

Sussex Montessori School

Student Rights and Responsibilities Handbook

Our Commitment

To create a school atmosphere where every child is physically and emotionally safe and where every classroom is engaging and joyful so that each child can do his/her best learning and growing.

Purpose of this Document: To create a clear description of the rights and responsibilities of students in order to enable optimal academic and social growth for *all* students. The structures listed in this document are designed to ensure that positive behavior and productive learning take place throughout the school.

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An Overview of our Approach to Discipline

The successful operation of a school requires the cooperation of many people. By enrolling at Sussex Montessori School, we expect that our students, their families, and staff will abide by our philosophy and policies. The guidelines provided apply to all students in the school and are applied in a developmentally appropriate manner. Sussex Montessori School will abide by all state and federal regulations related to behavior issues and regulations will pertain to all special education students. Due process will always be followed in the event that the discipline situation is related to the disability. It is expected that the guidelines articulated in this document will be followed at all times on school property, while on field trips, and other school sponsored events, and when riding the bus to and from school.

SMS's goals in discipline are to:

- Establish a calm, orderly, safe environment for learning
- Foster an appreciation for the roles of rules in school
- Help children develop self-control and self-discipline
- Teach children to be responsible, contributing members of our school community
- Promote respectful, kind, and healthy teacher-student and student-student interactions

Based on the **Responsive Classroom Approach**, discipline at Sussex Montessori School is viewed as an aid to learning responsible, social behaviors and is not considered a punishment. Our approach does not rely on punishment or rewards to “get students to behave” but instead offers clear expectations for behavior, actively models and teaches behaviors to children, and provides opportunities for children to practice and internalize the rules and expectations. Children are always treated with respect in a pleasant, non-competitive, and purposeful environment. Corporal punishment and humiliation (intimidation, mental mistreatment or embarrassment) are not allowed under any circumstance. When students break rules, teachers incorporate natural and logical consequences to help students learn from their mistakes. Teachers also incorporate other strategies for resolving problems such as class meetings, problem-solving meetings, and positive time out.

Maria **Montessori** initially discovered that children involved in deep, uninterrupted concentration did not disrupt or misbehave. In Montessori terms this is called "normalization" and is a natural and predictable result of training students in self-regulation and attention. Research shows that children who have the capacity for self-regulation decrease their negative attention getting behaviors. Sussex Montessori School uses activities with the aim of helping children develop self-control, understand what socially responsible behavior is and learn the value of such behavior.

SMS Social Skills Expectations

As a community, SMS focuses on the principles of C.A.R.E.S. (Cooperation, Assertion, Responsibility, Empathy and Self Control) as the guide for students, parents, staff, administrators in their everyday interactions throughout the school. The school's positive and healthy learning environment is based on:

- Respect and appreciation for what each member contributes to the community
- Mutual respect and trust in communications, no matter what our roles may be
- Teamwork and support of each other in our personal growth

Cooperation

1. Listening respectfully and actively to all perspectives
2. Collaborating to share resources, information, and ideas
3. Participating positively and actively to support positive outcomes
4. Compromising to achieve common goals

Assertion

1. Setting healthy boundaries and expressing needs honestly, directly and respectfully
2. Considering appropriate time, place and participants when addressing concerns
3. Behaving in a manner that is mutually safe and respectful
4. Stating ideas clearly using a calm voice and respectful tone
5. Staying on topic and focusing on solutions

Responsibility

1. Keeping our commitments to each other and the community
2. Acting as positive role models for others in the school community
3. Approaching challenges from a solution-oriented perspective
4. Inviting and including all parties who need to be part of, and could be affected by, our conversations and decisions

Empathy

1. Caring and considering the needs and perspectives of others
2. Being responsive to the needs of others, supporting, encouraging, or assisting as needed
3. Seeking to understand other points of view

Self-Control

1. Taking time to reflect on a situation before responding to it
2. Maintaining confidentiality in communications

Responding to Misbehavior

Sussex Montessori School 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:

- Maintain safety and order
- Help students recognize and fix their mistakes
- Help students develop internal control of their 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.
- Have the child leave the room or school for an extended period of time (extended time out in another classroom or space – in school suspension or sending the child home – at home suspension)
- 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.

