

Las Américas ASPIRA Academy High School

Code of Conduct



2023 - 2024

This document is not all-inclusive nor does it restrict Las Américas ASPIRA Academy's authority to take actions that are appropriate to maintain a safe and orderly educational environment.

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Newark DE 19713

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Mission Statement

To educate and empower each student to realize their full potential and positively impact their communities.

Family Educational Rights and Privacy Act

Student records maintained by Las Américas ASPIRA Academy are subject to the protections, restrictions, and potential penalties mandated by FERPA: <http://www.ed.gov/policy/gen/guid/fpco/ferpa>

Child Abuse and Neglect

All ASPIRA team members are mandated by law to report suspected cases of child abuse or neglect to the Department of Family Services. Staff who suspect child abuse or neglect will immediately report this to DFS and report the incident to the school nurse.

Nondiscrimination in Services

Las Américas ASPIRA Academy does not discriminate on the basis of race, color, gender, religion, age, disability, marital status, national origin, or other legally protected categories in its educational programs, activities, employment, or student admissions policies, or practices. Inquiries regarding compliance with the above can be directed to:

Section 504: Contact Margie López Waite, Head of School, Las Américas ASPIRA Academy, 326 Ruthar Drive, Newark, DE 19711

Section 504 Coordinator's Responsibilities: To coordinate Las Américas ASPIRA Academy's efforts to comply with the disability discrimination laws.

Title IX: Contact Margie López Waite, Head of School, Las Américas ASPIRA Academy, 326 Ruthar Drive, Newark, DE 19711

Title IX Coordinator's Responsibilities: To coordinate Las Américas ASPIRA Academy's efforts to comply and carry out the School's responsibilities under the Title IX, including any investigation of any complaint alleging noncompliance with the Title IX or alleging actions, which would be prohibited by Title IX.

This document is not all-inclusive nor does it restrict *Las Américas ASPIRA Academy* and/or *Board of Director's* authority to take actions that are appropriate to maintain a safe and orderly educational environment.

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Board of Directors

Chairperson: Guillermina Gonzalez, DBA

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Teacher/Staff Representative: Keaira Fana-Ruiz

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Director: Elizabeth Diaz

Director: Pedro Viera

Ex-officio Board member: Margie Lopez Waite (Chief Executive Officer)

Ex-officio Board member: Greg Panchisin (Chief Operating Officer)

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WHAT IS THE SCHOOL CODE OF CONDUCT?

The success of our school requires the cooperation of the entire team – school, family and student. At LAAA, we expect that our students and their families will embrace our philosophy and policies. The following rules and guidelines have been established to set high standards for student conduct. With the cooperation of our parents/guardians and students, these expectations will lead to a safe and positive learning environment.

LAAA 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 their disability. The school will also establish behavioral guidelines to maintain an environment that is conducive to education without stifling expression and appropriate social interaction. As a student of LAAA, you are responsible for your 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 within the neighboring community is compromised or jeopardized. Parents/guardians are expected to support the learning process by having their children arrive on time, remain in school for the full day, schedule appointments after school hours, and vacations when school is not in session.

WHEN IS THE SCHOOL CODE OF CONDUCT ENFORCED?

The School Code of Conduct is enforced:

- On school property prior to, during and following regular school hours, including but not limited to, when school is in session or when school activities are in operation.
- On school buses, which includes, but it is not limited to, students at a bus stop.
- At all school-sponsored events and other activities where school administrators have jurisdiction over students.
- When a student's out-of-school conduct indicates that the student presents a threat to the health, safety, or welfare of other students and staff.

The School Code of Conduct is not all-inclusive and a student committing an act of misconduct not listed may be subject to the authority of the Chief Executive Officer, Head of School, or designee.

SECTION I: GENERAL INFORMATION

RELEASING STUDENTS TO PERSONS OTHER THAN PARENT/GUARDIAN/CAREGIVER

If someone other than a parent, guardian, or relative caregiver (as identified on the Registration Form 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/guardian may be provided via a phone call, email, or a written note to the Main Office. The person picking up the student will be asked to show valid photo identification. LAAA may call the phone numbers listed on the Registration Form, and/or eSchool, to verify information. If verification cannot be ascertained to the satisfaction of the LAAA administration, the student will not be released.

HEALTH SERVICES/ACCIDENTS

Parents/guardians should report to the Main Office to pick up a child who is ill. Students running a fever or vomiting should remain at home for 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.

The school nurse is available to assist when injuries/accidents happen. If applicable, you will receive an accident report. For more serious injuries where emergency action is needed, staff will provide immediate care, contact the nurse and/or 911, and notify a parent/guardian as soon as possible. An accident report will be signed and kept on file.

Parents/guardians must complete the Medical sections of the LAAA Registration Form prior to the start of the school year. This information enables the nurse to notify parents or guardians in case of illness or injury. Please note that parents/guardians need to inform the school nurse and Main Office if anyone other than those listed on the form will be sent into school to pick up a child. Upon arrival, a valid picture ID will be required before that person will be allowed to leave with the child.

