

## **P. Student Discipline, Expulsion and Suspension**

### **1. Fort Collins Montessori School Code of Conduct<sup>9</sup>**

Fort Collins Montessori School's goal is to help each student attain the independence and self-confidence needed to become self-disciplined. In so doing, the school will provide a community with structure and order that aids students in the development of self-discipline. Behavior is based on cooperation, logical and natural consequences, fairness, consistency and the belief that all people have the ability to look at themselves honestly, and to change and grow. Fort Collins Montessori School's common goal is the creation of a supportive educational environment where an enthusiasm for learning is fostered. There are certain rights, responsibilities, and consequences that contribute to that environment.

### **2. Philosophy and Understanding**

Behavior at Fort Collins Montessori School is based on a positive attitude toward children, awareness of the developmental psychology of children, and the unique ability to view and address each child's needs as an individual. Students are taught that Fort Collins Montessori School is a peaceful school based upon mutual respect and care for the community. Teachers model appropriate behaviors, and teach students problem-solving skills and conflict resolution strategies. The goal is to help children arrive at inner discipline through concentrated work, and the child is assisted in developing the skills necessary to control his/her own actions to develop self-discipline. Natural and/or logical consequences are used as a means of helping the child to develop inner limits. Teachers explain the reasons for limits or rules to be sure children understand the need for them, and strive to create an environment to promote learning, where children feel safe and secure.

**Peace Curriculum:** Peaceful resolution is inherent within the Montessori pedagogy and philosophy through the Peace Curriculum, the goal of which is to teach students to be skilled peacemakers. Students are taught that their behavior and interactions with others will demonstrate compassion, affirmation of others, active listening, respectfulness and peaceful conflict resolution.

Fort Collins Montessori School encourages students to show respect for differences. This is done while fostering a school environment free from all forms of bullying and intimidation whether physical, social, emotional or verbal. The school's focus, based on Montessori Pedagogy, is on preventative measures for such behaviors, by teaching children how to:

- Be caring and courteous
- Cooperate with others
- Deal with angry feelings

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<sup>9</sup> Adapted in part from "Parent Handbook," Community Montessori, New Albany, IN and in part from the Behavior Policy of Anchorage Montessori School.

- Stand up for themselves without being aggressive
- Respect and celebrate the unique qualities of every person
- Make appropriate behavioral and academic choices

Fort Collins Montessori School will take a progressive educational approach for a safe and peaceful learning environment. Starting at the earliest ages and whenever a student first enters the school, FCMS will provide the skills necessary not only to learn basic safety rules but to interact with classmates, teachers, families and the larger school community in positive and constructive ways. The intention of this education is to foster the development of inner discipline in the child.

Inner discipline consists of four components:

- Distinct knowledge of safety rules;
- Clear awareness of responsibility;
- Respectful attitude towards the members of the school community and the larger global learning environment;
- An understanding and preparedness of the proper way of acting under different circumstances in different places.

Teachers at all age levels will provide lessons in suitable class, school, and community behaviors through direct instruction, modeling and reminders. Teachers will support children in solving difficulties amongst themselves. Clear guidelines, based on three major propositions, are communicated in each room:

- Respect for self
- Respect for others
- Respect for environment

Staff at Fort Collins Montessori School will model appropriate behavior to further provide examples of how people act in social settings. Older children will also model proper behaviors for the younger children, providing even more examples of appropriate behaviors.

Because of the open and respectful nature of this approach, students will understand that mutual respect, care and consideration for others and an empathetic interest in the environment are important in school and all other places. Any issues that arise will be handled individually (or by group) with that person first. Out of respect for each child, these conversations will be done privately. Fort Collins Montessori School will not use parents or family as a threat, but rather as partners in this growth process. Fort Collins Montessori School will strongly encourage families to support this method and support their child in his/her total growth, not just in being “good for the teacher”. Fort Collins Montessori School will care very much about each child and will encourage this partnership to be useful with continuous dialogue. On minor incidents, it will not be uncommon for staff members to request that a student talk to his/her family about a decision

or action so that they can brainstorm other ways to handle a situation.

