy can be found on Newark Charter School's website, www.newarkcharter.org under the "School Life" tab. This policy was posted in the August Weekly Bulletin.

POSSESSION OF A FIREARM* OR WEAPON/DANGEROUS INSTRUMENT OR LOOK ALIKE WEAPON/DANGEROUS INSTRUMENT

Possession of a firearm, weapon/dangerous instrument or object designed or intended to look like a firearm or weapon/dangerous instrument, and/or conspiring to conceal or hide a firearm or weapon/dangerous instrument. A weapon/dangerous instrument is defined as any instrument from which a shot may be discharged; a knife of any sort; switchblade knife; box cutter, razor; or any other article commonly used or designated to inflict bodily harm or to intimidate others, or using in an aggressive and threatening manner articles commonly used for other purposes. A student violating this policy will immediately be suspended from school and the police will be contacted. In addition, the student will be required to appear before the Review Board.

*Possession of a firearm, as defined by Federal and/or State law, or deadly weapon, as defined by State law, on school property, in a school bus, or at any school-sponsored event or activity, shall result in expulsion for a period of not less than one year. The possession of a BB gun or knife will require a recommendation for expulsion. The Superintendent may modify such expulsion requirement to the extent a modification is required by Federal and State law. This provision is in compliance with Federal Gun Free School Act of 1994. Section 921 of Title 18, United States Code, and Possession of a weapon in a Safe School and Recreation Zone, Section 1457 of Title 11, Delaware Code.

PROMOTION AND RETENTION

Grades K-3

Students whose end of year performance levels in their English/Language Arts and/or Math competencies are at or under 70% proficiency may be considered retention candidates by the school. Teachers, parents, and administrators will meet together to review data to determine promotion/retention. Administration will set such a meeting and make the the final determination regarding promotion/retention.

Grades 4-8

Students will not be permitted to repeat a course or repeat a grade at Newark Charter School in grades 4 – 12.

A student who earns a 59% or lower as a final grade, or earns an 'N' for the final grade for a class that operated on the O.P.E.N. Scale (Intermediate School Specials), will fail that course for the year.

Any student who fails English Language Arts and/or Mathematics for the year must complete a summer school program prior to the next school year. Newark Charter School may offer a summer school program for English Language Arts and/or Mathematics, but is not required to do so. In the event that a family can not attend an NCS's English Language Arts and/or Mathematics summer school program, or one is not offered, that student

must enroll in a NCS approved tutoring program totaling at least 20 hours. Failure to attend a summer school program and provide appropriate documentation indicating the successful completion of the program before August 1 will result will not be promoted to the next grade level.

Any student who fails any two subjects will be required to attend a meeting with the School Director and the Building Level Principal to discuss promotion.

Any student who fails any three subjects will not be promoted.

Grades 9-12

Students will not be permitted to repeat a course or repeat a grade at Newark Charter School in grades 4 – 12.

High School graduation is dependent upon the accumulation of course credits in specific areas. Newark Charter High School graduation requirements and promotion requirements are listed below. In the event that a student fails one of the courses necessary for promotion, the student will be required to complete an approved course outside of Newark Charter High School at the expense of the family prior to August 1.

Any student who fails any two subjects will be required to attend a meeting with the School Director and the Building Level Principal to discuss promotion and summer school requirements.

Any student who fails any three subjects will not be promoted.

PROMOTION REQUIREMENTS

<u>To Grade 10</u> (7 Credits)	<u>To Grade 11</u> (14 Credits)	<u>To Grade 12</u> (21 Credits)
1 English	2 English	3 English
1 Mathematics	2 Mathematics	3 Mathematics
1 Social Studies	2 Social Studies	3 Social Studies
1 Science	2 Science	3 Science
3 Additional	9 Additional	9 Additional

NEWARK CHARTER HIGH SCHOOL GRADUATION REQUIREMENTS

4 credits of English
4 credits of Mathematics
4 credits of Social Studies
4 credits of Science
2 credits of World Language
1 credit of Physical Education
½ credit of Health
3 credits of Career Pathways
5 credits of Electives
27.5 Total Credits

RELEASING STUDENTS TO PERSONS OTHER THAN PARENT / GUARDIAN / CAREGIVER

As Newark Charter School is a closed campus, students are not permitted to leave campus during school without parent permission and administrative approval. If someone other than a parent, guardian, or relative care giver (as identified on the Emergency Card submitted at the beginning of the school year) requests a student to be released to their care, a notification from the student's parent or guardian is required. Notification from the parent can take the following form: letter, email or phone call. The person picking up the student will be asked to show photo identification. Newark Charter School may call the phone numbers listed on the Emergency Card to verify information. If verification can not be ascertained to the satisfaction of NCS administration, the student will not be released.

