



Policy: Positive Behavior Support Policy

Purpose	The Board of Trustees of Montessori Regional Charter School is committed to providing a superior Montessori Program of study that will develop lifelong learners in a safe, respectful environment. MRCS takes a proactive approach to student discipline based on the Montessori philosophy of education. All school discipline is based on improving the whole child and addressing the core reasons for the improper behavior. This process is designed to empower the child, with the ultimate goal of having the child use their skills and talents in a positive and productive manner.
Authority	The Board directs school personnel to comply with all federal and state laws, regulations and Board policy ensuring that behavior support programs are in accordance with 22Pa. Code 711.46.
Mission	The mission of Montessori Regional Charter School is to provide a superior Montessori program of study that will develop lifelong learners. Our children will be prepared academically, emotionally and socially by creating a love of learning through meaningful and fulfilling educational experiences. Our guiding principles are: to encourage independence and self-reliance; to honor, respect and value individual differences; a commitment to multiage, multi-ability, and multicultural classroom environments; to provide safe, prepared environments, filled with developmentally appropriate, tactile materials; to maintain a highly qualified staff and administration; recognize parents’ roll in our educational process and to be a resource for our community as a center for Montessori training, observation, and awareness.
Code of Conduct Procedure	<p>The MRCS School Wide Discipline Policy procedure will be presented to and discussed with students annually. Teachers will review the Pride Values with the students and set clear expectations surrounding the Pride Values.</p> <p>Students will learn, understand and utilize:</p> <ul style="list-style-type: none"> • Self-control and anger management techniques • Strategies for positively dealing with bullying • Appropriate problem solving techniques inside and outside of the classroom • The expectations for appropriate student behavior as explained in the MRCS School Wide Discipline Policy. • The consequence process for inappropriate student behavior as explained in the MRCS School Wide Discipline Policy.
Parent Responsibilities	<p style="text-align: center;">Parent/ Family Responsibilities</p> <p>Each parent / family will:</p> <ul style="list-style-type: none"> • Provide physical, emotional, and academic support for his/her student

	<ul style="list-style-type: none"> • Explain and discuss The MRCS School Wide Discipline Matrix and behavior expectations and consequences to his/her student • Instill in his/her student the obligation to demonstrate appropriate behavior and comply with the MRCS School Wide Discipline Matrix • Fully cooperate with MRCS school personnel whenever support services and/or disciplinary consequences are indicated for his/her student with the understanding that communication will occur via phone call and/or Parent Square • Understand and utilize the Montessori Pride Values with his/her student <p><i>Due to federal confidentiality laws, schools cannot share with parents/guardians disciplinary consequences given to students other than their own child.</i></p>
<p>MRCS Staff Responsibilities</p>	<p style="text-align: center;">MRCS Staff Responsibilities</p> <p>Each staff member at MRCS is committed to implementing The MRCS School Wide Discipline Matrix with fairness, fidelity, and consistency. Each staff member will honor, respect, and value the individual differences of every student. At the same time, problem solving strategies will be taught to empower each student to become independent and self-reliant as they interact appropriately in the school environment.</p> <p>Each staff member will:</p> <ul style="list-style-type: none"> • Maintain a positive learning environment with meaningful and fulfilling educational experiences during the school day. • Model respectful, positive, appropriate behavior when interacting with students and peers. • Explain, discuss, and model the difference between inappropriate and appropriate school behavior to the students. • Support and reinforce the appropriate behavior strategies taught to the students using the Montessori Pride Values • Be consistent in explaining and enforcing the MRCS School Wide Discipline Matrix to every student. • Communicate minor infractions to parents/ guardians within 24 hours • Communication of major infractions will be completed by administrative staff. <p>Students, Parents, and MRCS staff working cooperatively as partners; will empower our students to choose positive, appropriate behaviors that will result in a safe, productive learning environment with high academic expectations.</p>
<p>Student Discipline</p>	<p style="text-align: center;">Student Discipline</p> <p>MRCS takes a proactive approach to facilitating appropriate and positive student behavior, ensuring that every student has access to a safe, meaningful learning environment for in person and online learning. Each behavior will be aligned with our</p>

