

The Children's Guild DC Public Charter Discipline Policy

Policy:

The teaching of discipline shall be directed toward helping students take responsibility for themselves, become capable decision-makers, become self-directed learners and promote the social and moral development of the child. Individualized approaches to the teaching of self-discipline will be tailored to the specific developmental level of the child.

Definitions:

Team--The team includes a special education teacher, classroom teaching assistant, therapeutic behavioral aide (dedicated aide), school counselor, related services providers, nurse, behavioral and instructional coaches, and the youth life educators where appropriate.

Direct Care Personnel--Any staff member who provides a direct service to the student (i.e., teacher, teacher assistant, school counselor, related service provider, and therapeutic behavior aide, youth life educator, etc.).

Cross Reference: Guild Policy #04-02-03 Exclusion/Isolation, Physical Restraint, and Seclusion

Rationales and Procedures:

1. Why Does The Children's Guild Teach Self-Discipline Rather Than Obedience, and Why Obedience Doesn't Work

Rationale:

Discipline comes from the Latin word meaning, "to teach". We are trying to teach children to reach the goal of self-discipline; that is, to take responsibility for the action they choose, not to act on impulse alone, and to assess probable consequences of several courses of action before making a decision. Obedience is defined as the ability to carry out or yield to command, authority, or instruction. Traditional models of education are based on curriculums of control. The educator establishes the rules and the student must obey the rules of the classroom, so that the teacher can move through the lesson plan in an orderly fashion. These models are designed more to instruct than to teach. This system takes the pleasure, ownership, and competency out of the learning process for students. In essence the rule centered educational environment states, "Do what I tell you, or here's exactly what I'll do to you." (Kohn 1996)

The traditional view of behavior in regard to education states that a system of rewards and punishments is necessary to gain control of children. This view is based on two assumptions. The first assumption is that children cannot learn without being controlled by an adult and second, "if the teacher isn't in control of the classroom, the most likely result is chaos" (Kohn 1996). Unfortunately, these assumptions foster the idea that adults have to be enforcers or class cops. This approach limits the social and moral development of a child because it assumes that children cannot learn to take responsibly for themselves unless they are punished or rewarded. Even if an educator has a group of students "under control" the likelihood is that when the adult is not with them, the group of students will not behave because they have not developed the skills to do so in other contexts. "If the goal is to create self-discipline in children then having students define the meaning

of rules is the best way to help students become thoughtful decision makers.” (Kohn, 1996)

Procedure:

- A. Staff is always physically and visually present in the learning environment to provide supervision and guidance to students in their development of socially appropriate patterns of behavior, self-expression, and coping mechanisms. Staff will develop a repertoire of behavioral interventions that promote those skills in their students. Such interventions will include: modeling, positive enforcement, choices, consequences, incentives (if developmentally appropriate), and therapeutic discussions as dictated by the student’s developmental level.
- B. Staff responses to inappropriate behavior will include the implementation of natural and logical consequences as dictated by the situation. Alternative behavior choices and their impact will be explored and processed with the student, thereby enabling him/her to make productive decisions.
- C. Staff will develop intrinsic motivation in their students through the use of positive social recognition (praise, positive enforcement, academic achievement).
- D. Staff responses to students’ behavior will be individualized to meet the developmental needs of the student and within the context of each unique situation.
- E. In resolving problematic behaviors in the classroom, staff will review situations by considering the context within which the behavior(s) occurred. This includes such contextual components as:
 - 1. The words, actions and reactions of staff in the environment and how these may have contributed to the problem.
 - 2. Explore underlying, unresolved relationship issues and generate strategies for resolution.
 - 3. Identify unmet needs of the student(s) and how these contributed to the problem.
 - 4. Identify skills needing further development and handicapping conditions on manifested behaviors.
- F. When a student engages in unsafe behavior, and as a last resort, physical intervention(s) will be utilized to ensure the safety of the student, others and property.