MEDICATIONS, INJURIES, AND ILLNESSES

If a student requires special medication, the student must register the medicine with the school nurse and the medicine must be taken in the presence of the nurse in their office. All prescription medication must be in the original container with clearly labeled directions. 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/guardian 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 be provided with appropriate medication. Any student who has sustained an injury requiring doctor's care must have written permission to resume physical education class, participate in sports, or engage in other physical activity. In addition, readmission to school from the emergency room requires written clearance from that student's health care provider. Please note, per Delaware law, that if you are new to the public school system a new physical and TB test are required upon enrollment at LAAA.

SCHOOL MATERIALS AND PERSONAL PROPERTY

Students are responsible for the replacement cost of any school property that may be damaged, lost, or stolen. The responsible person (i.e., the student and their parent/guardian) must make restitution to the school in the amount of the full replacement cost.

LAAA is not responsible for damaged, lost, or stolen personal property.

LOST AND FOUND

LAAA staff members are not responsible for the loss of any item. All lost items are sent to the Main Office. The last day of the month, uniform items not claimed will be donated to the PTO, non-uniform items will be donated to Goodwill or the school nurse. If an item is not in the lost and found, a student or parent/guardian should report the missing item to a staff member in the office. Periodically, unclaimed items in the lost and found will be donated to Goodwill Industries or other charitable organizations.

MEDIA CONSENT

From time to time, Las Américas ASPIRA Academy may receive requests from the media to publicize its educational programs and student activities. In addition, your child's teachers and/or administrators appreciate the opportunity to photograph, quote and record our students for use in the school newsletter, calendar, website and other promotional or training/educational materials. If you do not want your child's picture used you must fill out and return a Media Consent Form (Media Consent Opt-Out Form). More information is located on our school's website.

FOOD AND DRINK POLICY

Breakfast and lunch are to be consumed in the cafeteria. No food or drink (other than water) are permitted inside the classroom. If buying breakfast and/or lunch from our cafeteria, meals must be paid for in advance. Please visit our website to review the meal charge policy.

SUICIDE PREVENTION POLICY

Las Américas ASPIRA Academy recognizes the serious problem of youth suicide and acknowledges that providing a policy related to youth suicide recognition and prevention is very important. Please review the suicide prevention policy located on our school website: <https://aspiraacademy.org/policies-procedures/>.

SECTION II: BEFORE AND AFTER SCHOOL

ARRIVAL AND DISMISSAL PROCESS FOR REGULAR SCHOOL DAYS

Please note the changes outlined in the Inclement Weather section for school delays or early dismissals.

Morning Schedule

- 6:50 am – School opens for all students; students report to cafeteria for breakfast
- 7:10 am – Morning announcements begin
- 7:15 am – Period 1 begins
 - *All students arriving to their classroom after 7:10 am are considered late and must be signed in by an adult in the Main Office.*

Afternoon Schedule

- 1:45 pm – Students with early dismissal must be picked up from the Main Office by this time.
 - If a student is not picked up by 2:00 pm, families will not be able to pick students up after that time through the Main Office. Car rider procedure will need to be followed.
- 2:10 pm – End of school day, dismissal begins

AFTER-SCHOOL / EXTRACURRICULAR ACTIVITIES

Students at LAAA must understand that their academic and behavioral performance will impact their participation in school-sponsored events. The school administration has the right to evaluate, limit, and determine whether a student is

not meeting the school's expectations. If such a determination is made, the student may not be permitted to participate in the activity or event. Students must be in school for at least half of the day (minimum of 3.5 hours) in order to participate in after-school activities. In the event that school is closed or that students are dismissed early from school, (for example: inclement weather) all activities for that day will be canceled.

BUS TRANSPORTATION

Riding the bus is an extension of the classroom and is a privilege that can be revoked. The bus driver has the authority of a classroom teacher. In order to keep that privilege, students must abide by our school rules while waiting for the bus at their designated bus stop, on the bus, and exiting the bus to return home.

BUS MISBEHAVIOR

Students who do not follow the reasonable requests of the bus driver jeopardize their riding privileges and will be referred to the school administration for disciplinary action. Fighting on the bus will result in, at the minimum, a 5 day loss of bus privileges for all those involved. Repeated misbehavior will be referred to the Review Board for further action and possible permanent loss of bus privileges.

Consequences for bus misbehavior:

- 1st offense: bus incident report, parent/guardian contact, and may result in at least 1-day loss of bus privileges.
- 2nd offense: bus incident report, parent/guardian contact, and may result in at least 2-day loss of bus privileges.
- 3rd offense: bus incident report, parent/guardian contact, and may result in at least a 3-day loss of bus privileges.