The staff of Fort Collins Montessori School will have the responsibility to:

- Work with the children to develop reasonable classroom ground rules consistent with the mission and beliefs of the school.
- Post ground rules in each classroom and keep them on file in the office; make rules clear to all students.
- Explain through group meetings, modeling and dialogue what the standards for behavior are for both the classroom and the school.
- Maintain appropriate behavior in the classroom and the school through redirection and dialogue with the student and his/her family.
- Report and record school discipline problems to the Head of the School and family using a communication form (to be developed).

“Making good choices, even when others are not watching” will be an important standard at Fort Collins Montessori School. The school will strongly suggest that families keep an open dialogue with their children about “making choices” which directly influences moral development. Fort Collins Montessori School students will not get “in trouble” and teachers will not recognize a “bad day” as an excuse for inappropriate behavior. However, teachers will be very empathetic to children’s issues and concerns, and will validate them whenever appropriate. Fort Collins Montessori School will remind and encourage all learners that “only you make your choices” and will initiate problem solving whenever possible.

When situations do arise, each incident will be assessed individually. Fort Collins Montessori School recognizes that all children are different and have different needs. Fort Collins Montessori School will encourage all students to “use their words” when a situation arises. A child may use firm language to redirect an unwanted behavior, walk away or get help. Retaliation will not be an option and the adult supporting the situation will not be concerned with “who started it”. Instead Fort Collins Montessori School will support each child in peaceful conflict resolution and taking responsibility for their actions.

### **3. Legal Basis for Fort Collins Montessori School Discipline Procedures**

While Fort Collins Montessori School hopes that unwanted behaviors will be uncommon at the school, there may be occasions where children need more formal direction. Therefore, Fort Collins Montessori School will provide consequences based on C.R.S. §22-33-106, “Grounds for suspension, dismissal and denial of admittance,” as outlined below. Parents and students will receive a copy of both the Montessori approach to discipline discussed above along with this discipline policy at the beginning of each school year as part of the parent/student handbook.

#### **Grounds for suspension or dismissal from a public school:**

- Continued willful disobedience
- Open and persistent defiance of proper authority
- Willful destruction or defacing of school property
- Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel, including behavior which creates a threat of physical harm to the child or children.

An exception to this rule is if the child who creates such a threat is a disabled child pursuant to C.R.S. § 22-20-103 (5). The child may not be dismissed if the actions creating the threat are a manifestation of the child's disability.

- a. In such instances, the child may be removed to an appropriate alternative setting within the District in which the child is enrolled for a length of time that is consistent with federal law.
  - b. During this time, the school may reexamine the child's Individual Education Plan (IEP) to ensure that the needs of the child are addressed in a more appropriate manner or setting that is less disruptive to other students in the classroom.
- Declaration as an "habitually disruptive student" as defined in C.R.S. § 22-33-106 (c.5) (I) to (III).
  - Serious violations in a school building or in or on school property for which suspension or dismissal shall be mandatory, except that **dismissal shall be mandatory for the following violations:**
    - a. Carrying, bringing, using or possessing a deadly weapon as defined in C.R.S. § 22-33-106 (d) (II); except in situations as defined in C.R.S. § 22-33-106 (d) (III);
    - b. The sale of a drug or controlled substances as defined in C.R.S. § 12-22-303;
    - c. The commission of an act which, if committed by an adult, would be robbery pursuant to part 3 of Article 4 of Title 18, C.R.S.; or
    - d. Assault pursuant to Part 2 of Article 3 of Title 18, other than the commission of an act that would be third degree assault under C.R.S. § 18-3-204, if committed by an adult.
  - Repeated interference with the school's ability to provide educational opportunities to other students.
  - Failure to comply with the provisions of Part 9 of Article 4 of Title 25, C.R.S. Any suspension, dismissal or denial of admission for such failure to comply shall not be recorded as a disciplinary

action but may be recorded with the student's immunization record with an appropriate explanation.

- According to C.R.S. § 22-33-106 (2), subject to the District's responsibilities under Article 20 of that Title (Exceptional Children's Education Act), the following shall be grounds for dismissal from or denial of admission to a public school or diversion to an appropriate alternate program.
  - a. Physical or mental disability such that the child cannot reasonably benefit from the programs available.
  - b. Physical or mental disability or disease causing the attendance of the child suffering from it to be detrimental to the welfare of other students.