1. How Do We Develop a Climate That Fosters Student Achievement?

In 1997, the Individuals with Disabilities Education Act (IDEA) was amended to include a recommendation for implementing Positive Behavioral Interventions and Supports (PBIS) as a form of intervention for behavioral issues that impact learning. PBIS is a systems approach to discipline that examines the four subsystems; school-wide, individual student, classroom, and nonclassroom that comprise the totality of a school. The interaction of these four systems creates a climate for learning. “The goals of school-wide systems are to define, teach, and support appropriate behavior that establishes a culture of competence within schools. When a competent culture is established,

the students are more likely to support appropriate behavior and discourage inappropriate behavior by their peers.” (Sugai, 1999).

PBIS is a systematic way of implementing school-wide systems of teaching, acknowledging and rewarding appropriate behavior to all students in the school. The procedures to implement a positive behavior support program include:

1. Behavioral expectations are defined in a small number of clearly defined behavioral expectations
2. Behavioral expectations are taught and practiced throughout the school day
3. Appropriate behaviors are acknowledged through various forms: praise, recognition tokens and reward.
4. Behavioral errors are corrected proactively by providing information on what behavior was unacceptable and how to prevent future situations.

2. How Do We Promote the Social and Moral Development of the Child?

Rationale:

Just as there are physical stages of development for children, there are also stages of social and moral development (Kolberg, 1981). These stages demonstrate how a child should go from selfishness to selflessness. To effectively move the child through these stages in the educational setting, three factors should be considered. First, the development of self-discipline within the student must be in sync with the child’s predominant level of moral development. This requires the staff member to not only assess and intervene with the child at the child’s current level of moral development, but the staff member must then implement individualized strategies to move the child to higher levels of moral development. The IEP is the mechanism by which a long-termed individualized plan is created to move the student through these levels of moral development. The second factor is that interventions must also be in sync with the child’s emotional and cognitive abilities. Lastly, classroom communities must be established. For it is through connection and communication with others that a child has the opportunity to work cooperatively, while developing pro-social behaviors.

Procedures:

In order to determine each student’s level of moral development and the best procedure(s) for facilitating continued growth, teams will complete a functional behavior assessment on each student to include:

- A. A functional behavioral assessment and behavior intervention plan will be developed specific to the targeted behavior impacting student engagement in the learning process
- B. Monthly thematic units to assist in facilitating the development of character education and moral development traits through implementation of daily lessons, social skills training and group therapy.

3. How Can Most Student "Misbehavior" Be Eliminated Through Good Instruction?

Rationale:

One of the most successful interventions in reducing acting out behavior is effective teaching. Therefore, if children are acting out, or "misbehaving", the educator must first look at the quality,

technique, and coherence of their instruction. In this view, acting out is not a symptom of illness, but of poor instruction. This approach demands the educator to ask the question, "What do children need?" as opposed to "How do I get them to do what I want?" (Kohn, 1996). Our policy requires educators to transform the traditional teacher centered, lecture driven, and rote deskwork to multi-dimensional, hands-on, active, and cooperative methods of teaching that engage verbal, tactile, visual, and auditory senses. The curriculum is integrated and relates ideas and knowledge across subject areas. By challenging students in an engaged, creative, and meaningful process of learning, the educator channels the student's energies from acting out to involved learner.

Procedure:

- A. Classroom teams will develop and implement daily lesson plans that include a creative, hands-on instructional delivery system.
- B. Development of effective lessons will include:
 - 1. Determining and accessing prior knowledge of the students to begin concept development.
 - 2. Incorporating instructional modifications based on the needs of the students.
 - 3. Developing lesson plans inclusive of an anticipatory set, direct instruction, guided practice, independent practice.
 - 4. Student engagement in creative, hands-on activities.
 - 5. Implementing differentiated learning strategies to address varied student levels of performance within the classroom setting.
 - 6. Assessment of concept attainment.

4. How Do Students Learn Self-Responsibility?

Rationale:

Students learn self-responsibility by being active participants in the problem-solving process. This involves acknowledging responsibility for their own behavior and accepting natural and logical consequences. Students are expected to maintain appropriate behavior, demonstrate effective coping and decision-making skills not only in the classroom, but at home and in the community as well. Opportunities for learning and developing necessary skills and strategies for problem solving are presented in a structured classroom environment. Through this process, students are able to make informed decisions and appropriate choices. Discipline is regarded as a learning experience that promotes individual growth emotionally, academically and behaviorally.