Consequences for Level 3 bus misbehavior:

- Possible permanent loss of bus privileges

Subsequent offenses will result in parent/guardian conference, automatic suspensions and/or permanent revocation of bus riding privileges. Consequences mentioned above for bus misbehaviors may warrant a consequence impacting more than just bus privileges, examples include, but are not limited to, school suspension and/or expulsion.

STUDENT DRIVERS

By accepting a parking pass you waive your bus privileges.

In order to apply for on-campus parking students must adhere to the following:

- Be a student in good standing
- Complete ASPIRA parking agreement and parking assignment guidelines form
- Pay the required \$30 annual parking fee
- Verify that all school obligations have been met
- No longer be required to drive with supervision
- Transferring permits or parking in an unauthorized spot will be considered a violation of the parking agreement

Violations of the ASPIRA Parking Guidelines or Code of Conduct may result in the immediate suspension or revocation of parking privileges. Violations are also subject to a \$15 fine. Certain violations may be subject to towing at the owner's expense.

Parking Rules and Regulations for Student Drivers:

1. Cars parked on school property are subject to the Search & Seizure laws of the State of Delaware, State Board, and ASPIRA Academy policies.
2. Park in your assigned spot only. Illegal parking may result in vehicle towing at the owner's expense, and/or disciplinary action for violation of the school Code of Conduct (Defiance). Any problems with parking should be reported to the main office. Violation of Parking Rules may also result in a \$15 fine.
3. At no time during the day are students permitted to go to their cars without permission from a school administrator. Any student who goes to his or her car during the school day without authorization will be considered to have left school without permission and will be subject to a search of their belongings and their car.
4. Any violation of parking or traffic regulations, including speeding and unsafe driving, may result in immediate loss of parking privileges and possible prosecution.
5. Parking permits and spots are non-transferable. Permits are valid for the registered driver and vehicle(s) only. Parking permits should be displayed hanging on the front of the rear view mirror. Registration fees are non-refundable.
6. Periodically, an attendance report will be run. Registered parkers who accrue excessive Unexcused Tardies to class at any time during any marking period may have their parking privileges suspended for a designated period. At that time, the student's parking permits must be returned to an administrator. Additionally, any vehicle parked

on campus that is unregistered or belongs to a student whose privileges have been suspended may be subject to towing or ticketing at the vehicle owner's expense.

CONDUCT OUTSIDE OF SCHOOL

Disciplinary actions by the school also apply to behaviors outside of school in which the school believes the student presents a threat to the health, safety or welfare of other students and staff. In such cases, the school may take appropriate action including expulsion. Such out of school conduct shall include, but is not limited to:

- Acts of violence which are 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.
- Use of technology and/or social media platforms which have an adverse effect on the learning environment.

LAAA 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 will be subject to expulsion.

INCLEMENT WEATHER

During snow or other inclement weather, ASPIRA Academy will independently announce its school closings or late starts. When weather forecasts indicate the possibility of hazardous driving conditions or impassable roads, the decision whether to close the school or open late will be made prior to 5:30 a.m. the day of closing. The decision will be posted on our school website (www.aspiraacademy.org), our Facebook page, sent via our text/phone system, and periodically announced on WJBR (99.5 FM Radio). In the event it is necessary for an early dismissal, an email and a voice alert will also be sent to the phone number of the primary contact for each student.

Listed below is information specific to the typical types of weather delays:

1-Hour Delay

- 7:30 am - Main Office opens
- 7:50 am – Breakfast available for students
- 8:10 am – School opens

2-Hour Delay

- 8:30 am - Main Office opens
- 9:10 am – School opens
(Breakfast will not be served; lunch will be provided at its regularly scheduled time.)

Early Dismissal

- Lunch will be provided on a modified schedule.
- No After School Activities. Students must be picked up from school or sent home on the bus.
- Offices will close and activities/services will be canceled.

School Closing

- Offices are closed and no activities/services available.

SECTION III: TECHNOLOGY

TECHNOLOGY: ACCEPTABLE USE POLICY

The use of technology at LAAA 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. 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. Damage to any technology must be reported to your teacher.

Before students are permitted to use LAAA technology, all students and their parent/guardian must sign the Acceptable Use Policy and Chromebook Agreement.

The use of personal computer devices is not permitted.

CHROMEBOOK INSURANCE

All students are required to pay a \$25 Chromebook insurance fee. The insurance fee provides financial protection against accidental damage.

COMMUNICATION DEVICES

Communication devices such as, but not limited to, cellular phone, wearable technology, and/or electronic signaling devices, may not be used at school and/or field trips without permission from an LAAA staff member. All devices must be turned off and secured in students' backpacks. LAAA is not responsible for lost, stolen and/or damaged personal property. See [section 8](#) for more information on the consequences of noncompliance with this policy.