	<p>Montessori Pride Values and progress will be reviewed quarterly. Student behaviors are defined as below:</p> <p><u>Minor Infractions:</u> Minor behavior infractions are addressed by a classroom teacher or teaching assistant and through classroom management techniques. The student is often redirected so that the behavior does not interfere with student learning or safety. Please reference the Behavior Matrix for information of consequences.</p> <p><u>Major Infractions:</u> Major infractions are addressed at the administrative level. Administration will communicate with parents/guardians directly. Major infractions result in suspensions, parent conference and/or contact with Law Enforcement. Please reference the Behavior Matrix for information of consequences. (See Appendix A).</p> <p>Items that are confiscated from a student during a search or through the course of an investigation will be disposed of in an appropriate and safe manner. Weapons and or drug paraphernalia will be turned over to Local Law enforcement or as school policy dictates.</p> <p><i>This policy outlines possible steps to be followed. Alternative disciplinary procedures may be followed at the discretion of The Board and Administration.</i></p>
<p>Exclusions from School</p>	<p>a) The governing board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting certain students with disabilities shall be governed by § 14.143 (relating to disciplinary placements) and 34 CFR 300.519—300.529 (relating to discipline procedures).</p> <p>(b) Exclusion from school may take the form of suspension or expulsion.</p> <p>(1) Suspension is exclusion from school for a period of from 1 to 10 consecutive school days.</p> <p>(i) Suspensions may be given by the principal or person in charge of the public school.</p> <p>(ii) A student may not be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened.</p> <p>(iii) The parents or guardians and the Chief Executive Officer or designee shall be notified immediately in writing when the student is suspended.</p> <p>(iv) When the suspension exceeds 3 school days, the student and parent shall be given the opportunity for an informal hearing consistent with the requirements in § 12.8(c) (relating to hearings).</p> <p>(v) Suspensions may not be made to run consecutively beyond the 10 school day period.</p> <p>(vi) Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by the governing board.</p>

- (2) Expulsion is exclusion from school by the governing board for a period exceeding 10 school days and may be permanent expulsion from the school rolls. Expulsions require a prior formal hearing under § 12.8.
- (c) During the period prior to the hearing and decision of the governing board in an expulsion case, the student shall be placed in his normal class except as set forth in subsection (d).
- (d) If it is determined after an informal hearing that a student's presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded from school for longer than 15 school days without a formal hearing unless mutually agreed upon by both parties. Any student so excluded shall be provided with alternative education, which may include home study.
- (e) Students who are under 17 years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.
- (1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.
- (2) Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within 10 days of receipt of the notification, make provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20 U.S.C.A. § § 1400—1482).
- (3) If the approved educational program is not complied with, the school entity may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See § 12.1(b) (relating to free education and attendance).

In-School Suspension (Reference 22 Pa.Code § 12.7.)

- (a) A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.
- (b) Communication to the parents or guardian shall follow the suspension action taken by the school.
- (c) When the in-school suspension exceeds 10 consecutive school days, an informal hearing with the principal shall be offered to the student and the student's parent or guardian prior to the 11th school day in accordance with the procedures in § 12.8 (relating to hearings).
- (d) The student's school entity has the responsibility to make provision for the student's education during the period of the in-school suspension.

Hearings (Reference 22 Pa. Code § 12.8.)

- (a) *General.* Education is a statutory right, and students shall be afforded due process if they are to be excluded from school. In a case involving a possible expulsion, the student is entitled to a formal hearing.
- (b) *Formal hearings.* A formal hearing is required in all expulsion actions. This hearing may be held before the governing board or an authorized committee of the board, or a

qualified hearing examiner appointed by the board. When a committee of the board or a hearing examiner conducts the hearing, a majority vote of the entire governing board is required to expel a student. The following due process requirements shall be observed with regard to the formal hearing:

- (1) Notification of the charges shall be sent to the student's parents or guardians by certified mail.
 - (2) At least 3 days' notice of the time and place of the hearing shall be given. A copy of the expulsion policy, notice that legal counsel may represent the student and hearing procedures shall be included with the hearing notice. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
 - (3) The hearing shall be held in private unless the student or parent requests a public hearing.
 - (4) The student may be represented by counsel, at the expense of the parents or guardians, and may have a parent or guardian attend the hearing.
 - (5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.
 - (6) The student has the right to request that the witnesses appear in person and answer questions or be cross-examined.
 - (7) The student has the right to testify and present witnesses on his own behalf.
 - (8) A written or audio record shall be kept of the hearing. The student is entitled, at the student's expense, to a copy. A copy shall be provided at no cost to a student who is indigent.
 - (9) The proceeding shall be held within 15 school days of the notification of charges, unless mutually agreed to by both parties. A hearing may be delayed for any of the following reasons, in which case the hearing shall be held as soon as reasonably possible:
 - (i) Laboratory reports are needed from law enforcement agencies.
 - (ii) Evaluations or other court or administrative proceedings are pending due to a student invoking his rights under the Individuals With Disabilities Education Act (20 U.S.C.A. § § 1400—1482).
 - (iii) In cases in juvenile or criminal court involving sexual assault or serious bodily injury, delay is necessary due to the condition or best interests of the victim.
 - (10) Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.
- (c) *Informal hearings.* The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended.
- (1) The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided.
 - (2) The following due process requirements shall be observed in regard to the informal hearing:
 - (i) Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.
 - (ii) Sufficient notice of the time and place of the informal hearing shall be given.