Procedure:

- A. The team will facilitate the development of a classroom environment by assisting students in developing behavior expectations and goals.
- B. The team will engage students in discussion and exploration of the decision-making process, and provide opportunities for implementation.
- C. PBIS matrix is used to guide the team in fostering commitment and responsibility.

- D. Teams will conduct Team Primacy meetings to address development of communication and social skills, enhance problem-solving skills, examine the impact of behavior for self and others and apply natural and logical consequences for inappropriate behavior.

5. How Do We Make The Mindset Switch From The Product/Market Perspective To The Journey Perspective?

Rationale:

Educators must examine their own assumptions and transform their own beliefs regarding discipline and how it is used in teaching. Many of today's educational systems are designed with the market mentality. During the Industrial revolution, the market perspective dominated American views and policies. This perspective focused on the end product and the marketplace. If you produced more of the product, the faster you were rewarded. If you failed to produce or did not produce at the rate and quality expected, the market was unwavering and unsympathetic in its deliberation of punishment and economic sanctioning. It was during the Industrial Revolution that many of our school systems were developed. Learning was seen as a product. Children were given concrete standards and were rewarded for achieving those standards. Consequently, they were punished if they did not meet the standards, i.e., not allowed to participate in sports, clubs, trips, or even in educational areas in which the child excelled. In contrast, the journey mindset focuses on why and how the process works to achieve the end product. The journey mindset does not ignore the end product, but includes both the product and the process. If educators believe that learning is a process, then it is imperative for students to make decisions regarding this process and understand how it applies to them. To achieve this goal an educator must create a classroom where conflict is valued, and seen as an opportunity for learning, because conflict provides teachable moments. For example, "The constructive classroom, is one in which the process matters at least as much as the product. The wrestling with dilemmas, the clash of ideas, and the need to take others' needs into account-these are more meaningful than any list of rules or guidelines that may ultimately result." (Kohn 1996) This new understanding of discipline alters educators' attitudes from control to discovery, moving them from the market mindset to the journey mindset.

Procedure:

- A. Strategies may include:
 - 1. Student role-playing the decision making process demonstrating alternative behaviors to resolving conflicts.
 - 2. Student participate in restorative practices restitution processes for destructive or hurtful action(s)
 - 3. Daily community circles to build relationships and explore ways of preventing similar problems in the future
 - 4. Student Government Association to provide authentic application of decision making skills and conflict resolution strategies.
- B. Classroom teams will teach alternative, appropriate social skills weekly. Students will role-play steps to facilitate incorporating these skills into their behavioral repertoire.

- C. Restorative practices will include peer mediation and conflict resolution strategies and will be taught and implemented regularly with the students.

6. Student Expectations:

Student expectations for behavior are determined by the developmental level of individual students and consist of the following:

- Initiate and complete all assigned classwork in a timely manner, to be determined by the special education teacher, as an active, cooperative participant.
- Follow all directions and demonstrate active listening skills.
- Be respectful of others by displaying effective social skills. Students will not disrupt others, should ask for assistance when needed, and ignore others' inappropriate behavior.
- Students should always maintain safety towards themselves and others.
- Students will acknowledge responsibility for their own behavior, engage in the problem-solving process as needed and accept natural and logical consequences for misbehavior.
- Students will demonstrate expected behaviors as identified on the Positive Behavior Supports and Intervention matrix. Specific behaviors will be identified, taught and reinforced for each location on the matrix (hallway, bathroom, cafeteria, bus).