ATTENDANCE (Absenteeism, Tardiness, Leaving Early)

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

ABSENTEEISM

Documentation of Absence:

When a student is absent, upon his/her return to school and **no later than the third day**, a parental written note of explanation must be presented to the building secretary in order for the absence to be excused. All written notes must have a parent signature. If a student has been to see a doctor, the student should return with a note from the doctor's office. Written notes may be faxed, handwritten, or e-mailed with a scanned signature.

The following is a list of **reasons for an excused absence**:

1. Illness of child
2. Scheduled appointments to a physical or mental healthcare provider, including, but not limited to, a physician, dentist, orthodontist, and psychologist
3. Contagious diseases within the home of a student subject to regulations of the Division of Public Health and Department of Health and Social Services
4. Death in the family or of a close friend
5. Legal business requiring the student's presence
6. Observance of religious holidays
7. Medical diagnosis and/or treatment
8. Absence, pre-approved by the administration, to participate in other educational experiences or authorized school activities
9. Emergency situations as determined by the administration
10. Suspension or expulsion from school

When absent, a student may not participate in any school activities that day. These include games, plays, or anything that is school sponsored. In addition, a student who is absent is not permitted to be on school property, except to acquire missed academic assignments.

The following are mandatory school attendance requirements for public school students in grades K-12 (Delaware Code). These requirements apply at Sussex Montessori School:

1. Following the 10th day of an unexcused absence, the school shall immediately notify the parent(s)/guardian(s), and a visiting teacher from the school may visit the student's home.
2. Following the 15th day of an unexcused absence, the student's parent(s)/guardian(s) shall be notified by certified mail to appear at the school within ten days of notification for a conference and counseling.
3. Following the 20th day of an unexcused absence, the school shall refer the case for prosecution at Magistrate Court.
4. 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 Their Families requesting intervention services by the Department. The Department shall contact the family within ten (10) business days.

At the 15th excused or unexcused absence the administration will meet with the student and parents and make a ruling from among the following options:

- Credit for the course(s) missed
- Require a make-up course in summer school (60 hours) to receive credit
- Require an original credit course in summer school (120 hours) to receive credit
- Dismissal/Review Board Meeting

An absence from class due to school activities approved by the school's administration (for example, field trips) will not be charged against the student.

UNEXCUSED ABSENCE:

An unexcused absence from school or class is an absence that cannot be explained by any of the reasons listed above and is not otherwise approved.

TARDINESS AND EARLY DISMISSAL:

All students are expected to be punctual to school. Classrooms open at 8:00 a.m. and students are expected to be in the classroom by 8:20 a.m. and remain until the end of the school day at 3:15 p.m. If a student arrives after 8:30 a.m., they are tardy. For safety reasons and accountability, a parent/guardian must accompany a tardy child into school and sign the child in at the main office. Reasons such as personal illness, medical appointments, and appearances in court will be considered as excused tardiness when verified by a note. Late arrivals are closely monitored by the student's teacher and the Head of School. Parents or Guardians will be contacted to discuss the student's tardiness. Students should recognize that a written explanation from home does not automatically cause the tardiness to be excused. Such reasons as car trouble, personal business, heavy traffic, home obligations, etc., while understandable, are not acceptable excuses and will be listed as unexcused.

Instructional time is lost when a student misses any portion of the academic day. After 5 unexcused later arrivals or early dismissals, a letter will be sent home. A conference with the administration may be requested after 10 or more unexcused later arrivals or early dismissals. When a student accumulates any combination of 12 unexcused late arrivals and/or unexcused early dismissals, a meeting with the Head of School will be required. The Governing Board may recommend that the student not be invited to return to Sussex Montessori School for the following academic year.

LEAVING SCHOOL:

Sussex Montessori School is a closed campus. Students are not permitted to leave campus during school without parent permission and administrative approval. The “campus” refers to the school building, and outside areas utilized regularly during recess and physical education. This closed-campus policy is also in effect during half-days and other abbreviated school days.

Students arriving by bus, or other means of transportation, are to proceed directly to the school. Students may travel between the two buildings but must be accompanied by a staff member.