REPORT CARDS – GRADES K - 12

Report Cards will be distributed quarterly in grades 4 – 12 and each trimester in grades K – 3. The quarterly/trimester reports will indicate the performance and accomplishments of the student during that quarter/trimester. The student will receive a grade for performance and accomplishments of the class assignments, and comments regarding his/her overall performance. In the Intermediate School, the first three quarterly report cards are to be signed and returned to the child's teacher. The final report may be mailed home.

REVIEW BOARD

(Also see disciplinary system)

The Review Board is an advisory group to the School Director made up of three teachers selected by the faculty. One or two alternates will be selected in the event that a Review Board member is absent or has a conflict of interest. The Review Board convenes with parents and the student whenever a serious offense has been or may have been committed by the student, or when a student reaches 15 or more demerits, excessive absences, or when referred by the administration for repeated classroom misbehavior and/or violations of school regulations. A serious offense is one which can result in a dismissal. A student is suspended from school from the date of administrative action until the date of the Review Board hearing. The Review Board determines the facts, reviews the student's cumulative performance, and recommends specific action to the School Director.

Any expulsion action taken by the School Director may be appealed to the school's Board of Directors. While an appeal is pending, the School Director's expulsion action is not considered to be final, however, the student remains suspended until final determination of the appeal. The appeal must be made in writing to the School Director within five business days of the hearing. It must include the grounds for the appeal. Within one week a committee of no less than three members of the Board of Directors selected by the Chairman of the Board of Directors will meet with the parents, student, and school officials. After the hearing, the committee, by majority vote, will determine whether or not to affirm the dismissal.

SCHOOL AND PERSONAL PROPERTY

Students are responsible for the proper care of books, calculators, computers, supplies, and all other school property. Students are responsible for the replacement cost of any school property that may be damaged, lost, or stolen. Students should not bring expensive clothing, valuables, or large amounts of money to school. Keep in mind that Newark Charter School is not responsible for damaged, lost, or stolen personal property.

SEXUAL HARASSMENT FOR A SCHOOL SETTING

Definitions:

Sexual Harassment – A form of discrimination based on sex that may encompass sexual abuse and misconduct. Included are objectionable comments, or conduct of a sexual nature, that may affect a student's personal integrity, cause personal embarrassment, or affect security, or the school environment. Objectionable behaviors may include comments or conduct that are not overtly sexual but nonetheless cause personal embarrassment to a student, based upon that student's gender.

Sexual Abuse – Verbal or physical conduct that would amount to:

- Touching, for a sexual purpose, directly or indirectly, with a part of the body or with an object, any part of the body of a student,
- An invitation to or engagement in sexualized contact,
- Sexual exploitation,
- An indecent act,
- An exposure of private body parts,
- A sexual assault or other crime, that may affect the personal integrity, security of any student, or the school environment.

Sexual Harassment and Sexual Abuse offenses may result in suspension and /or dismissal (expulsion). In addition to any action taken by school officials, the school will comply with applicable notification requirements to the Department of Education and/or police.

SEXUAL BEHAVIOR, TEEN DATING VIOLENCE, SEXTING, INAPPROPRIATE TOUCHING AND/OR EXPOSURE

Inappropriate Sexual Behavior includes but is not limited to: unwanted sexual advances, unwanted requests for sexual favors, or inappropriate touching of a sexual/suggestive nature; Inappropriate oral or written statements of a sexual/suggestive nature, pressure for sexual activity, repeated remarks to a person with sexual or demeaning implications, suggesting or demanding sexual involvement accompanied by implied or explicit threats; The display of pictures or other items of a sexually explicit nature; Repeated remarks or jokes with sexual or sexually demeaning implications.