7. Staff Training Expectations:

- A. Staff is trained in The Guild's policies and procedures relative to student behaviors within 30 days of beginning employment. Training in these policies and procedures will routinely be offered each August prior to the start of the school year and also each January.
- B. Staff working in the Special Education program will be trained and certified in the Professional Crisis Management System[®] prior to working directly with students. These trainings will routinely be offered each August during the staff orientation program prior to the start of the school year and periodically through the year. No staff member will initiate a physical intervention without completing these trainings and passing the written and physical evaluations needed for system certification.
- C. These trainings are scheduled and monitored by the Principal with the support of the Vice President of Organizational Learning.
- D. All Professional Crisis Management[®] instructors will be certified through training programs, and will be required to participate in a re-certification program as mandated by the system utilized. The Principals with the support of the Vice President of Organizational Learning will ensure that appropriate individuals are trained to provide Professional Crisis Management[®] Guild staff.

- E. All direct care staff will participate in in-service training for the purpose of professional advancement and education. Training will include further development in areas of positive behavior strategies and interventions and overall classroom management. In-service training for day school staff is provided weekly on Wednesday afternoons.
- F. Additional training will be provided monthly or bi-monthly or on select dates during the year for specific disciplines, i.e., Clinicians, Special Education Teachers, Teaching Assistants, Classroom Assistants, and Therapeutic Behavior Aides. Attendance is mandatory for all direct care staff.

8. Behavior Deemed A Crisis

Use of the Multi-Sensory De-Escalation Room:

The Multi-Sensory De-Escalation Room (MSDR) provides an alternative approach to working with extreme emotions and behavior in children. The basic principles for the use of the MSDR at The Children's Guild, Inc. include:

- MSDRs are never locked
- Students are never isolated or left alone in the MSDRs
- The primary purpose of the MSDR is to teach students to soothe themselves and regulate their senses, emotions, and behaviors
- MSDRs are never to be used in a manner that communicates punishment or negativity to the student.
- Staff will use visual, tactile, auditory, and olfactory stimulation to help students organize their senses and gain control of their bodies.

Procedures:

- A. At the student's admission, the parent/guardian is advised of MSDR philosophy and procedures, including both proactive interventions and physical intervention.
- B. When a student is unavailable for learning and requires a change in environment, the child, or staff, can request that the child visit the MSDR.
- C. Upon entering the MSDR, a Student Intervention Report (AD-166) must be completed.
- D. When the student has demonstrated the capacity to process the situation with staff and is ready to re-enter the learning environment, the student returns to the classroom.

High Risk Behavior for All Programs:

- A. The staff member witnessing the high-risk behavior must initiate appropriate safety procedures to ensure safety of all involved individuals.
- B. Once safety is secured for all, the team counselor should be notified.

- C. The staff member and team counselor shall promptly interview the student and determine the appropriate course of action. If physical intervention is utilized for more than 10 minutes, or if either student or staff complain of injury, medical personnel will be notified where applicable.

The staff member witnessing the high-risk behavior must complete a Student Intervention Report (Form AD-166), quoting the student's words and objectively describing the student's actions in detail.

- D. Precipitating events and staff/student responses are to be included.

8. Behavior that results in the removal from school

- A. A student may be suspended prior to a conference pursuant if he or she is contributing to an emergency situation in a school. An emergency situation may exist either because of general conditions in the school (e.g., a series of fires or False Alarms; a manifestly high level of student tension; an increasing number of fights or physical attacks; a large number of abuses of property) or because the behavior of an individual student is so disruptive or dangerous that he/she poses a very real and immediate threat to the health and safety of other members of the school community, or to the ability of the school community or the school or portion thereof to continue normal operations.

- B. A student may be expelled from TCGDCPC only for the commission of an infraction as set forth below. These behaviors are illegal, cause significant disruption to the school operation, or cause substantial harm to self or others.

Suspension or Expulsion.

The following behaviors shall be considered for suspension or expulsion:

- a. Acts of Exceptional Misconduct at other schools;
- b. Vandalism/destruction of property over \$500;
- c. Selling or Distribution of marijuana, prescription drugs, controlled dangerous substances, imitation controlled substances, inhalants, other intoxicants, controlled or drug paraphernalia;
- d. The Possession or Distribution of alcohol;
- e. The Possession of drug paraphernalia or controlled substance, irrespective of the amount or type, pursuant to the criminal statutes of the District of Columbia, codified at D.C. Official Code § 48-1101 et seq. (2001)
- f. Causing serious disruption or damage to school's computer systems, electronic files, or network;
- g. Possession of fireworks or explosives;
- h. Theft or attempted theft using force, coercion, intimidation, or Threat of violence;
- i. Assault or physical attack on student or staff;
- j. Fighting which results in a serious physical injury;
- k. Participating in group fight which has been planned, causes major disruption to school day or results in substantial bodily injury;
- l. Using an article that is not normally considered a weapon to injure another individual;