PREARRANGED ABSENCE:

A prearranged absence will be defined as a student's absence from school for educational activities approved by the Head of School. The absence should be prearranged by writing the Head of School, giving the full particulars of the absence. Approval for such absences should be sought, where practicable, at least two (2) weeks prior to the date on which the absence is to occur. In some cases, there will be the development of a plan by student and teacher for making up the assignments to be missed, the Education Director may then define the absence as excused. Prearranged absences will not be approved during the state assessment periods.

BULLYING/ CYBERBULLYING

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.

BULLYING:

Acts of bullying will be handled through parent contact and tiered consequences, dependent upon level of offenses, will be issued. According to Delaware state law and Department of Education regulations, when a situation rises to **actual bullying** it must be treated as a criminal offense and

must be reported to the appropriate authorities. The student will also be required to appear before the Discipline Review Board.

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. Sanctions may include, but are not limited to, the loss of computer privileges and/or Discipline Review Board hearing.

TRANSPORTATION

BUS TRANSPORTATION:

Sussex Montessori School contracts bus service for its students. The bus is an extension of the school day. The Student Code of Conduct remains in effect anytime a student is on a school bus (including the bus to and from school, aftercare bus, field trip buses, etc.). Riding the school bus is a privilege for each student. If the following rules and regulations are not followed, the student may no longer be given the opportunity to ride the bus. If the privilege to ride the bus is suspended or revoked, the parent(s)/guardian(s) will be responsible for transporting their child to and from school. While riding the bus, students are to adhere to the following rules:

- The bus driver is in charge of the bus and students are expected to follow all instructions given by the driver.
- Students are to enter the bus promptly, immediately take their seats, and remain seated whenever the bus is running.
- Students must remain properly seated at all times (back to back; bottom to bottom), keep voice volume low, and keep hands and arms inside the windows.
- Students are to keep their hands and feet to themselves (no fighting, horseplay, etc.).
- Students may engage in ordinary conversations in a normal tone, however, the driver has the authority to prohibit any conversation.
- Students are to conduct themselves on the bus in such a way that will not distract the driver. (Distracting the driver puts everyone on the bus at risk. Students who do not follow the reasonable requests of the bus driver jeopardize their riding privileges.)
- Students are not to eat or drink while on the bus.
- Students are not to throw objects of any kind inside, outside, or around the bus.

- Students should keep the bus clean, sanitary, and orderly. They must not damage or abuse bus seats or equipment.
- Students are not to use abusive language or profanity, obscene or rude gestures, or spit while on the bus.
- Students are not to leave the bus without the driver's permission, except on arrival at their assigned bus stop or at school.

Minor bus misbehaviors will result in a warning and parent contact. Subsequent minor bus misbehaviors will result in suspension of bus riding privileges for a period of time determined by the administration and the bus company. **Third offenses for bus infractions may result in permanent revocation of bus riding privileges.** Any major disruptive behavior such as fighting, vandalism, etc. will result in immediate suspension of riding privileges for a period of time determined by the School Leadership Team and could result in permanent revocation of riding privileges and other consequences.

WALKING TO SCHOOL:

The safety of SMS students traveling to and from school by foot is paramount. Students walking to and from school are expected to be accompanied by a parent, guardian or an adult pre-approved by the school.

COMMUNICATION DEVICES

Communication devices such as, but not limited to, cellular phones and/or electronic signaling devices, may not be used at school, on field trips, and/or on the school bus without permission of an SMS staff member. Devices brought to school must be silenced and kept out of sight to students and staff. On the first offense, the device will be confiscated, and it will be returned to student at the conclusion of the school day. Subsequent violations will result in confiscation of device, which will only be returned to the student's parent or guardian. Sussex Montessori School is not responsible for lost, stolen and/or damaged property. Parents/Guardians should be aware that it is not the school's responsibility to go to extraordinary effort to locate lost or stolen communication devices.

Students in Possession of Other Distracting Devices

Students are prohibited from bringing to school any electronic devices, including portable stereos, iPods, iPads, Gameboys, laser pens, laser pointers, skateboards, toys, or any other items that are inappropriate or distracting to the educational atmosphere. If a device is being used for an educational activity such as a presentation, pre-approval should be sought from the school administration prior to the device being brought to school. Violating this policy will have the item confiscated, and it will be turned over to the Head of School who may return the item/s to the student or parent at a later date. Subsequent violations may result in parental contact, and/or additional serious consequences. A student who refuses to turn over a distracting item to a staff member will be considered insubordinate and may be liable for additional disciplinary action.