#### **Procedures for Suspension:**

- The Head of School may suspend a student from one day to up to 10 days and may require the suspension to be in school or out of school.
- Oral or written notification will be given to the parent(s)/guardian(s), and must include:
  - a. A statement of charges against the student;
  - b. A statement of the basis of the allegation.
- **Informal Hearing:** The student will be given an opportunity to have an informal hearing before the Head of School to admit or deny the allegations. In some instances, witnesses may be presented in order to allow the Head of School to make a more informed decision. The notice and informal hearing should precede the student's removal from school, but there does not need to be a delay between the time notice is given and the time of the hearing.
- A suspended student must leave school immediately, and will not be allowed to attend any school activities on or off campus from the time the suspension is issued to when the student is reinstated in the school.
  - a. Under C.R.S. § 22-33-106 (1) (a), (1) (b), (1) (c) or (1) (e), the Head of School may suspend a student for a period not to exceed five (5) days.
  - b. Under C.R.S. § 22-33-106 (1) (d), the Head of School may suspend a student for a period of up to ten (10) days for serious violations.
- To be readmitted to the school, the student and a parent/guardian must meet with the Head of School for a reinstatement meeting.

#### **4. Procedures for Dismissal from Fort Collins Montessori School**

In instances where the Head of School is considering dismissal of a student, the following

procedures will be followed:

- Written Notice
  - a. The Head of School will give written notice to the parents(s)/legal guardian(s) of a student threatened with dismissal five (5) days prior to the contemplated action.
  - b. The written notice will be mailed to the last known address of the student or the parent(s)/guardian(s).
  - c. In the event that an emergency exists which requires a shorter period of notice, the period of notice may be shortened provided that the student and his/her parent(s)/legal guardian(s) have actual notice (written or verbal) of the hearing prior to the time it is held.
- Contents of Notice: The notice must contain the following basic information:
  - a. A statement of the basic allegations leading to the contemplated dismissal.
  - b. A statement that a hearing on the dismissal will be held if requested by the student or his/her parent(s)/legal guardian(s) within five (5) days after the date of notice.
  - c. A statement of the time, date and place of the hearing.
  - d. A statement that the student may be present at the hearing and hear all information against him or her; that the student will have an opportunity to present such information as is relevant; and that he/she may be accompanied and represented by his/her parents(s)/legal guardian(s) and an attorney.
  - e. A statement that failure to participate in such a hearing constitutes a waiver of further rights in the matter.
- Conduct of hearing:
  - a. The hearing will be conducted by an ad hoc discipline committee consisting of the Head of School and two other staff. The members of the ad hoc discipline committee shall not discuss the details of the hearing with anyone outside of the discipline committee.
  - b. The hearing will be conducted in a closed session except to those deemed necessary by the Discipline Committee; but shall include the student, the parent(s)/legal guardian(s) and the student's attorney. Such additional individuals as may have pertinent information will be admitted to the closed hearing but only to the extent necessary to provide such information and to answer questions related to such information as permitted by 3 c. below. Following such testimony, the additional individuals shall remove themselves from the hearing.

- c. Testimony and information will be presented under oath if requested by either party. However, technical rules of evidence will not be applicable, and the discipline committee may consider and give appropriate weight to such information or evidence deemed appropriate. The student or his representative may question individuals presenting information.
  - d. A sufficient record of the proceedings will be kept so by a third party unaffiliated with either of the parties and unrelated to the hearing's participants as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same.
  - e. The discipline committee will render a written decision no later than five (5) school days after the hearing. The decision will be delivered only to the student or his/her parent(s)/legal guardians and the Fort Collins Montessori School Governing Board in the manner described above. The discipline committee may establish reasonable conditions for readmission, as well as the duration of the dismissal which may not extend beyond on calendar year.
- Appeal to the Fort Collins Montessori School Governing Board:
    - a. An appeal of the decision of the discipline committee may be made to the FCMS Governing Board. New evidence must be presented in writing to the Fort Collins Montessori School Governing Board. No appeal may come more than 10 days after a decision is rendered.
    - b. In case of an appeal, it will consist of a review of the facts that were presented and that were determined at the dismissal hearing conducted by the Discipline Committee, introduction of new facts, arguments relating to the decision, and questions of clarification from the Fort Collins Montessori School Governing Board.
    - c. Upon conclusion of the hearing, the Board may vote to affirm, reverse or modify the decision. The Board's decision will be communicated orally and entered in the minutes of the meeting.
    - d. Upon written request, the Board's decision will be reduced to writing for purposed of further judicial review pursuant to state law.
  - Re-admittance
    - a. No student shall be readmitted to school after dismissal until after a meeting between the Head of School and the parents(s)/legal guardian(s) has taken place, except that if the Head of School cannot contact the parent(s)/legal guardian(s) or if the parent(s)/legal guardians(s) repeatedly fails to appear for scheduled meetings, the Head of School may readmit the student.