SECTION IV: ATTENDANCE

ABSENTEEISM /ATTENDANCE

Students are required to attend school 90% of the course to be eligible for promotion unless otherwise stated by Special Education protocols. A written note of explanation with a parent/guardian signature must be presented no later than the third day back in school. All written notes must have a parent/guardian signature. 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 the day after an absence in order for that absence to be excused
2. Scheduled appointments to a physical or mental health care provider
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 (for example, a parent's/guardian's work requiring a temporary transfer or sabbatical out-of-state, a family emergency in another country, etc.) at the discretion of the Head of School
9. Suspension from school

Following such an excused absence, the student shall be allowed to make up all missed work and/or tests and submit any assignments which became due during the absence. The time allowed for taking tests or turning in assignments shall be the number of school days or number of class meetings missed due to the absence. Any teacher may extend the time for making up work missed if circumstances merit such action.

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/guardians should not expect teachers to pre-assign work and/or lesson plans that will be covered during a student's absence. Missed work will be located in Schoology for students to complete once they return. Parents/guardians are responsible for any instruction necessary for their child to complete the work. The time allowed for taking tests or turning in assignments shall be the number of school days missed due to the absence. Any work not received by the due date will receive a failing mark in the gradebook.

Complying with Delaware Code, these requirements apply at LAAA.

Concerning unexcused absences:

1. Following the 5th day of an 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 an unexcused absence, the student's parent(s)/guardian(s) shall be notified by mail and/or phone call to appear at the school for a conference with an administrator.
3. Following the 15th day of an unexcused absence, the student's parent(s)/guardian(s) shall be notified by mail and/or phone. The Director of School Support Services will call a parent/guardian of the student in question and may require the parent/guardian to appear at the school for a conference.
4. Following the 20th day of an 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. The school will reserve the right to determine promotion to the next grade level.

Concerning excused absences:

1. Following the 15th day of an excused absence, the student's parent(s)/guardian(s) shall be notified by mail. The Director of School Support Services will call a parent/guardian of the student in question and may require the parent/guardian to appear at the school for a conference.
2. Following the 30th day of an excused absence, the school will reserve the right to determine promotion to the next grade level.

SECTION V: DRESS CODE/UNIFORM POLICY

The purpose of the school dress code policy is to promote school pride and safety, and enhance the learning environment. At ASPIRA Charter High School, we believe a school dress code helps create a culture of equity and unity. Please refer to the school's website or main office for uniform vendor information.

What to wear, regular days

- Tops, must have LAAA logo
 - Approved colors
 - Navy
 - Black
 - White
 - Light blue
 - Yellow
 - Gray
 - Hooded sweatshirts are permitted but no hoods covering the head
 - Cardigan sweaters are permitted but the school's logo must be visible on the shirt underneath; cardigan sweaters must be a solid approved color (for tops) with no other writing, patterns, or designs
 - Official ASPIRA shirts are also permitted (official sports t-shirts, official fundraiser t-shirts, etc.)
- No hats permitted
- Pants
 - Solid in color
 - Approved colors: navy, black, gray, khaki
 - No designs, patterns, symbols, or words
 - No denim (jeans) of any color
 - Pants must be worn at the natural waist
- Skirts, skorts, shorts
 - No shorter than 4 inches above top of knee
- Footwear
 - No slippers
 - No shoes that mark the floors
- Outerwear
 - No outerwear is to be worn inside the school (7:10 am - 2:10 pm)

Consequences

For students coming into school out of dress code

- Always required to change into appropriate dress code clothing (students who do not return clothes given to them by the school within five school days will be required to pay for the clothing borrowed)
 - The first two times no additional consequences will be given
 - The third time includes contact home
 - The fourth and subsequent times include lunch or after school detentions

For student not complying with the dress code during the school day

- Verbal warning first; if a staff member sees a student out of compliance after giving them a warning the student will receive the following consequences
 - First offense: Lunch detention
 - Second offense: Lunch detention
 - Third offense: After school detention
 - Fourth+ offense: To be discussed by the admin and C&C team on a case by case basis

What to wear, dress-down days

- A student's midriff must be covered at all times.
- Shorts, skorts, skirts, and dresses should be no more than 4 inches above the knee.
- No tank tops or spaghetti straps.
- Visible holes at or above mid thigh that expose skin are not permitted.
- No hoods covering the head
- No hats
- References to illicit or offensive materials are not permitted.

All permissible attire is at the discretion of LAAA's administrators.

SECTION VI: ACADEMIC PROMOTION

GRADING AND GRADE REPORTING

Student report card grades will be based on formative and summatives graded assignments.

- Formative assignments are 20% of a student's marking period grade
- Summative assignments are 80% of a student's marking period grade
- Final exams account for 10% of a student's final grade with marking period averages accounting for 90% (45% per marking period for semester long courses)
 - In courses without final exams, 100% of the final grade will be determined by averaging marking period grades

Students earning a grade of D- or better will earn a credit for the course. A full semester course earns 1 credit. A marking period course earns 0.5 credit.

Students may not be marked lower than a 40% for any submitted assignment, formative or summative.