Teen dating violence has been defined by Delaware Criminal Code (11 Del.C. §1312) as assaultive, threatening or controlling behavior, including stalking, where one person uses against another person in order to gain or maintain power or control in a current or past relationship. The behavior can occur in both heterosexual and same sex relationships, and in serious or casual relationships.

The possessing, taking, disseminating, transferring or sharing of nude, obscene, pornographic, lewd or otherwise illegal images or photographs, whether by electronic data transfers or otherwise (commonly called texting, emailing or sexting, etc.) may constitute a crime under state and/or federal law. Any person possessing, taking, disseminating or sharing nude, obscene, pornographic, lewd or otherwise illegal images or photographs may be punished under this code of conduct and may be reported to the appropriate law enforcement agencies.

Any act of inappropriate sexual behavior, teen dating violence, sexting, inappropriate touching and/or inappropriate will result in consequences which may include demerits being issued, suspension from school, and/or Review Board hearing. Criminal offenses will be reported to the appropriate law enforcement agencies and the student will be required to appear before the Review Board.

SPORTSMANSHIP POLICY

Newark Charter School believes sportsmanship is an important outcome of education; therefore, procedures shall be developed to ensure that athletic directors and coaches teach and promote the standards of sportsmanship, ethical behavior, and integrity in practice sessions and in athletic competitions. The athletic programs in the school shall be operated in a manner that encourages students to participate, treats students with respect, and provides all team participants with a fair opportunity to compete. Students who violate this policy will be reported to the administration where appropriate disciplinary actions will be taken. Possible actions may include demerits, suspension, and/or removal from the team.

STEALING, POSSESSING, TRANSFERRING STOLEN GOODS

Taking, possessing or transferring the property of another without consent of the owner is considered stealing. Students who steal, possess or transfer stolen goods jeopardize their privilege of attending the school. Each case will be reviewed by an administrator. Consequences for violating this policy may include demerits being issued, suspension from school, and/or Review Board hearing. Proper restitution must always be made.

STUDENT AGREEMENT FORM

In order to ensure a positive learning experience for all students, each student at Newark Charter School is required to sign and abide by the Newark Charter School Student Agreement Form. By signing this agreement form, students promise to take responsibility for their learning, maintain a high level of decorum at all times, and make a positive contribution to the school and community.

SUMMER SCHOOL

Summer school may be required for students in Grades 3-12 depending upon end of the year grades, standardized assessment, attendance, or any combination of the three. Newark Charter School has a summer school program in the content areas of reading and mathematics. In the event that a student does not attend nor meet the requirements of successfully passing summer school, Newark Charter School may retain (Grade 3) or dismiss the student (Grade 4-12).

SUSPENSIONS

(also see "Disciplinary System")

Suspensions are administered for serious infractions. While serving a suspension, a student may not be on school property for any reason during the school day. The student may not attend nor participate in any school-sponsored activities (plays, concerts, athletic events, rehearsals, practices, etc.) While suspended any work missed should be made up according to guidelines under make-up work.

Any behavioral infraction resulting in suspension will be assigned 2 to 5 demerits. When a student is suspended, a parent is contacted immediately by phone. A student is not permitted to leave the building until a parent arrives. A letter outlining the reason for the suspension follows telephone notification. If a parent cannot be contacted, the student may remain in the school office for the remainder of the day.

Via the Common Application, and many other college application systems, colleges may request to be informed of disciplinary violations for all years of a student's high school career, from 9th grade onward. Newark Charter High School will report disciplinary information for infractions that resulted in probation, suspension, removal, dismissal, or expulsion. Counselors will work closely with students and families in reporting these matters to colleges that request the information during the application process. In accordance with recommendations from the National Association of College Admission Counseling (NACAC), Newark Charter High School will also report any significant change in a candidate's academic status or qualifications, including personal school conduct record, between the time of recommendation and graduation.

TECHNOLOGY ACCEPTABLE USE POLICY

The use of technology at Newark Charter School is a privilege – not a right. Inappropriate use or vandalism by students will result in disciplinary action and limitation/cancellation of user privileges appropriate to the offense. Consequences for violating this policy may include demerits being issued, suspension from school, and/or Review Board hearing. If damage occurs due to willful misconduct, the user may be permanently restricted from the use of technology and charged for the cost of repair or replacement for such damage. Before students are permitted to use Newark Charter technology all students and their parent(s) / guardian(s) must sign the "Acceptable Use Policy" and return it to the school office.

