



Sussex Montessori School (SMS) Discipline Policy 2022-23

“If we could say, ‘We are respectful and courteous in our dealing with children, we treat them as we should like to be treated ourselves,’ we should have mastered a great educational principle and be setting an example of good education.” Maria Montessori

Our Approach to Discipline

A Montessori approach to discipline consists of a delicate balance between freedom and respect of others in the school community, which Dr. Maria Montessori called “freedom within limits”. This is similar to another pillar of Sussex Montessori School- The Responsive Classroom Approach. In The Responsive Classroom® Approach, one phrase that is very often used is, “preserve the dignity of the child”.

The success of our school requires the cooperation of the entire team –school, family and student. At Sussex Montessori, 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, joyful, and positive learning environment. The Code of Conduct applies to all students (K-6). Because developmental levels vary greatly in the earlier grades, discretion is used when working with our early childhood students (K-1). Sometimes, students in this age group will receive modified or more gradual consequences as we work with them to build the skills needed for self-control and responsibility. Sussex Montessori 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 the disability.

Based on the Responsive Classroom® Approach, discipline at SMS is viewed as an aid to learning responsible, social behaviors and is considered a manner through which we learn about the world and our place in it. Rather than relying on punishment and reward, the goal of our approach is to offer clear boundaries balanced with engaging academics culminating with children, educators and adults in our school community to be treated with respect in an engaging, non-competitive, and purposeful environment. Corporal punishment and humiliation

(intimidation, mental mistreatment or embarrassment) are not to be tolerated under any circumstance; we strive to preserve the dignity of every human every day.

What you can expect to see in a Montessori classroom that is guided by Responsive Classroom protocol:

- A daily Morning Meeting in the elementary setting. These routines set a positive tone and build a sense of community and belonging while giving students practice in key academic and social skills.
- Teaching students the specific skills they need to participate successfully, from how to respond to a signal for quiet to how to respectfully disagree with a classmate.
- Treating mistakes in a positive way. Teachers see mistakes (in academics and in behavior) as important steps in learning. They encourage students to learn from their mistakes and “try again.” They offer support and reteach as needed. At the same time, teachers provide clear expectations for behavior and stop misbehavior quickly so that students can focus on learning.
- Using positive language. Teachers choose words and tone that encourage students to work hard, enjoy learning, and persist through difficulties.
- Guiding in ways that build excitement about learning. Montessori students have choices in their learning. They also move about the classroom and engage with other students in their learning.
- Students have opportunities to reflect on their learning. Teachers ask students to think about what they’ve learned, both individually and as a group, because doing so helps students learn more and builds community.
- Reaching out to parents. Teachers communicate often with parents and welcome them as partners in their child’s education.

Responding to Misbehavior

Sussex Montessori recognizes that even with our best attempts at being proactive in our teaching of discipline, children will still make mistakes, test the limits, and misbehave. When responding to misbehavior, our goal is to:

- 1) To stop the misbehavior as quickly as possible so that the child (and classmates) can get back to learning and
- 2) to teach the child to reflect on and control his or her own behavior.

Protocol for responding to misbehavior: (This is not a step-by-step process but rather, choosing which protocol will best address the issue)

- Address the misbehavior when it starts (reminding or redirecting language, nonverbal signal, move closer to the child)

- Use a non-punitive consequence (reparation, increase structure and supervision, move the child, take away object, narrow the choices, take a privilege or responsibility away, positive time-out, buddy teacher time-out)
- Provide more intensive supports if needed (re-teaching, role-playing, feedback, simplify procedures, increase teacher role, collaborative problem solving through meeting or conference.
- Consultation with administration/school resource team for situation analysis and recommendation
- Students who are making it unsafe for others, physically or emotionally, will immediately be removed from the classroom.

This Discipline Policy applies to all students, staff, and families in the community of our great school.

Our goals in discipline are to:

- Establish a calm, orderly, safe environment for learning
- Foster an appreciation for the role of rules in school
- Help our school community develop self-control and self-discipline
- Help all our community to be responsible, contributing members of our school community
- Preserve the dignity of each member of our school community
- Promote respectful, kind and healthy interactions across the community.

Three Tiers of Support Using the Responsive Classroom® Approach

Tiers 1, 2 and 3 Behaviors and the Required Action Associated with Each Offense

Level 1 Misbehaviors: These are behaviors that may be reported by a staff member who is a witness, or is notified of the unwanted behavior, i.e., educator, bus driver, etc. An incident report will be generated if necessary and parents/guardians will be contacted by the staff member by email or phone call if the situation is chronic or otherwise warranted.