- b. If the student is dismissed, he/she may only be permitted to reapply for the following school year and enter through the lottery system.
- Notice to School District
    - a. Fort Collins Montessori School will notify the Poudre School District Charter School Liaison and the Poudre School District Expulsion Officer of any dismissal within two (2) school days.
    - b. A copy of all written discipline reports, suspensions, and dismissal proceedings will be sent when requested by the Poudre School District Governing Board or Superintendent.
    - c. Upon dismissal from Fort Collins Montessori School, the Poudre School District Governing Board may consider each instance on a case-by-case basis and may reinstate the student in another school.
    - d. The Fort Collins Montessori School Governing Board has the final authority in determining a dismissal from Fort Collins Montessori School consistent with state and federal laws.

## **5. Discipline of Students with Disabilities**

Students with disabilities are neither immune from the Fort Collins Montessori School disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Fort Collins Montessori School will comply with the Individuals with Disabilities Education Act (IDEA) in disciplining these students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, and behavioral intervention plan and this policy.

Nothing in this policy shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process.

All students, including students with disabilities, may be suspended for up to 10 days in any given school year for violations of the student code of conduct. The procedure for suspension is the same as outlined above.

For suspension of a student with disabilities, a team including Special Education staff members and the Head of School, will determine whether the student's behavior is a manifestation of the disability and whether the student's disability impaired his or her ability to control or understand the impact or consequences of the behavior.

Once the team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students.

A student with disabilities whose behavior is determined to be a manifestation of his or her disability may not be dismissed but will be disciplined in accordance with his or her IEP, any behavioral interventions and this policy.

## **6. Discipline Protocol**

Procedure for Re-directable Behaviors (All grade levels):

Inappropriate behaviors that are considered re-directable or “teachable moments” by staff (and do not involve physical contact with another student, but can still develop into disruptive situations for the classroom community) will be addressed as follows:

1. The teacher will start by redirecting the student and helping him/her get engaged in work. The teacher will continue with this step if positive progress is being made. (At this step verbal communication with parents is recommended.)
2. If the student is not responding positively to redirection by the teacher, the teacher will help the student find a place in the classroom to calm his/her body and observe the rest of the class.
3. If the student is not responding positively to sitting alone in the classroom, the teacher will then walk the child to the office. The child will remain at the office for an appropriate amount of time based on his/her age. (Written documentation to parents required at this step.)
4. If the student reaches step 3 twice in one day, the child will be excused from school for the remainder of the day. (Written documentation to parents required at this step.)
5. If step 4 is reached for five consecutive days, the student will be excused from school until a meeting can be held between the lead teacher, the parents and the Head of School. At this time a behavioral action plan will be presented and discussed. (Written documentation to parents required at this step.)

### **Pre-K Program:**

#### **Hitting, Kicking and Spitting**

- 1<sup>st</sup> Offense in a Day: Student will stand with a teacher or sit by himself/herself. The teacher will discuss appropriate conflict resolution strategies.
- 2<sup>nd</sup> Offense in a Day: Student will be excused from school for the remainder of the day.

#### **Biting:**

- 1<sup>st</sup> Offense in a Day: Parents of both students will be called.
- 2<sup>nd</sup> Offense in a Day: Student will be excused from school for the remainder of the day. Written documentation required.