At the end of each marking period the following marks will be converted to the corresponding letter grade:

A	93 - 100
A -	90 - 92
B +	87 - 89
B	83 - 86
B -	80 - 82
C +	77 - 79
C	73 - 76
C -	70 - 72
D +	67 - 69
D	63 - 66
D -	60 - 62
F	59 and below

CREDIT-BASED PROMOTION IN HIGH SCHOOL

To graduate from LAAA and earn a high school diploma, a student must earn the following:

- 4 math credits
- 4 English credits
- 4 world language credits
- 4 social studies credits
- 4 science credits
- 3 pathway credits
- 1 physical education credit
- 0.5 health credit
- 4 additional credits (a minimum of 28.5 credits in total)

To be promoted to 10th grade a student must earn the following:

- 1 math credit
- 1 English credit
- 1 science or social studies credit
- 2 additional credits (a minimum of 5 credits in total)

To be promoted to 11th grade a student must earn the following:

- 2 math credits
- 2 English credits
- 3 credits combined in science and social studies
- 1 pathway credit
- 4 additional credits (a minimum of 12 credits in total)

To be promoted to 12th grade a student must earn the following:

- 3 math credits
- 3 English credits
- 5 credits combined in science and social studies
- 2 pathway credit
- 5 additional credits (a minimum of 18 credits in total)

SECTION VII: VIOLATION OF THE CODE OF CONDUCT

When a student violates the code of conduct the school's Culture and Climate team will be notified and will proceed with consequences or interventions they deem appropriate.

DISCIPLINE OF STUDENTS WITH DISABILITIES

- A. For disciplinary reasons, the Head of School, or designee, may suspend and/or change the placement of a student with a disability to an alternative school/program for up to ten days, 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 Head of School, or designee, 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 possesses 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 LAAA. 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 their 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.
- E. The special education team will determine whether the alleged conduct was a manifestation of the student's disability. The team will determine 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 special education team (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. Parents/guardians who disagree 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.

REVIEW BOARD

The Review Board is an advisory group to the Chief Executive Officer made up of the Head of School, Assistant Head(s) of School, Director of Education Enrichment, School Safety and Relations Coordinator, Culture and Climate team member, and/or other staff members. All advisory members do not need to be present for the Review Board to meet. The Review Board may convene with parents/guardians and the student whenever a serious offense has been or may have been committed by the student, when a student reaches 10 or more incident reports, excessive absences, when referred by the administration for repeated classroom misbehavior, behavior referrals, and/or violations of school regulations. This decision will be at the discretion of the Head of School or designee. A serious offense is one which can result in a dismissal (examples would be: involvement with drugs, alcohol, or weapons at school or at school sponsored events, vandalism, stealing, false alarms, etc.). 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 Head of School. One or two alternate staff members will be selected in the event that a Review Board member is absent or has a conflict of interest.

Any expulsion action taken by the Chief Executive Officer may be appealed to the school's Board of Directors. While an appeal is pending, the Chief Executive Officer'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 Chief Executive Officer 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/guardians, student, and school officials. After the hearing, the committee, by majority vote, will determine whether or not to affirm the dismissal.

BULLYING

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical, and/or social behavior that intends to cause physical, social, and/or psychological harm. Bullying behavior is repeated or has the potential to be repeated over time. Single incidents or conflicts or fights between equals, whether in person or online, are not defined as bullying. According to state law and Department of Education (DOE) regulations, when a situation rises to bullying, as defined above, it must be reported to the appropriate authorities. The Bullying Prevention HB 268 requires that all alleged and all substantiated instances of bullying be reported to DOE, as well as to the Department of Justice. Consequences may include, but are not limited to, suspension and/or a Review Board hearing leading to possible expulsion. For LAAA's full bullying policy please see our website: <https://aspiraacademy.org/policies-procedures/>.

Some student misconduct that falls under a school's anti-bullying policy may trigger responsibilities under one or more of the federal antidiscrimination laws enforced by the Department's Office for Civil Rights (OCR). Please refer to: <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html>

CYBERBULLYING

Bullying of any person by use of data or computer software that is accessed through a computer, computer system, computer network or other electronic device is prohibited. 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). Students who feel that they have been the victims of such misuses of technology should not erase the offending material from the system. They should print a copy of the material and immediately report the incident to the Head of School. All reports of harassment in cyberspace will be investigated. Consequences may include, but are not limited to, the loss of computer privileges, suspension, and/or Review Board hearing leading to possible expulsion.

Social media refers to any electronic outlet of communicating with another person. The following social 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. Any social media outlet or electronic communication, such as email, texting, messaging, which allows for communications that may be viewed by the intended victim shall be considered as an electronic medium for the purposes of enforcing the electronic bullying aspects of the LAAA Bully Prevention Policy.

FREQUENT OFFENDERS

When any student receives a 6th referral for the same offense, the Culture & Climate team will contact the school's administration team and a meeting will be held to determine an appropriate plan for that student moving forward which may include a student behavior contract.