TERRORISTIC THREATENING (including false alarms)

- 1) A threat or attempt to do bodily harm to another without physical contact;
- 2) Any act leading to a full or partial evacuation or lock down of a building
- 3) Possession or use of fire crackers, pepper spray, mace, or stink/smoke bomb starting a fire in the lavatories or any other part of the building.

Terroristic threatening will result in suspension and a report will be made to police and/or fire authorities. In addition, the student will be called before the Review Board.

Referral to Police Agency is required for students upon showing of intentionality or malice for terroristic threatening against a staff member. Recommendation for expulsion may be considered.

TEXTBOOK

Students are recommended to cover books and handle them with care. If a book is damaged, destroyed or lost, restitution will be expected. If a book is destroyed or lost, the responsible person (i.e., the student and his/her parent/guardian) must make restitution to the school in the amount of the full replacement cost for that book. If a book is damaged, the school administration will assess a prorated cost equivalent to the depreciation of the book over its expected years of normal usage.

UNIFORM

Newark Charter School believes all students should be considered equal. The school's philosophy of professionalism and decorum should be reflected in the style of dress for students, teachers, and administrators. As our students progressed through their educational career at Newark Charter School, it is our goal for our High School students to become accustomed to being dressed in attire reflecting a college and career readiness. To abide by this, we have adopted a board-approved uniform that includes school shirts and sweaters with embroidered school logos, which can be purchased through the school's approved vendors.

Uniform for students in Grades K – 3

Shirts – Grades K – 3

Dark navy, light blue, white or red school shirts, with the board-approved K-3 Newark Charter School Patriot logo, must be worn at all times during school hours. There are two styles of shirts available: a polo and when

wearing jumper, a short and long sleeve blouse. Shirts must be tucked in at all times. No more than the top two buttons of the shirt may be left open. The school logo must be visible at all times. Altering of required school shirts and/or logo is not permissible. Long sleeve garments may not be worn underneath school shirts that have short sleeves. An acceptable alternative is to wear long sleeve school shirts or school sweaters. Turtleneck shirts are allowed to be worn under long sleeve shirts only and must be a solid color.

Sweaters – Grades K – 6

School sweaters with the appropriate school logo are the only permissible outer garments to be worn in class. School sweaters are available in a V-neck cardigan, crew neck cardigan, a sweater vest and pullover style. Sweaters are available in navy blue and red. The sweater must be worn with a school shirt underneath. Blazers, coats, fleeces, jackets, sweatshirts, etc. may not be worn in class. Outer garments (other than sweaters) must be stored in the student's classroom and may not be carried around the school.

Pants – Grades K – 8

Students in grades K–8 must wear dark navy or khaki pants that are purchased from approved vendors. Pants should fit appropriately, being neither too tight nor too loose. Damaged pants need to be appropriately repaired/restored or replaced. Additionally, pants should not be too long; they should not drag on the ground. Pants should be worn at the natural waist at all times.

Skirts, skorts, and shorts – Grades K – 8

Skirts, skorts, and shorts are permissible, however, they must be purchased through the approved vendors. Skirts, skorts, and shorts may not be shorter than four inches above the knee.

Jumpers – Grades K - 3

Jumpers are available in the approved plaid or solid tan or navy blue (with the embroidered school logo) and must be purchased through approved vendors. The short or long sleeve Peter Pan collar shirt is designed to be worn under the jumper. However, any NCS approved shirt may be worn under the jumper.

Tights/Knee Socks with Skirts, skorts, and jumpers – Grades K - 3

Students wearing skorts or shorts may wear socks at or below the knee. Socks should complement the school uniform in color. Socks must be matching, solid in color and may not be neon. Students wearing skorts may choose to wear solid colored white, navy blue, cream or gray opaque tights. Students are not permitted to wear leg warmers, printed patterns, or leggings.

Shoes – Grades K - 8

Flat-soled dress shoes or athletic shoes may be worn all year round, but they cannot be tattered. Footwear should be secured on the foot (laces tied, velcro fastened). Sandals, open back shoes, light up shoes, Crocs, moccasins, cleats, and heeley shoes (shoes with wheels) are not permitted. Boots are permitted if the pant legs lay over the boots. Boots may not be worn with skirts, skorts, or jumpers. Pants may not be tucked into any type of footwear. Students must wear shoes and matching solid colored socks at all times.