- m. Use, threatened use, or transfer of any weapon;
 - n. Use, Possession, or bringing to school a loaded or unloaded firearm, as defined in 18 U.S.C. § 921 (2000), including but not limited to pistols, blank pistols, starter pistols, revolvers, rifles, and shotguns.
 - o. Any behavior that violates the Gun-Free Schools Act;
 - p. Deliberate acts that cause severe physical injury to another person(s).
 - q. Assault with a weapon;
 - r. Commission or attempted commission of any act of sexual assault or sexual aggression;
 - s. Arson;
 - t. Biohazard;
 - u. Bomb threat;
 - v. Any other intentional use of violence, force, coercion, Threats, intimidation, or other comparable conduct which causes or attempts to cause severe physical injury, substantial disruption, or obstruction of any lawful mission, process, or function of the school;
 - w. Any behavior or other conduct not specifically enumerated in any other tier in this chapter that is illegal, causes significant disruption to the school operation, or causes substantial harm to self or others; and
 - x. Documented Pattern of Persistent Extreme Behavior.
- C. Students who have been suspended or expelled shall not be eligible to participate in any school function for the duration of their Suspension or Expulsion. The only exceptions that may be authorized by the Vice President of Special Education and Student Services or his or her designee shall be for system-wide testing, or College Board or admission examinations. DISTRICT OF COLUMBIA REGISTER VOL. 56 - NO. 33 AUGUST 14 2009 00639017
- D. A student who has been suspended or expelled shall have access to an Education Plan as follows:
- a. If a student is suspended for fewer than eleven (11) days, the principal initiating the Suspension shall provide an Education Plan that meets the student's educational needs and allows the student to make up any class and homework assignments and exams without penalty.
 - b. If a student is suspended for eleven (11) days or more or expelled, the student shall be placed in an alternative setting that will allow the student the opportunity to continue to earn credits towards promotion or graduation requirements.
- E. Restitution and/or school service may be required in any case involving school property (e.g., arson, vandalism, burglary, robbery). The amount of restitution or type of school service shall be determined by a person designated by the Vice President of Special Education and Student Services..
- F. Students younger than the age of fourteen (14) who have been suspended or expelled shall not be allowed to leave school grounds during school hours unless accompanied by a parent or guardian, or his or her designee. Students older than fourteen (14) who have been suspended or expelled shall not be allowed to leave school grounds during school

hours until a parent or guardian, or his or her designee, has been contacted by phone or in person and given a reasonable opportunity to arrange for proper supervision of the student. If the parent or guardian of a suspended student cannot be notified by phone or in person, the student must remain at school until the end of the school day.

- G. If the parent or guardian of a student who has been suspended cannot be contacted by phone or in person before the next school day, and the student arrives at school, he or she must remain in the building until a parent or guardian can be contacted and given a reasonable opportunity to arrange for proper supervision of the student or until the end of the school day. The student may be segregated and must be appropriately supervised during this time. Any such day will count toward fulfilling the term of the student's Suspension.