	<p>(iii) A student has the right to question any witnesses present at the hearing.</p> <p>(iv) A student has the right to speak and produce witnesses on his own behalf.</p> <p>(v) The school entity shall offer to hold the informal hearing within the first 5 days of the suspension.</p>
<p>Electronics Policy</p>	<p><u>Electronics Policy</u></p> <p>The use by students of digital media devices (see definition below) shall be prohibited during the school day, or during school activities and programs. Devices that are brought to school must be turned off and made inoperable and stored in a personal backpack or locker at all times. Parents should be aware that the school will not be responsible for, nor will investigate any lost or stolen digital media device. High value items should not be brought to school.</p> <p>Violation of this policy will result in a Level Two referral (Misuse of Property) and confiscation of the device. Only a parent or guardian may retrieve the item upon notification.</p> <p><i>Definition of digital media device:</i></p> <p>Any item that can store information in a digital format, including but not limited to: cell phones, cameras, computers, recorders, PDA's, radios, mp3 players, DS gaming devices etc.</p>
<p>Use of and Reporting Restraints:</p> <p>Purpose</p>	<p>The purpose of this policy is to facilitate compliance with the requirements of the Pennsylvania Department of Education pertaining to the use and reporting of restraints in educational programming as specified in Title 22, Chapter 14 of the Pennsylvania Code and 22 Pa. Code § 711.46.</p> <p>It is the policy of MRCS to only use reasonable force and physical restraint when a student presents an imminent danger to self or others. There are circumstances which would require staff use reasonable force or physical restraint to maintain the safety of students and staff.</p>
<p>Procedure</p>	<p>1. STAFF SELECTION AND TRAINING</p> <p>Staff shall be selected to become certified in a Pennsylvania DOE recognized training program that provides positive behavioral support in verbal de-escalation techniques and safe physical management techniques. All Positive Behavior Support programs at MRCS will be followed in accordance with 22 Pa. Code Chapter 711, including the training of personnel for the use of specific procedures, methods, and techniques. Both Dean of Students are trained and certified in the Handle with Care (HWC) method and are certified instructors of the HWC method.</p> <p>In addition to approved HWC (or PADOE approved training), yearly refresher training will be provided in both theory and physical skills, staff members will be required to participate in an annual one-day training provided by the Charter School.</p> <p>2. USE OF RESTRAINTS</p> <p>A. Whenever possible verbal de-escalation strategies will always be the intervention of first choice. Positive techniques for the development, change,</p>

and maintenance of behaviors shall be the least intrusive necessary. Restraints will be used only with Positive behavior Support and with the teaching of socially acceptable behavior. However, extreme circumstances and situations may require the use of force immediately or when verbal de-escalation strategy is being employed and the crisis escalates warranting the use of a physical restraint.

- B. No prone restraint or mechanical restraint may be used at any time.
- C. Interventions are to be undertaken only by staff persons certified with HWC techniques.
- D. The Handle with Care (HWC) Primary Restraint Technique (PRT) is the only restraint technique to be used by MRCS personnel.
- E. Only personnel with HWT certification are permitted to use the PRT.
- F. Personnel are required to be trained and annually certified by a certified HWC instructor.

3. CONDITIONS OF APPROPRIATE USE OF PHYSICAL RESTRAINTS

- A. Reasonable force and physical restraint is limited to the following:
 - 1. A student poses/attempts a threat of imminent bodily injury, substantial or great bodily harm to self.
 - 2. A student poses/attempts a threat of imminent bodily injury, substantial or great bodily harm to another student.
 - 3. A student poses/attempts a threat of imminent bodily injury, substantial or great bodily harm to staff.
 - Physical restraint should only be used as a last resort after verbal de-escalating techniques are employed.
 - MRCS must obtain parental consent prior to the inclusion of restraints or intrusive procedures in a student's IEP as reflected in 22 Pa. Code Chapter 711.46(f).