Jewelry, hair styles, and accessories - Grades K - 12

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

Hairstyles should reflect the atmosphere of decorum desired by the school. Unnatural color dyes, spiked hair, shaved symbols, and Mohawks are examples of hairstyles that are not acceptable. Individual cases will be addressed by the administration.

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

Hats, bandanas, sweatbands (head and/or wrist), and sunglasses are all considered inappropriate for regular school wear.

Writing on hands and arms, including temporary tattoos, is not appropriate and is not allowed.

Uniform for students in Grades 4 – 8

Shirts – Grades 4 - 8

School shirts, with the board-approved 4 – 8 Newark Charter School logo, must be worn at all times during school hours. There are two styles of shirts available: a polo and button-down oxford.. Shirts must be tucked in at all times. No more than the top two buttons of the shirt may be left open. The school logo must be visible at all times. Altering of required school shirts and/or logo is not permissible. Long sleeve garments may not be worn underneath school shirts that have short sleeves. An acceptable alternative is to wear long sleeve school shirts or school sweaters. Turtleneck shirts are allowed to be worn under long sleeve shirts only and must be a solid color.

Sweaters – Grades K – 6

School sweaters with the appropriate school logo are the only permissible outer garments to be worn in class. School sweaters are available in a V-neck cardigan, crew neck cardigan, a sweater vest and pullover style. Sweaters are available in navy blue and red. The sweater must be worn with a school shirt underneath. Blazers, coats, fleeces, jackets, sweatshirts, etc. may not be worn in class. Outer garments (other than sweaters) must be stored in the student's classroom and may not be carried around the school.

Pants – Grades K – 8

Students in grades K–8 must wear dark navy or khaki pants that are purchased from an approved vendor. Pants should fit appropriately, being neither too tight nor too loose. Damaged pants need to be appropriately repaired/restored or replaced. Additionally, pants should not be too long; they should not drag on the ground. Pants should be worn at the natural waist at all times.

Skirts, skorts, and shorts – Grades K – 8

Khaki and navy skirts, skorts, and shorts are permissible, however, they must be purchased through an approved vendor. Skirts, skorts, and shorts may not be shorter than four inches above the knee.

Tights / Socks – Grades 4 - 8

Students wearing skorts or shorts may wear socks at or below the knee. Socks should complement the school uniform in color. Socks must be matching, solid in color and may not be neon. Students wearing skorts may choose to wear solid colored white, navy blue, cream or gray opaque tights. Students are not permitted to wear leg warmers, printed patterns, or leggings.

Shoes – Grades K - 8

Flat-soled dress shoes or athletic shoes may be worn all year round, but they cannot be tattered. Footwear should be secured on the foot (laces tied, velcro fastened). Sandals, open back shoes, light up shoes, Crocs, moccasins, cleats, and heeley shoes (shoes with wheels) are not permitted. Boots are permitted if the pant legs lays over the boots. Boots may not be worn with skirts, skorts, or jumpers. Pants may not be tucked into any type of footwear. Students must wear shoes and matching solid colored socks at all times.

Jewelry, hair styles, and accessories - Grades K - 12

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

Hairstyles should reflect the atmosphere of decorum desired by the school. Unnatural color dyes, spiked hair, shaved symbols, and Mohawks are examples of hairstyles that are not acceptable. Individual cases will be addressed by the administration.

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

Hats, bandanas, sweatbands (head and/or wrist), and sunglasses are all considered inappropriate for regular school wear.

Writing on hands and arms, including temporary tattoos, is not appropriate and is not allowed.

Uniform for students in Grades 9 – 12 (College and Career-Ready)

Shirts – Grades 9-12

School shirts, with the board-approved Newark Charter High School logo, must be worn at all times during school hours. Young men are required to wear button down oxfords in the approved colors. Young women may wear the button down oxfords or a ¾ length stretch shirt in the approved colors. The button down oxfords must be tucked in at all times. No more than the top two buttons of the shirt may be left open. The school logo must be visible at all times. Altering of required school shirts and/or logo is not permissible. Long sleeve garments may not be worn underneath school shirts that have short sleeves. An acceptable alternative is to wear long sleeve school shirts or school sweater/blazer.