9. PROCEDURES FOR SUSPENSIONS AND EXPULSIONS

- A. Authority to impose Suspensions and Expulsions is as follows:
 - 1. On-site Short-Term Suspension may only be authorized by the principal or a person designated by the Vice President of Special Education and Student Services.
 - 2. Off-site Short-Term Suspension may only be authorized by the principal or a person designated by the Vice President of Special Education and Student Services
 - 3. Off-site Medium-Term Suspension may be proposed by the principal and may be authorized only by a person designated by the Vice President of Special Education and Student Services. A person designated by the Vice President of Special Education and Student Services may modify the proposed action including rescission.
 - 4. Off-site Long-Term Suspension may be proposed by the principal and may be authorized only by a person designated by the Vice President of Special Education and Student Services. A person designated by the Vice President of Special Education and Student Services may modify the proposed action including rescission.
- B. Any student who is to be suspended or expelled shall be given a conference with the school official responsible for proposing the disciplinary action, prior to the Suspension or Expulsion. In the event that a student is suspended due to emergency conditions, the conference shall be held no more than three (3) school days after the Suspension is initiated.
- C. The conference shall include a discussion of the following:
 - 1. The grounds for disciplinary action as referred to in this chapter including a citation of the rule(s) upon which the action is based, and a description, in reasonable detail, of the facts and events upon which the disciplinary action is proposed;
 - 2. An explanation of the evidence or facts upon which the school official has determined that the student has committed an infraction including a summary of the recommended disciplinary action;
 - 3. An opportunity for the student to present the student's version of the facts or to explain the events or action upon which the alleged infraction is based;
 - 4. The decision regarding the infraction and the recommended disciplinary

action to be provided after the student has had an opportunity to present his or her version of the facts and/or to explain the events or actions upon which the alleged infraction is based;

5. A statement informing the adult student, or minor student's parent or guardian, of the right to examine the student's records and any official report of the incident prior to the imposition of the proposed discipline.
- D. If the principal is recommending Long-Term Suspension or Expulsion, the principal shall report his or her findings and recommendations from the conference in writing to the student and parent or guardian and a person designated by the Vice President of Special Education and Student Services. The principal shall also inform the student and parent or guardian in writing of disciplinary hearing procedures, appeal rights, the intervention supports available to the student, and the requirements for readmission. The conference may include the parent or guardian, witnesses, and/or legal representative, but participation by such party(ies) shall not be required.
- E. Students and parents or guardians shall be provided written notice of all Suspensions and Expulsions as follows:
1. No student may be suspended or expelled, including on-site Suspension, without written notice to the adult student or minor student's parent or guardian.
 2. Following the oral notice provided to parents or guardians verifiable written notice using contact information provided by the parent or guardian (e.g. email, certified mail, or hand-delivered mail with a signature receipt) of all authorized or proposed Suspensions and Expulsions must be sent to the parent or guardian or to the adult student no later than one (1) school day after the decision by the principal or a person designated by the Vice President of Special Education and Student Services to authorize or repose Suspension or Expulsion.
 3. The notice must inform the parent or guardian of the identity of the person who has the authority to modify or rescind the proposed Suspension or Expulsion.
 4. Adult students shall receive notification of their infraction in the same manner.
 5. The notice must also include a description of the infraction including a citation of the rule(s) upon which the action is based, a summary of the facts, the length of the proposed Suspension or Expulsion, the principal's recommendation for an Education Plan or Alternative Educational Setting; and a description of the student's right to appeal pursuant to § 2505.13 or to a hearing.
 6. A student who has been given a notice of proposed Expulsion may be immediately placed on Suspension in accordance with the rules and procedures set forth in this section.
- F. A principal authorizing Short-Term Suspension shall submit the authorization to a person designated by the Vice President of Special Education and Student Services within one (1) school day.