TYPES OF DISCIPLINARY ACTIONS

RESTORATIVE PRACTICES

Restorative Practices hold students accountable for their actions by involving them face-to-face with people they have harmed through mediation. Simply put, to be "restorative" means to believe that decisions are best made and conflicts are best resolved by those most directly involved in them. These practices seek to develop good relationships and restore a sense of community in the classroom and the school-setting. They are based on the notion that through discussion about the impact of the incident on others and by seeking a way to correct things, or make things right again, relationships, behavior and decorum will be improved.

Restorative Practices follow a continuum which allow for incidents to be resolved through discussions using affective statements and questions, small impromptu conferences, via community circles, or a formal conference. Restorative Practices will be a resource used inside the classroom whenever possible, or mediated outside the classroom by the Head of School or a member of the school's Culture and Climate team. Restorative Practices may occur in lieu of a detention or suspension, or in addition to these, whenever deemed appropriate by the Culture and Climate team.

PEER MEDIATION

Peer Mediation is a process that helps students who are having trouble solving their disagreement independently. Trained student mediators serve as an impartial third party to help those students through a process of listening, problem-solving, and communicating to positively resolve their differences.

DETENTION

In-school Detention

In-school detention is an established time outside of a student's regular instructional time when a student is assigned to a supervised area. An example includes, but is not limited to, a lunch detention.

After-school Detention

After-school detentions are assigned and served outside of a student's regular instructional time. Students and their families will be provided with a 24-hour notice of detention. Students are required to serve the detention on the assigned date. Detention is one hour in length and is held immediately after school (2:15 pm - 3:15 pm). Students are required to arrange for transportation home.

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 and/or serve a suspension.

If the student shows up after the designated start of detention without a valid excuse for the lateness, they 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, use their phones, 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.

SUSPENSIONS

When a student is suspended, a parent/guardian is contacted immediately. Notification of suspension will be provided via a telephone call, or other written notifications such as a letter, text, or email.

In-school Suspension (ISS)

Students assigned in-school suspension will remain in school, but will be assigned to a designated, supervised area within the school. Students with a disability serving an in-school suspension will be afforded the necessary instruction to allow them to continue making progress on their IEP goals and will receive all accommodations. Students assigned to in-school suspension are not permitted to participate in any extra-curricular activities during the length of their suspension.

Out-of-School Suspension (OSS)

While serving an out-of-school 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.

EXPULSIONS

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

- Defiance of School Authority
- Disorderly Conduct
- Unacceptable Use of Technology
- Offensive Touching
- 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 or Fighting (depending on the circumstances)
- Bullying and cyberbullying
- Ethnic Intimidation
- Harassment (physical, sexual, or verbal harassment)
- Stealing (This could be handled by administration depending on circumstances; restitution must always be made)

- 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 House Bill 322 which includes notification of police.

ALTERNATIVE PLACEMENT

A charter school, subject to the limitations of 14 Delaware Code 504A(8), shall pursue referral of any student meeting the requirements of Section 1.2 into a Consortium Discipline Alternative Program pursuant to the provisions of Chapter 16 of Title 14 of the Delaware Code. Except as otherwise provided in the Delaware Code 600 §611 regulation, any student who is expelled by a local school district, who is subject to expulsion or who otherwise seriously, or chronically, violates the district discipline code shall be eligible for placement at a Consortium Discipline Alternative Program site.

DEFINITIONS

Delaware code Title 14 §614 provides uniform definitions of student conduct which may result in expulsion or alternative placement. Please refer to the following link for specific information:

<http://regulations.delaware.gov/AdminCode/title14/600/614>

Delaware code Title 14 §614 provides Due Process Procedures for Alternative Placement Meetings and Expulsion Hearings. Please refer to the following link for specific information:

<http://regulations.delaware.gov/AdminCode/title14/600/616.shtml>

DUE PROCESS AND GRIEVANCES

LAAA students and families have rights and responsibilities, including the right to know about any violation of the Code of Conduct and the assigned consequence. Students and families have the right to be heard, also called due process. Students and families should try to resolve their complaints through discussion first.

When a student or family believes that they have been unfairly treated or have not been afforded due process, a grievance must be filed within five (5) school days from the time of the alleged incident.

When a grievance procedure is used, these steps should be followed:

1. The student/or person who felt harmed shall request a conference with the person(s) who allegedly treated the student unfairly – teacher(s) and/or other team members.
2. If the conference fails to resolve the issue, the grievant shall discuss the problem with the Head of School's designee: Jorge Camacho (School Safety and Relations Coordinator).
3. The student will, upon request, be given a written notice by the designee stating the resolution, or decision, to the complaint. Such notice will be provided within five (5) school days. If the discipline will result in a consequence that is less than an out-of-school suspension, the decision is final.
4. If a decision at the designee's level is not acceptable and the appeal will result in an out-of-school suspension, or expulsion, the designee's decision may be appealed to the Head of School. A student wishing to appeal the designee's decision must file a written appeal with the Head of School no later than ten (10) school days from the date of receipt of the designee's written decision.
5. The Head of School shall schedule a conference to hear the appeal no later than five (5) school days following receipt of the notice of appeal and shall issue a decision in writing, no later than five (5) school days following the conference.
6. The decision of the Head of School shall be the final decision of Las Américas ASPIRA Academy. A copy of the Head of School's decision shall be sent to all involved parties not later than ten (10) school days following receipt of the appealed decision.