(Examples of behaviors that may fall under the various Tiers)

Tier 1 – examples of behaviors that are handled day to day within the classroom

Examples of Unwanted Behaviors: Tier 1 This is not an exhaustive list.	Examples of Possible Logical Consequences
<ul style="list-style-type: none"> • Calling names 	Before engaging in any reactive consequences, the

<ul style="list-style-type: none"> • Inappropriate language/gestures or profane, derogatory or disrespectful comments • Defacing public property • Defiance: refusing a reasonable request from school personnel • Consistent taunting or harassing of classmates and/or staff and personnel • Arguments –when two or more children engage in negative problem-solving even when redirected by a staff member. • Loitering – Unauthorized presence in any school area 	<p>goal is to find out what is causing the behavior. Logical Consequence will fall under one or more of these categories: ‘You Break It, You Fix It’</p> <ul style="list-style-type: none"> • Clean up the mess made • Fix (with the help of a student or teacher) a disheveled work on the floor • Mending friendship • Apologizing when it is appropriate for the offender and in a manner that works for the offended • Creating a plan for creating space between two students if necessary, until ready to problem solve • Use a Peace Table/Corner, Problem-solving conference, ‘I’ statements, and more to solve a problems between two students <p>Loss Of Privilege Positive Time Out</p>
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Tier 2

<p>Examples of Unwanted Behaviors: Tier 2 (Not an exhaustive list.)</p>	<p>Examples of Possible Logical Consequences (Not an exhaustive list.)</p>
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<ul style="list-style-type: none"> • Continually or consistently repeating the behaviors in Tier 1 • Bullying or Cyberbullying (defined in subsequent sections) • Abusive Language – written or spoken • Cheating/Plagiarism • Substantial Defiance that causes a safety issue • Forgery –falsely signing or altering a document • Tobacco related offenses • Misuse of Technology • Threats – a statement of intent to do harm to a person or object whether able to follow through or not • Offensive Touching – when a student uses their body or an object to harm another person make them uncomfortable • Defamatory or demeaning actions – or statements made with the intent to harass another person • Stealing • Vandalism 	<p>Before engaging in any reactive consequences, the goal is to find out what is causing the behavior.</p> <p>Logical Consequence will fall under one or more of these categories: You Break It, You Fix It Loss Of Privilege Positive Time Out</p> <p>For repeated offenses:</p> <ul style="list-style-type: none"> • Student to Student Problem Solving Conferences • Problem Solving Class Meetings • Collaborative Problem-Solving Conferences <p>The Child Study Team may meet to determine the best course of action as an early intervention.</p> <p>Buddy teacher time-out</p>
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Tier 3

<p style="text-align: center;">Examples of Unwanted Behaviors: Tier 3</p> <p>This is not an exhaustive list.</p>	<p style="text-align: center;">Examples of Possible Logical Consequences</p> <p>This is not an exhaustive list.</p>
<ul style="list-style-type: none"> • Unwanted, consistent behaviors that have not responded to adult intervention from school staff • Drugs – any involvement with drugs or alcohol at school or at a school-sponsored activity 	<p>The Child Study Team will meet to determine the best course of action.</p>

<ul style="list-style-type: none"> • Weapons – any possession of a weapon at school or at a school-sponsored activity* • Lighters – bringing any kind of lighter to school, or starting a fire • Offensive Touching – multiple assaults (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 • Harassment (physical, sexual, or verbal harassment) • Stealing (depending on circumstances; severe cases included items over \$100 destruction of School Property – (see School and Personal Property) • Fighting – (depending on the circumstances) • Repeated misconduct – continual disregard of school regulations, including intentional or unintentional behavior that may cause injury or damage • Terroristic threatening – making a threat knowing that the statements may cause serious inconvenience or evacuation • False Alarm – initiating a false alarm • Vandalism – permanent or substantial damage 	<p>Collaborative Problem Solving* will be utilized when possible.</p> <p>When necessary, suspension or expulsion may follow as per Delaware Legislation (noted below).</p>
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***The Gun Free Schools Act (GFSA) prohibits firearms on school property. Violation of the GFSA will result in mandatory expulsion.**

SUSPENSION AND EXPULSION

Sussex Montessori feels it is very important for families to understand what types of activities could result in suspension or expulsion. A family always has the right to appeal a decision. An appeal should be submitted in writing within 48 hours of the suspension and will be reviewed by the appropriate authority. A determination will be made and if the suspension has already occurred and the appeal determines that the offense should not have resulted in a suspension, the absence will be counted as an excused absence and the student's records will be updated to remove the suspension. Sussex Montessori School believes that some behaviors require a break from school in order for a child to regroup and be ready to re-enter the classroom appropriately. Suspension is not meant to be a punishment but rather an opportunity for reflection and plan-making to re-engage appropriately at school. Suspension can be designated as in-school or out-of-school.