- G. A principal or school official proposing Medium- or Long-Term Suspension must immediately submit the proposal to a person designated by the Vice President of Special Education. A person designated by the Vice President of Special Education may authorize the proposed Suspension or modify it to reduce the number of days suspended.
- H. A principal or school official proposing Expulsion shall make a written recommendation for Expulsion to a person designated by the Vice President of Special Education and Student Services no more than one (1) school day after the Expulsion conference. The principal's recommendation may be made based upon an initial recommendation from a teacher or other school official. The recommendation to expel shall be supported by sufficient written documentation to enable a person designated by the Vice President of Special Education and Student Services to make an independent decision regarding Expulsion. A copy of this recommendation and any attendant documentation shall also be provided to the parent or guardian of the student involved.
- I. No more than five (5) school days after receiving the principal's findings, a person designated by the Vice President of Special Education shall either concur with or modify the recommended action. If a principal recommends Expulsion for bringing a weapon as defined in 18 U.S.C. § 921 into TCGDCPC in violation of the Gun-Free Schools Act, only the Vice President of Special Education and Student Services may modify the Expulsion recommendation.
- J. A student who has been suspended for fewer than eleven (11) days may appeal the Suspension as follows:
1. Short-Term Suspension may be appealed to the principal.
 2. A Medium-Term Suspension may be appealed to a person designated by a Vice President of Special Education and Student Services.
 3. All appeals must be made by the student's parent or guardian or the adult student, either orally or in writing to the principal or person designated by the Vice President of Special Education and Student Services, as appropriate, no later than two (2) school days after receiving the notice of Suspension, and may be made prior to receiving formal written notice of the Suspension. An appeal made orally shall be put in writing by the person receiving the request.
 4. All appeals will be heard by the principal (for Short-Term Suspensions) or a person designated by the Vice President of Special Education and Student Services (for Medium-Term Suspensions) no later than one (1) school day after the appeal is requested. Upon request of the adult student or minor student's parent or guardian, the time for the appeal may be extended up to three (3) school days. The appeal may be held by telephone upon request of the parent or guardian if necessary due to health, work, or childcare.
 5. The student and his or her parent or guardian may present evidence and ask witnesses to speak.
 6. At the conclusion of the conference, the principal or a person designated by the Vice President of Special Education and Student Services, as appropriate, shall render a final decision.

7. No more than one (1) school day after the conference, the principal or a person designated by the Vice President of Special Education and Student Services, as appropriate, shall give the student and his or her parent or guardian, a person designated by the Vice President of Special Education and Student Services a written summary of the conference proceedings, including the final decision.
8. Once a hearing is scheduled by the Vice President of Special Education and Student Services, the student shall be placed on Suspension, or in another appropriate placement until the conclusion of the hearing and appeals processes.

10. PROCEDURES FOR DISCIPLINARY HEARINGS

- A. Disciplinary hearings shall be held at a time and place that is reasonably convenient to the student and parent or guardian.
- B. For Long-Term Suspensions and Expulsions, the hearing shall be held not more than four (4) school days after a written notice regarding disciplinary action is provided to the parent or guardian or adult student, except that the hearing may be postponed for not more than five (5) school days upon the request of the adult student, minor student's parent or guardian, or his or her representative, where postponement of the hearing is necessary to prepare for the hearing, provide for the hearing, or provide for the attendance of necessary parties, including interpreters. The Vice President of Special Education and Student Services shall provide written notice to the parent or guardian or adult student of the date, time, and location of the hearing immediately upon scheduling the hearing. The notice from the Vice President of Special Education and Student Services shall state what consequences, if any, result from failure to attend the hearing.
- C. The student shall have a right, but shall not be required, to have a representative or legal counsel, selected by the parent or guardian or adult student.
- D. The student, parent or guardian, or representative shall have the right to question any witness or challenge any documentary evidence.
- E. The parent or guardian or adult student shall have the opportunity to present testimony and documentary evidence, including the opportunity to call any witness to present testimony relevant to the disciplinary action or other school system recommendation. The right to call witnesses shall include the right to require the presence of any involved school official.
- F. It shall be the burden of the TCGDCPC to show by a preponderance of the evidence that the student did commit the infraction(s) upon which the disciplinary action is based.
- G. The Vice President of Special Education and Student Services shall ensure that all due process procedures have been followed or waived.