SECTION VIII: VIOLATION OF THE CODE OF CONDUCT–INFRACTIONS AND CONSEQUENCES

CELL PHONE USE (UNAUTHORIZED)

A student who uses their cell phone (or equivalent) without permission will be in violation of the Code of Conduct.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	Lunch detention
4+ offenses	After school detention

CLASS CUTTING AND/OR LOITERING

A student who is out of class for 10 or more minutes without explicit permission to be so, will be in violation of the Code of Conduct. This includes, but is not limited to, students who get permission to go to the bathroom but remain out of class for 10 or more minutes. Students who get permission to leave class to visit another staff member (e.g. school nurse, school counselor) are permitted to be out of class for more than 10 minutes granted they are with that other staff member. A student who is in an unauthorized location is considered to be loitering.

Consequences:

1st offense	Lunch detention
2nd offense	After school detention
3rd offense	After school detention
4+ offenses	ISS

CLASS DISRUPTION

A student who disrupts a lesson will be in violation of the Code of Conduct. These violations may include, but are not limited to: calling out, making inappropriate noises, using distracting items (laser pointers, flipping bottles, etc.). Items are subject to confiscation and refusing to hand the item(s) over will escalate the consequence of this infraction.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	Lunch detention
4+ offenses	After school detention

DISRESPECT TOWARDS A STAFF MEMBER

A student who actively disrespects a staff member will be in violation of the Code of Conduct. This violation is more serious than insubordination. This might include, but is not limited to: yelling at a staff member, cursing at a staff member, aggressive gestures towards a staff member.

Consequences:

1st offense	1+ day of ISS
2nd offense	1+ day of OSS
3rd offense	Review board for expulsion
4+ offenses	Review board for expulsion

DRESS CODE VIOLATIONS

For students coming into school out of dress code:

A student will be referred to the uniform closet by the first staff member who notices they are out of dress code and are expected to address their non-compliance there.

Consequences:

1st offense	No additional consequence
2nd offense	No additional consequence
3rd offense	Contact home
4+ offenses	Lunch detention

For students violating the school's dress code during the school day:

A student in violation of the school's dress code will receive a verbal warning each day first; if a staff member sees a student out of compliance after giving them a warning the student will be in violation of the Code of Conduct and will be referred to the Culture and Climate team.

Consequences:

1st offense	Lunch detention
2nd offense	Lunch detention
3rd offense	Lunch detention
4+ offenses	Case by case basis

DRUGS OR ALCOHOL POSSESSION/USE

A student in possession of any alcohol product or any narcotic will be in violation of the Code of Conduct.

Consequences:

1st offense	3+ days of OSS
2nd offense	Review board for expulsion
3rd offense	Review board for expulsion
4+ offenses	Review board for expulsion

FIGHTING

A student who engages in an aggressive physical altercation with another student(s) will be in violation of the Code of Conduct.

Consequences:

1st offense	3+ days of OSS
2nd offense	Review board for expulsion
3rd offense	Review board for expulsion
4+ offenses	Review board for expulsion

FOOD IN CLASS

A student who brings food outside of the cafeteria will be in violation of the Code of Conduct.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	Lunch detention
4+ offenses	After school detention

INSUBORDINATION

A student who does not comply with a staff member's reasonable requisition will be in violation of the Code of Conduct.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	After school detention
4+ offenses	ISS

LATE TO CLASS

A student who is late two or more times in a week to any of their classes will be in violation of the Code of Conduct.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	After school detention
4+ offenses	After school detention

TECHNOLOGY MISUSE

A student who misuses technology in unapproved ways will be in violation of the Code of Conduct. These violations will include, but are not limited to: streaming entertainment (YouTube, Netflix, etc.), engaging in social media, online shopping, online food ordering.

Consequences:

1st offense	Contact home
2nd offense	Lunch detention
3rd offense	After school detention
4+ offenses	After school detention

TOBACCO POSSESSION/USE

A student in possession of any tobacco product will be in violation of the Code of Conduct.

Consequences:

1st offense	1+ day of OSS
2nd offense	1+ day of OSS
3rd offense	Review board for expulsion
4+ offenses	Review board for expulsion

The following violations will be considered on a case-by-case basis. The Culture and Climate team or Administration team will determine the level of the offense which will result in a consequence.