**Misuse of Materials:**

- 1<sup>st</sup> Offense in a Day: Teacher will review appropriate use of materials in the classroom with student, and model correct behavior.
- 2<sup>nd</sup> Offense in a Day: Student will be asked to put the specific material or work away for the day.
- 3<sup>rd</sup> Offense in a Day: The specific material or work will be closed to the student for a week.
- 4<sup>th</sup> Offense in a Day: Teacher will lead a discussion with student and parents.

**Inappropriate Language: swearing, using taunting or bullying language, speaking disrespectfully to others (students and adults):**

- 1<sup>st</sup> Offense in a Day: Student will stand with a teacher or sit by himself/herself. The teacher and student will discuss what was inappropriate. Written documentation required.
- 2<sup>nd</sup> Offense in a Day: Student will be sent to the office for an appropriate amount of time based on his/her age. Written documentation required.
- 3<sup>rd</sup> Offense in a Day: Student will be excused from school for the remainder of the day. Written documentation required.

If a maximum number of offenses is reached by a student for three consecutive school days for any of the aggressive behaviors outlined above, the student will be excused from school until a meeting can be held between the teacher, the parents and the Head of School. At this time a behavior action plan will be presented and discussed.

**Elementary Program:**

**Spitting, Hitting, Kicking, Bullying and Pushing:**

- 1<sup>st</sup> Offense in a Day: Appropriate conflict-resolution strategies will be discussed with the student. The student will spend the remainder of the day working at a solo workspace, or a space directly next to a teacher. Written documentation required.

- 2<sup>nd</sup> Offense in a Day: Student will be excused from school for the remainder of the day. Written documentation required.

**Biting:**

- 1<sup>st</sup> Offense in a Day: Appropriate conflict-resolution strategies will be discussed and practiced with the student. Student will be excused from school for the remainder of the day. Parents of both students will be called. Written documentation required.

**Inappropriate Language: swearing, using taunting or bullying language, speaking disrespectfully to others (students and adults):**

- 1<sup>st</sup> Offense in a Day: Student will stand with a teacher or sit by himself/herself. The teacher and student will discuss what was inappropriate and alternate appropriate behaviors. Written documentation required.
- 2<sup>nd</sup> Offense in a Day: Student will be sent to the office for an appropriate amount of time based on his/her age. Written documentation required.
- 3<sup>rd</sup> Offense in a Day: Student will be excused from school for the remainder of the day. Written documentation required.

**Intentional Destruction of Materials or Possessions of Others:**

- 1<sup>st</sup> Offense in a Day: Student will stand with a teacher or sit by himself/herself to complete work. . The teacher and student will discuss what was inappropriate. Student's family will be responsible for funding the replacement of destroyed materials in the classroom. Written documentation required.
- 2<sup>nd</sup> Offense in a Day: Student will be excused from school for the remainder of the day. Written documentation required.

If a maximum number of offenses is reached by a student for two consecutive school days for any of the aggressive behaviors outlined above, the student will be excused from school until a meeting can be held between the lead teacher, the parents and the Head of School. At this time a behavioral action plan will be presented and discussed.

**6. Behavior Action Plans:**

If a student has a documented history of reaching the maximum number of offenses (for either re-directable or aggressive behaviors) for five consecutive school days it is the responsibility of the teacher to write and implement a behavior action plan to share with parents before the student

returns to class. The Head of School must also be present at this meeting. The goal of the behavioral action plan is to observe, explore and document accommodations/modifications in the current classroom environment to help the student be a positive and contributing member of the class. Behavior action plans will be given a four-week period of implementation. (During this period of implementation the normal behavioral consequences as outlined above will continue to be followed.) If at the conclusion of the four week period the teacher observes positive change being made, s/he may choose to adjust the current behavioral sanction plan and allow for another four week period of implementation. If minimal or no positive change is being observed, the teacher and Head of School will meet with the parents and discuss appropriate alternatives. At this point a referral for a formal hearing of dismissal or suspension may also be considered as outlined in Sections 3 and 4.

The discipline protocol will be expanded as middle school and high school are added to Fort Collins Montessori School.