Pants and Skorts – Grade 9 - 12

Students in grades 9-12 must wear dark navy or khaki straight leg pants (skinny leg pants are not approved) that are purchased from an approved vendor. Pants should fit appropriately, being neither too tight nor too loose. Additionally, pants should not be too long; they should not drag on the ground. Pants should be worn at the natural waist at all times. When wearing pants with a tucked in shirt, brown or black professional style belts are required.

Young women also have the option to wear skorts. However, they must be purchased through the school's the approved vendors. Skorts may not be shorter than four inches above the knee.

Tights/Knee Socks with skorts – Grades 9-12

Students wearing skorts may wear solid colored white, navy blue, or black socks or below the knee. Socks must be matching, solid in color and may not be neon. Students wearing skorts may choose to wear solid colored white, navy blue, cream or gray opaque tights. Students may also choose to wear a “no-show” style of sock. Students are not permitted to wear leg warmers, printed patterns, or leggings.

Shoes – Grades 9 – 12

Students may wear a flat soled loafer, oxford, flat or clog shoe with closed toe. Any shade of brown, black, grey or navy blue. Shoes may have accent colors but dominant color(s) must be of the approved listed colors. Shoe styles should be business casual/ professional and may not be athletic shoes, boots or shoes with fur. Sandals, Crocs, moccasins or slipper style shoe, cleats, and heeley shoes (shoes with wheels) are not permitted.

Jewelry, hair styles, and accessories - Grades K - 12

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

Hairstyles should reflect the atmosphere of decorum desired by the school. Unnatural color dyes, spiked hair, shaved symbols, and Mohawks are examples of hairstyles that are not acceptable. Facial hair must be neatly groomed or completely clean shaved. Individual cases will be addressed by the administration.

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

Hats, bandanas, sweatbands (head and/or wrist), and sunglasses are all considered inappropriate for regular school wear.

Writing on hands and arms, including temporary tattoos, is not appropriate and is not allowed.

CONSEQUENCES FOR VIOLATING UNIFORM

The administration reserves the right to determine whether a student is in compliance with the uniform and to specify consequences for non-compliance. Any inappropriate or distracting appearance will be addressed by the administration on an individual basis.

Minor dress violations such as untucked shirts will result in verbal warnings or the issuing of demerits. Failure to follow repeated warnings could be considered insubordination.

Students who do not dress in accordance with the uniform may not attend classes until correction is made. If correction is not practical, parents will be contacted and will have to provide appropriate clothing for their child before he/she is permitted to attend classes.

Repeated failure to conform to the uniform may result in more severe penalties.

The following are examples that will result in restriction from classes:

- 1) Non-school shirt
- 2) Non-conforming pants, shorts, skirts
- 3) Shorts or skirts that are more than four inches above the knee
- 3) Clothing that is overly tight or baggy
- 4) Defiance to adhere to the uniform (ex. refusing to tuck shirt in)
- 6) Unacceptable piercing or hairstyles
- 7) Any major inappropriate or distracting appearance as deemed by the administration

USE OF DISTRACTING ITEMS

Students are prohibited from bringing to school any personal music playing devices, toys, or any other items which are distracting to the educational atmosphere. Pre-approved recess items may be brought to school. However, NCS is not responsible for lost, damaged, or stolen personal property. Students violating this policy will have the item confiscated and turned over to an administrator who may return the item to the student at a later date. Subsequent violations may result in a demerit being issued, parent contact, permanent confiscation, and additional consequences. A student who refuses to turn over a distracting item to a staff member will be considered to be insubordinate and may be liable for additional disciplinary action.

VANDALISM / DESTRUCTION OF SCHOOL PROPERTY

The school cannot tolerate vandalism of any kind. If guilty of vandalism, the student will be required to pay for the damages and be referred to the administration for further disciplinary action. Consequences for violating this policy may include demerits being issued, suspension from school, and/or Review Board hearing. If necessary, the matter will be referred to the police.

VISITORS

All visitors must enter and exit through the main office of the building. Visitors needing to travel outside of the main office, must present a State issued identification. Students may not have visitors with them during the school day unless the visit has been prearranged through an administrator.