- Level 1 offenses will have a minimum consequence of contact home.
- Level 2 offenses will have a minimum consequence of after-school detention.
- Level 3 offenses will have a minimum consequence of suspension and may result in expulsion.

ACADEMIC DISHONESTY/PLAGIARISM (Level 1 or 2)

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

ASSAULT OF A STAFF MEMBER (Level 3)

Referral to the 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.

DEFAMATORY OR DEMEANING ACTIONS - ETHNIC INTIMIDATION (Level 2 or 3)

Actions of this type are defined as follows:

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.

FORGERY / FALSIFICATION (Level 1 or 2)

- 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 an LAAA employee.
- C. Providing false accusations attempting to defraud school personnel.

GAMBLING (Level 2 or 3)

Gambling of any kind is prohibited at the school. Money and paraphernalia will be confiscated when the activity is discovered.

HARASSMENT (Level 2 or 3)

Any actions or statements made with the intent to harass or alarm another person.

INAPPROPRIATE BEHAVIOR: CARELESS/RECKLESS (Level 1 or 2)

Intentional/unintentional behavior that has the potential to or causes personal injury or property damage. For example: shoving, horseplay, instigation.

INAPPROPRIATE BEHAVIOR: SEXUAL (Level 2 or 3)

Inappropriate sexual behavior are acts of affection or intimacy inappropriate to an educational setting.

INAPPROPRIATE SEXUAL BEHAVIOR, SEXUAL HARASSMENT, TOUCHING AND/OR EXPOSURE (Level 3)

The following definitions should be considered:

Unwanted sexual advances, unwanted requests for sexual favors, or inappropriate touching of a sexual nature; Inappropriate oral or written statements of a sexual 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; any act which would be considered sexual harassment under Delaware Code Title 11.

Any act of inappropriate sexual behavior, sexual harassment, touching and/or exposure will be treated as criminal offenses and will be reported to the appropriate authorities.

INFLAMMATORY ACTIONS (Level 2 or 3)

Inflammatory actions are language, gestures or actions which might create or are intended to create a disturbance.

INSTIGATION OF A FIGHT (Level 1 or 2)

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

LEAVING SCHOOL WITHOUT AUTHORIZATION (Level 2 or 3)

LAAA is a closed campus. Students are not permitted to leave campus during school without parent/guardian permission and administrative approval. The "campus" refers to the school building, and outside areas utilized regularly during recess and physical education. 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.

OFFENSIVE TOUCHING (Level 2 or 3)

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 may be subject to possible police involvement.

POSSESSION AND/OR CONSPIRING TO CONCEAL A FIREARM (LEVEL 3)

This includes other weapons or dangerous instruments or look-alikes.

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 articles commonly used for other purposes in an aggressive and threatening manner.

Dangerous instruments may also include any disabling chemical spray, or any electronic control devices including but not limited to a neuromuscular incapacitation device designed to incapacitate a person. 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, or deadly weapon, as defined by Federal and/or State law, and in the Gun-Free Schools Act, on school property, in a school bus, or at any school-sponsored event or activity, shall result in expulsion for a period of no less than one year. The possession of a BB gun or knife will require a recommendation for expulsion. The Board of Directors may modify such expulsion requirements to the extent a modification is required by Federal and State law. This provision is in compliance with the 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.

STEALING, POSSESSING, TRANSFERRING STOLEN GOODS (Level 2 or 3)

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. Proper restitution must always be made.

TEEN DATING VIOLENCE AND SEXUAL HARASSMENT (Level 3)

Las Américas ASPIRA Academy knows that safe learning environments are necessary for students to learn and achieve high academic standards. The Head of School shall ensure that all requirements of 14 Del. C. § 4112E in regards to School Teen Dating Violence and Sexual Assault are included in the Code of Conduct and are reviewed annually and updated as needed. Although this Policy is established to comply with Title 14, § 1312E, School Teen Dating Violence and Sexual Assault Act, it also overlaps with Title 14 § 1312, Reporting School Crimes. Please refer to the copy of the Teen Dating Violence and Sexual Harassment policies found on the school website: www.aspiraacademy.org.

TERRORISTIC THREATENING - including false alarms (Level 2 or 3)

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 lockdown of a building
3. Possession or use of firecrackers, pepper spray, mace, or stink/smoke bomb starting a fire in the lavatories or any other part of the building.

Terroristic threatening may result in a report being made to police and/or fire authorities. Referral to the Police Agency is required for students upon showing of intentionality or malice for terroristic threatening against a staff member.

VANDALISM / DESTRUCTION OF SCHOOL PROPERTY (Level 2 or 3)

If guilty of vandalism, the student's family will be required to pay for the damages; if necessary, the matter will be referred to the police.

In addition to any action taken by school officials the school will comply with the notification requirements of House Bill 322 which includes notification of police.

The list of infractions above is not exhaustive. This section serves as a general guideline for how infractions will be handled; however, ultimately the handling of student misconduct and its consequences is at the discretion of the LAAA administration or its designee.