DRESS CODE

The SMS dress code is established to help ensure an atmosphere conducive to learning. Wearing inappropriate dress to school can have a negative influence on the educational process and the educational climate of the school. Each student, with the advice and counsel of his or her parents or guardian, should dress in a manner which is appropriate for the school and its related activities.

The following are guidelines for determining whether or not a student's attire is appropriate:

- The student's dress, apparel, ornament (jewelry), or grooming is not detrimental to the health and safety of the student or other students.
- The student's dress, apparel, ornament, or grooming is free from words or pictures, which contain vulgar or offensive writing, racial slurs, suggestive pictures or emblems.
- Shoes must stay securely on student's feet (for safety reasons). Flip-flops, and other backless shoes are not permitted unless a clear exception is made for a special seasonally appropriate event. Sneakers must be worn on gym day.

Students who are found to be in violation of the dress code are subject to disciplinary action. The Head of School's actions may include:

- Counseling/warning the student
- Calling parents to bring a change of clothes
- Having the child change into school provided clothes (if available)
- Placing the student in in-school suspension for the remainder of the day
- Recommending suspension (for flagrant or repeated violations)
- Discipline Review Board recommendation

All clothing is to be worn appropriately and in the manner for which it was designed. Likewise, clothing should be seasonally appropriate for the safety and welfare of students. General Dress Code rules that apply include the following:

- Outer clothing which resembles loungewear, pajamas, or underwear is prohibited.
- See-through clothing is prohibited
- Proper underclothing, which insures modesty, is required.
- Shoes must be worn at all times—sneakers on the days students have physical education
- Clothing that is too tight, so as to be immodest, is prohibited
- Clothing which has holes cut or torn, which may expose the seat or parts of the body unique to the male or female, is prohibited.
- Halter tops, backless blouses, strapless blouses and dresses, bike shorts and short-shorts are prohibited.
- Hats and hoods are not permitted to be worn in the classroom, exceptions can be made for religious purposes.

SUSPENSION AND EXPULSION

SMS feels it is very important for families to understand what types of activities could result in suspension or expulsion. This is not an exhaustive list, but it does provide examples of types of behaviors that could result in suspension or expulsion. Each case will be analyzed by the administration or Discipline Review Board, and there will be communication with families.

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

Suspendible Offenses	Dismissible Offenses
<ul style="list-style-type: none"> • Multiple offenses • Fighting • Bullying • Defiance of school personnel's authority • Major disruption of the educational atmosphere • Repeated misconduct and/or continual disregard of school regulations • Offensive touching • Violation of computer use policy • Inflammatory actions • Smoking in the building or on school grounds • Possession or use of tobacco and tobacco related products • Being in unauthorized areas • Defamatory or demeaning Actions 	<ul style="list-style-type: none"> • 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 • Bringing any kind of lighter to school, or starting a fire • Assaults • Harassment (physical, sexual, or verbal harassment) • Stealing (This could be handled by administration depending on circumstances; restitution must always be made.) • Fighting (depending on the circumstances) • Terroristic threatening • Turning in a false alarm • Vandalism

Definitions related to SMS's Suspendable and Dismissible offenses:

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*** means 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 reported to the police and to the proper fire authorities and will appear before the Discipline Review Board for possible dismissal.

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 and called before the Discipline Review Board.

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 (suspensions and/or appearance before the Discipline Review Board) could result. In addition, depending on the severity of the fight, a longer suspension period, parental contact, and police contact may result. In many situations, a student will have the opportunity to walk away and report an incident involving physical contact. However, if that student does not report the incident and retaliates to the initial physical contact, he or she could be held equally responsible for fighting.

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.

OFFENSIVE TOUCHING - Offensive touching is intentionally touching another person, either with a member of his/her body or with any instrument, knowing the recipient will be alarmed, offended or harmed in some manner. It also means intentionally striking another person with *any* bodily fluid, knowing that the recipient will be alarmed, offended or harmed in some manner. A student guilty of offensive touching may be subject to suspension, and, depending on the circumstances, nature, and severity of the offense, police may be contacted.