4. WHEN PHYSICAL RESTRAINT PROCEDURES SHOULD NOT BE USED

- A. Mechanical restraints are not authorized.
- B. Prone restraints are prohibited in Pennsylvania educational settings.
- C. Supine forms of physical restraints are not authorized and should be avoided.
- D. Physical force or restraint will not be used as a form of discipline or punishment.
- E. The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.
- F. The following aversive techniques of handling behavior are considered inappropriate and may not be used by MRCS staff:
 - Corporal punishment
 - Punishment for a manifestation of a student's disability
 - Locked rooms, locked boxes, or other locked structures or spaces from which the student cannot readily exit.
 - Noxious substances

	<ul style="list-style-type: none"> - Deprivation of basic human rights, such as withholding meals, water, or fresh air. - Suspension constituting a pattern - Treatment of a demeaning nature - Electric shock
<p>Requirements following the use of a restraint</p>	<ol style="list-style-type: none"> 1. The parent(s)/guardian(s) shall be notified immediately upon the use of any restraint. 2. Any student with an IEP or recognized as eligible for special education services, an IEP team meeting will be held within 10 school days unless the parent(s)/guardian(s) waives the requirement of this meeting. During the IEP team meeting, the team will review the current IEP for appropriateness and effectiveness. 3. Immediately after the use of a physical restraint, a staff member, preferably the school nurse, shall exam the student to determine if any injuries have been sustained. 4. All staff member involved in the incident shall complete a written report within 24 hours of the conclusions of the incident. This report shall be forwarded to the parent(s)/guardian(s) within 2 days following the use of the restraint and a copy will be placed in the student’s confidential file. 5. The Principal shall comply with the requirements of the Pennsylvania Restraint Information System of Collection. A RISC Restraint Entry on the RISC website will be completed by the Principal following the waiver or the IEP meeting and forwarded immediately to RISC. Additionally, any restraint resulting in injury to student and/or staff person shall be reported by the Principal to the Bureau of Special Education by e-mail. This report is to be made within three days of the occurrence.
<p>PA. Restraint Information System of Collection</p>	<p>A web-based system for reporting of restraint of special education students is available at https://apps.leadershipservices.com/risc. Contact the Bureau of Special Education for user name and password information. All uses of restraint of special education students must be reported.</p> <p>In a school that MRCS does not use any restraints, the Principal must go into the RISC system and report that no restraints were used that school year. This report must be completed and submitted on or before June 30th of each school year.</p> <p>Restraints conducted during the extended school year are to be reported in the latter of the two school years during which the ESY programming is conducted.</p>
<p>Inclusion of Restraints in an IEP</p>	<p>Per Chapter 14 Section 14.133, the use of restraints may only be included in a student’s or eligible young child’s IEP when the following conditions apply:</p> <ol style="list-style-type: none"> 1. The restraint is utilized with specific components elements of positive behavior support. 2. The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior. 3. Staff is authorized to use the procedure and have received the staff training required.

	<p>4. There is a plan in place for eliminating the use of restraints through the application of positive behavior support.</p> <p>5. The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.</p> <p>The use of restraints to control aggressive behavior of an individual student shall cause a meeting of the IEP team to review the current IEP for appropriateness and effectiveness.</p> <p>Parental consent prior to the use of restraints or intrusive procedures when included in a student’s IEP as reflected in 22 Pa. Code Chapter 711.</p>
<p>Definitions</p>	<p><i>Restraint:</i> A restraint is defined in 22 Pa. Code Chapter 14 as:</p> <ul style="list-style-type: none"> A. The application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student’s or eligible young child’s body. B. The term <u>does not</u> include briefly holding, without force, a student or eligible young child to calm or comfort him, guiding a student or eligible young child to an appropriate activity, or holding a student’s or young child’s hand to safely escort him/her from one area to another. C. The term <u>does not</u> include hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to be the student’s or eligible young child’s parents and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harness in busses, and functional positioning devices. D. Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself/herself, to other students, or to employees, and only when less restrictive measures and techniques have proven to be or are less effective. <p>All Positive Behavior Support programs at MRCS will be followed in accordance with 22 Pa. Code Chapter 711, including the training of personnel for the use of specific procedures, methods, and techniques. Both Dean of Students are trained and certified in the Handle with Care method and are certified instructors of the HWC method.</p>

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE
CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR
APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE
AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

Adopted this _____ day of _____, 2024

President

Secretary