

California Montessori Project
Student Discipline Procedures, Suspensions, and Expulsions

CMP staff will enforce disciplinary rules and procedures fairly and consistently. Discipline may include the counseling of students, conferencing with parents/guardians, detention during or after school hours, removal to an alternative learning environment, such as another classroom, suspension, and expulsion.

Corporal punishment will never be used as a disciplinary measure. Corporal punishment does not include the use of reasonable force to protect students, staff, or school property.

Parents/guardians will be notified in writing or by phone following any disciplinary action taken in response to a student's misconduct. A follow-up parent conference with the teacher or administrator may be required. Parents may also request a meeting to discuss the incident and disciplinary action.

CMP maintains a comprehensive suspension and expulsion policy in order to promote learning and protect the safety and well being of all students. A student may be suspended or expelled for misconduct as specified below while on the school grounds, coming and going to school, or at a school-related activity. These policies are developed to conform to applicable federal law regarding students with exceptional needs.

An administrator may suspend students who fail to comply with CMP discipline policies at any time. Students who habitually fail to comply with these policies or who present an immediate threat to the health and/or safety of others may be suspended pending a recommendation for expulsion to the CMP Governing Board by the Executive Director.

Prior to expulsion, students will be provided progressive discipline unless the student's conduct presents an immediate threat to the health or safety of others. CMP will notify the district of any expulsions and will include suspension and expulsion data in its annual performance report to the sponsoring school district.

As documented in our Charters and approved by our sponsoring school districts, students may be suspended or expelled for any of the following:

- Caused, attempted to cause, or threatened to cause physical injury to another person, or willfully used force of violence upon the person of another, except in self-defense.
- Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Administrator or designee's concurrence.
- Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-111058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- Committed or attempted to commit robbery or extortion.
- Caused or attempted to cause damage to school property or private property.
- Stole or attempted to steal school property or private property.
- Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.

- Committed an obscene act or engaged in habitual profanity or vulgarity.
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, and other school officials, or other school personnel engaged in the performance of their duties.
- Knowingly received stolen school property or private property.
- Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4.
- Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- Engaged in or attempted to engage in hazing of another.
- Aiding or abetting as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
- Made terrorist threats against school officials and/or school property.
- Committed sexual harassment.
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
- Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment.

Weapons and Dangerous Substances:

Due to concerns for safety, weapons of any kind may not be brought to school; this includes the parking lots and surrounding areas of the school. We are required by law to take immediate and strong action should a child bring weapons to school. This consists of, but is not limited to, all knives, including pocket knives, daggers and martial art weapons, air guns, replica guns, ammunition, incendiary devices, and fireworks. Parents are asked to discuss this with their children in an age-appropriate manner to help them understand the seriousness of these items. Parents/guardians are ultimately responsible for their child bringing such items to school and will be called immediately to pick up their child should he/she be discovered to have a dangerous object. School officials have the right to search student backpacks, lockers, or other containers if the possession of a weapon or dangerous substance is suspected.

Sexual Harassment:

The CMP Governing Board prohibits sexual harassment of or by any student, CMP staff, or volunteer. Teachers should discuss the policy with their students in age appropriate ways and should assure them that they need not endure any form of sexual harassment.

The Board expects students and staff to immediately report incidents of sexual harassment to the Principal or designee. Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature.

Theft or Destruction of School, Student or Staff Property:

School staff, in consultation with a school administrator, may search a student's belongings if there is reason to believe the child has taken another's belongings. School administration may refer theft of property to law enforcement.

Students and parents/guardians may be held accountable for replacing or repairing any property damaged or lost due to student negligence.

Threat of Harm:

All threats will be taken seriously. The student will be removed and parents/guardians called immediately in the event a student threatens another student, staff, or volunteer. Depending on the age of the student, and the severity of the threat, law enforcement may be notified.

Suspension Procedures

Prior to a suspension, the parent/guardian will be notified by phone and, if possible, a meeting with an administrator or designee will take place that same day. If a meeting does not take place, the parent/guardian may request a conference to be held within two school days. The student has the right to return to school for the conference meeting only. At the meeting, the student is to be informed of the reason for the suspension and what the evidence is against him or her. The student may also give their version of the incident.

Parents/guardians are also to be notified in writing stating the reason for the suspension and the date in which the student may return to school. Suspensions may not exceed five (5) consecutive school days per suspension, except in the event of a recommendation for expulsion.

Expulsion Procedures

Students recommended for expulsion are entitled to a hearing within thirty (30) school days by the Governing Board to determine if the student should be expelled. Written notice of the hearing will be mailed to the student and parents/guardians at least ten (10) days prior to the date of the hearing. Administration will contact the parents/guardians and inform them of the process prior to the hearing. For a more detailed description of the expulsion process, refer to the school's charter document.

The decision to readmit the student, or to admit a previously expelled student from another district or charter school, is at the discretion of the Board. The principal will make a recommendation to the Board indicating that the student has successfully completed a rehabilitation plan. Readmission will also be contingent upon the school's capacity at the time of readmission.