In-School Suspension: Students will remain in the building but will be in a designated, supervised area. Students assigned to in-school suspension are not permitted to participate in any extracurricular activities during the length of their suspension.

Out-of-School Suspension: Students must remain out of school, off school property during the length of their suspension. It is the parent/guardian's responsibility to arrange for their care. Students assigned to out-of-school suspension are not permitted to participate in any extracurricular activities during the length of their suspension.

DISCIPLINE REVIEW BOARD

The Discipline Review Board convenes with parents/guardians and the student, whenever a Level 3 offense has been or may have been committed by the student or when referred by the administration for repeated classroom misbehavior and/or violations of school regulations. A serious offense is one that can result in a dismissal. A student is suspended from school from the date of administrative action until the date of the Discipline Review Board determination meeting. The Discipline Review Board evaluates the facts, reviews the student's cumulative performance, and recommends specific action to the Head of School. Any expulsion action taken by the Head of School may be appealed to the school's Board of Directors. While an appeal is pending, the Head of School's expulsion action is not considered to be final. However, the student will remain suspended until the final determination of an appeal. The appeal must be made in writing to the Head of School 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, selected by the Chairman of the Board, will meet with the parents, student, and school officials. After the hearing, the committee, by majority vote, will determine whether to affirm the dismissal.

SAFEGUARDS THAT PROTECT THE RIGHTS OF SCHOOL STAFF and Special Education Students:

DISCIPLINE OF STUDENTS WITH DISABILITIES

Sussex Montessori requires all staff to review the Individuals with Disabilities Education Act (IDEA 2004). When a child with disabilities is enrolled, the family will be required to review and show understanding of Sussex Montessori's Family Handbook. Disciplinary action for a student with disabilities will be no greater than the disciplinary action levied on a student without disabilities. Given that each student with disabilities is unique, case-by-case determinations will be implemented to help choose the best course of discipline. Factors taken in consideration include, but are not limited to:

Disciplinary history,
Student's ability to understand consequences,
Student's ability to express remorse

Following the IDEA 2004 Discipline Rules guidelines:

•Students with an IEP can be disciplined in the same manner as any other student for 10 consecutive school days or less if the student violates Sussex Montessori's Family Handbook.

•If the student is disciplined for more than 10 consecutive school days within the same school year, school staff must conduct a functional behavioral assessment and implement a behavior intervention plan before the end of the 10th day, or before moving the student to an interim alternative educational placement. In many cases, a student with an IEP will already have a behavior intervention plan as part of the IEP in order to support learning and the achievement of his goals. In fact, a student's IEP must include a behavior intervention plan if the student's behavior impedes his own learning. Parents' will be continuously informed of disciplinary actions to allow for feedback and understanding. Additionally, open communications will allow patterns to be identified and assessed to revise a student's IEP, and to protect a parent's right to appeal decisions made regarding interim alternative educational settings and placement. However, serious offenses, whether or not related to a student's disability, may require moving the student to an interim alternative educational setting and does not require the parent permission or agreement and does not require involvement by a hearing officer or other impartial third party. These offences are:

•The carrying or possession of weapons (on way to or at school, or on school premises, or at school function)

•The possession of illegal substances for use, sale or the solicitation of sale (at school, or at school function)

•The infliction of serious bodily injury to another person (at school, or on school premises, or at school function)

Sussex Montessori will maintain a discipline record for children with disabilities in accordance with 14 DE Admin. Code 252. If a child with a disability transfer from one (1) school to another, the transmission of such child's records will include both the child's current IEP and discipline record in accordance with 14 DE Admin. Code 252. Additionally, the following rules will apply to the discipline of students with disabilities:

A. For disciplinary reasons, the Head of School 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 Head of School may also change the 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 Sussex Montessori School. 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, an IEP 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 IEP team determines that none of the above standards are met, the student may be disciplined according 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 IEP team's determination or if the Head of School's 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 with regard to their use or possession 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.

SAFEGUARDS THAT PROTECT THE RIGHTS OF STUDENTS AND PARENTS:

Students and parents have a right to appeal a decision about behavior. To do so, they must submit their appeal in writing within 45 days of receiving said decision to the Head of School. This letter must contain evidence-based data supporting their claim based on a piece of this document. Our goal in giving students and parents this safeguard is to have them empowered to be a part of the discipline process. Discipline is not a top-down process at SMS.