- H. The Vice President of Special Education and Student Services may question any witness or party and shall examine all documentary evidence.
- I. The hearing shall not be conducted according to the rules of evidence. However, the Vice President of Special Education and Student Services may exclude any testimony or evidence that is irrelevant or repetitive.
- J. The Vice President of Special Education and Student Services shall ensure that the hearing is conducted in a fair and orderly manner and shall have the authority to exclude any party or other person from the hearing on the grounds of substantial interference or obstruction of the orderly hearing process.
- K. The Vice President of Special Education and Student Services shall make an official report of the hearing, which constitute the official record thereof. Upon request, a copy of the report shall be made available to the parent or guardian, adult student, or representative and the local school principal. This provision shall not preclude a parent or guardian or representative from also recording or transcribing the hearing at his or her expense.
- L. VICE PRESIDENT OF SPECIAL EDUCATION AND STUDENT SERVICES
RECOMMENDATION
 - 1. Within one (1) school day of the conclusion of a disciplinary hearing, the Vice President of Special Education and Student Services shall issue a written recommendation which shall include the following:
 - a. A statement of the facts, as determined from the testimony and evidence presented at the hearing;
 - b. A conclusion as to whether the required due process procedures have been properly followed or waived;
 - c. A conclusion as to whether the student committed the infraction(s) upon which the disciplinary action is based; and
 - d. A determination regarding the appropriateness of the proposed disciplinary action or an order for a modification thereof, including consideration of the factors enumerated in § B2500.8 and explicit justification for any recommended modification.
 - 2. For Long-Term Suspensions, a person designated by the Vice President of Special Education and Student Services shall render a final decision no later than one (1) school day after receiving the Vice President of Special Education and Student Services's recommendation.
 - 3. If the Vice President of Special Education and Student Services recommends disciplinary action is not warranted, based on the fact that the student did not violate any TCGDCPC rule or policy, the determination shall include an order to destroy all school records regarding the disciplinary action, including any reports that relate to the incident upon which the disciplinary action was proposed, insofar as those reports individually identify the student. If the Vice President of Special Education and Student Services determines that disciplinary action is not warranted and either: (a) fails to state whether a DCPS rule or policy was violated, or, (b) states that a TCGDCPC rule or policy was

violated but nevertheless finds the disciplinary action to be unwarranted, the school may maintain documents concerning the alleged infraction until the conclusion of the school year immediately following the incident.

11. Documentation and Communication

- A. Parents of students with an IEP that includes exclusion/seclusion/physical restraint will be advised of discipline procedures, including physical intervention during the admission process. The parent/guardian is required to sign a Consent for Treatment and/or Evaluation.
 - a) When a student is unavailable for learning and creating a disturbance in the learning environment, thereby requiring removal from the classroom, a Student Intervention Report (AD-166) must be completed.
- B. Demonstration of unsafe behavior (physical assault to self or others, property destruction) requiring physical intervention must be documented on a Student Intervention Report (AD-166).
- C. The Student Intervention Report Form will be completed as soon as possible, but no later than the end of the day. The staff members that are directly involved with the student have the responsibility for completing the Student Intervention Report. The staff involved is responsible for ensuring completion of the Student Intervention Report.
- D. The Student Intervention Report shall contain:
 - 1. The name of the student involved in the intervention;
 - 2. Description of the specific behavior(s) that lead to the student leaving the area;
 - 3. Names of staff members involved in the intervention;
 - 4. Less intrusive de-escalation techniques that were used or attempted;
 - 5. Description of the behaviors displayed and verbal comments during intervention;
 - 6. Date and time of the intervention;
 - 7. Description of any physical injuries to the student or others; any medical intervention;
 - 8. Resolution of the issues (processing strategies) and time student returned to the classroom;
 - 9. Signature of the staff member completing the report.
- E. After the Student Intervention Report is completed, it is given to the senior clinician/clinical director. The senior clinician/clinical director will review the Intervention Report for completeness. If the report is incomplete or poorly documented, the Student Services Coordinator/designee will return the report to the team to be completed. Once the report is deemed complete and properly documented, it is given to the senior clinician for final review and sign-off. The Behavioral Coach will provide the final review and sign-off. He/She will submit the form for data entry.

- F. The Behavioral Coach/designee will enter the information into SWIS. The data will be reviewed by the administrative team weekly and presented to staff monthly.

References

- Kohlberg, L. (1981). The Meaning and Measurement of Moral Development. Clark University, Heinz Werner Institute.
- Kohn, A. (1996). Beyond Discipline. Alexandria, VA.: ASCD.
- Maher, P. (1996). Let Me Learn.
- Nelsen, J. (1996). Positive Discipline. NY: Ballantine Books.
- Nelsen, J., Lott, L. and Glenn, S. (1993). Positive Discipline in the Classroom. Rockland, CA: Prima Publishing.