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 Superintendent may modify such expulsion requirement to the extent a modification is required by Federal and State law. This provision is in compliance with Federal Gun Free School Act of 1994. Section 921 of Title 18, United States Code, and Possession of a weapon in a Safe School and Recreation Zone, Section 1457 of Title 11, Delaware Code.

POSSESSION OR USE (SMOKING, E-SMOKING OR CHEWING) OF TOBACCO AND TOBACCO-RELATED PRODUCTS - Possession or use of tobacco and tobacco-related products by students is not permitted on school grounds or during school-sponsored events. A student violating this policy will be suspended from school. Subsequent violations will result in longer suspensions and may involve more serious disciplinary measures including an appearance before the Discipline Review Board for possible dismissal.

SCHOOL AND PERSONAL PROPERTY -Students are responsible for the proper care of books, calculators, computers, supplies, and all other school property. Students are responsible for the replacement cost of any school property that may be damaged, lost, or stolen.Sussex Montessori School 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 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. In addition, the student will be called before the Discipline Review Board.

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 brought before the school's Discipline Review Board. If necessary, the matter will be referred to the police.

STEALING - Stealing is the act of taking possession or transferring the property of another without the consent of the owner/s. Stealing of any kind will not be tolerated at Sussex Montessori School. Students who steal may jeopardize their privilege of attending the school. Each case of stealing will be reviewed by an administrator who may then refer the matter to the Discipline Review Board to determine the appropriate penalty. Proper restitution must always be made to the victim/s of the theft.

DISCIPLINE OF STUDENTS WITH DISABILITIES

SMS 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 SMS's Code of Conduct. The teachers along with the school leadership team will determine if any specialized help and instruction is required to help the student understand the code. This would be included in that student's Individualized Education Plan (IEP).

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

Disciplinary action for a student with disabilities will be no greater than the disciplinary action levied on a student without disabilities.

Following the IDEA 2004 Discipline Rules guidelines:

- Students with a disability who has an IEP can be disciplined in the same manner as any other student for 10 consecutive school days or less if the student violates SMS's Code of Conduct. Parents should be familiar with and review the code of conduct with their child at the beginning of the school year.
- If the student is disciplined for more than 10 consecutive school days within the same school year, school or district 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 in place as part of his IEP in order to support learning and the achievement of his goals. In fact, a student's IEP must include a behavior intervention plan whenever the student's behavior impedes his own learning or the learning of others.

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)

SMS will maintain a discipline record for children with disabilities in accordance with 14 DE Admin. Code 252. If a child with a disability transfers 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.

Definitions: "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.

DISCIPLINE REVIEW BOARD

The Discipline Review Board convenes within 24 to 48 hours, with parents/guardians and the student, whenever a serious 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. (Examples include 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 Discipline Review Board hearing. 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 or not to affirm the dismissal.

Sussex Montessori School
Student Behavior Expectations / Regulations Handbook
Parent/Guardian Commitment
School Year 2016-2017

The Student Code of Conduct applies to any time that children are:

- On school property prior to, during, and following regular school hours when school is in session or when school activities are in operation
- While students are on the school bus or in a school vehicle for any reason
- When a student's conduct to and from school and/or at the bus stop has a harmful effect on the other students or the community
- At all school sponsored events and other activities on school property

Off campus: The School may suspend or expel students for activities occurring off of school premises 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 receipt of an Attorney General's notice that a student has been arrested for a crime that may jeopardize the health, safety, or welfare of other students and staff is sufficient evidence to warrant the initiation of disciplinary action.

Acknowledgement: Student Code of Conduct

Sussex Montessori School 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. We ask that you review the Student Rights and Responsibilities Document with your child/children and have a discussion regarding school expectations. Please sign below and have your child sign to acknowledge that you have received and reviewed a copy of the Student Behavior Expectations and Regulations Handbook. Return the signed sheet to your child's homeroom teacher by the date indicated below.

This is to confirm that I have received a copy of the Sussex Montessori School Student Behavior Expectations and Regulations Handbook

Student Name (Please Print): _____

Student Signature / Date: _____

Parent Signature / Date: _____

Sign and return to your child's teacher by _____.