Further Clarifications/Definitions related to Sussex Montessori's Offenses/Violations:

BULLYING -Bullying refers to any intentional violent or hostile acts or actions through written, electronic, verbal, or physical means against another student, school employee, or school volunteer. Violent or hostile acts or actions include: placing a student, employee, or volunteer in reasonable fear of substantial harm to his/her emotional or physical well-being or substantial damage to his/her property; creating a hostile, threatening, humiliating, or abusive environment due to the pervasiveness or persistence of actions or due to a power differential between the bully and the target or; interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities or benefits; or perpetuating bullying or inciting, soliciting, or coercing an individual or group to demean, dehumanize, embarrass, or cause emotional psychological or physical harm to another student, school employee, or school volunteer. According to Delaware state law and Department of Education regulations, when a situation rises to actual bullying it must reported to the appropriate authorities.

CYBER BULLYING: 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 or demeaning and inappropriate interactions of any kind. All forms of harassment in cyberspace, often called cyber bullying, are unacceptable. Cyber bullying 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 (logged on) as someone else. 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 fully.

DRUGS- A drug shall mean any controlled substance or counterfeit substance including narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids, and marijuana, and shall include any prescription substances that has been given to or prescribed for a person other than the student in whose possession it is found. Drug-like substances are any non-controlled or non-prescription substances capable of producing a change in behavior or altering a state of mind or feeling-some over the counter cough medicines, certain types of glue, caffeine pills, and diet pills all count as drug-like substances. This definition does not include tobacco or tobacco products; tobacco products have their own definition. Drug Paraphernalia includes all equipment, products and materials such as roach clips, miniature cocaine spoons and containers for packaging drugs. Use, possession, or distribution of drugs, look-alike substances, and/or drug paraphernalia at Sussex Montessori School is absolutely forbidden.

FALSE ALARMS/STARTING FIRES –If a student turns in a false alarm or maliciously pulls a fire alarm, the student will be immediately suspended and reported to the police and to the proper fire authorities. If a student starts a fire or is in possession of a lighting device (matches, lighter, etc.) in any part of the school building, grounds, or school bus, the student will be immediately suspended and reported to the police and to the proper fire authorities.

FIGHTING -Fighting shall mean any violent and aggressive physical altercation between two or more individuals. Fighting in school will result in both parties being sent to the Head of School's office. During this time, the administration will attempt to ascertain who was at fault and will contact the parents of the involved parties. If the fault can be determined, further action could result. In addition, depending on the severity of the fight, a longer suspension period, parental contact, and police contact may result. Referral to a police agency may be required for students who intentionally, aggressively 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.

MISUSE OF TECHNOLOGY -Misuse of technology means soliciting, using, or sending pornographic or obscene material, accessing unauthorized email, downloading and/or installing files with or without malicious intent, and/or damaging equipment within the school environment. Misuse of technology (severe clause) shall mean situations in which a student (or students) deliberately tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system within the school environment resulting in the loss or corruption of information, the ability of the system to operate, or the disruption or degradation of the school's technological infrastructure. Computer-related activities and equipment are to be used exclusively in support of educational activities and objectives. Sussex Montessori School does not support or tolerate any damage, misuse, vandalism, or modification of its hardware and/or software configurations by students. All students and parents will be required to sign an Acceptable Use Policy.

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 is absolutely forbidden and punishable by law. A firearm or lookalike firearm is defined as any instrument from which a shot may be or is meant to be discharged. A weapon/dangerous instrument includes a knife of any sort (switchblade knife; box cutter, razor), a slingshot, or any other item commonly used or designated to inflict bodily harm, others, or use in an aggressive and threatening manner. 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 Discipline 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 Head of School 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.

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

SEXUAL HARASSMENT IN 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, discomfiture, security, or the school environment. Objectionable behaviors may include mocking or threatening comments or conduct that are not overtly sexual but nonetheless cause personal embarrassment to a student, based upon that student's gender.

Sexual Abuse –Sexual or sexualized verbal or physical conduct to include:

- 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
- Invitation 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.

TERRORISTIC THREATENING -Terroristic threatening is when a person threatens to commit any crime likely to result in death or serious injury to a person or property, or when a person commits an act with intent of causing an individual to believe that he/she has been exposed to a substance that will cause personal death or serious injury. Terroristic threatening or security threats also apply when a person makes a false statement or statements knowing that the statement or statements are likely to cause the evacuation of a building, place of assembly or facility of public transportation; knowing that the statement or statements are likely to cause serious inconvenience; or in reckless disregard of the risk of causing terror or serious inconvenience. Terroristic threatening will result in suspension and a report will be made to police and/or fire authorities. Referral to a 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.

VANDALISM -The school will not tolerate vandalism of any kind. If guilty of vandalism, the student/s will be required to pay for the damages and be referred to the administration for further disciplinary action. If the vandalism is significant, the student will be suspended and potentially dismissed. If necessary, the matter will be referred to the police.

SMS will abide by all state and federal regulations related to Code of Conduct issues. Contact with law enforcement authorities will be made when/if necessary.