



Merit Academy Discipline Policy & Code

By choicing-in to Merit Academy, you have chosen to commit to MA's conduct and discipline policy and will support and uphold of these expectations and consequences..

Purpose

This document presents the procedures for addressing student behaviors at Merit Academy. We are committed to academic success for every student. At Merit Academy, we expect that each student will respect staff members, volunteers, and other students. Every student will conduct himself/herself in a manner compatible with the school's Code of Honor and function as an educational facility. Students that disrupt the operation of the school, interfere with the rights of others, or damage school or personal property will be held accountable for their behavior.

Discipline Systems

Any staff member who witnesses inappropriate behavior has the obligation and responsibility to implement this system. Any parent volunteer witnessing any inappropriate behavior will notify a staff member so disciplinary action, if warranted, can be taken. Students not adhering to school-wide expectations of Merit Academy's Code of Honor will be subject to the following process:

Classroom Intervention

Teachers will use a variety of verbal and non-verbal techniques as they work with students in order to refocus the student to prevent a discipline issue. Each grade level, including middle school, will have systems in place for classroom management. In middle school, teachers recognize minor infractions through a behavioral process outlined below. These systems may include a parental/family report at the teacher's or Dean's discretion.

Dean Intervention

Academic success happens in an environment where students feel connected, cared about, and respected. While the Deans implement consequences for students who exhibit serious or habitual violations of school-wide expectations or the MA Code of Honor, they also implement systems and interventions to forge the school climate and social culture needed for academic and behavioral excellence.

Additional Guidance

Some situations (e.g. cell phones, drug & alcohol, weapons) require additional clarification. Merit Academy has developed these polices, and they are available on the school website. Merit Academy will develop additional policies and / or modify existing ones as required.

Discretion

No document can anticipate all contingencies that a school will face. Students, who have chosen to opt into this school, are expected to comply with the directions contained herein, in the school policy documents, and in the Merit Academy Student Handbook.

However, they are also individuals who are learning discipline and behavior along with academics and virtues. Thus, in all cases, administrators, teachers, and staff are encouraged to use their discretion to balance this need for learning with the requirement to maintain an environment conducive to learning.

Consequences

The Dean and their designees will follow the procedures defined in the Merit Academy Code of Honor and the current Merit Academy Consequences Matrix, which may result in classroom removal, detention, suspension, or other appropriate consequences including expulsion if necessary. Parents will be informed if implementation of the [Merit Academy Consequences Matrix](#) is needed.

- Detention

Detentions will be scheduled as needed and may include lunch detention, after school detention or community service.

- In-School Suspension

In school-suspension is a consequence and is designed to be a deterrent. The students will spend the day in an alternate location within the building reflecting on their behavior. The Attendance Policy for In-School Suspension section applies for missed work.

- Out-of-School Suspension

Students serving out-of-school suspension will not report to school on the designated day(s) of their suspension. The Attendance Policy for Out-of-School Suspension section applies for missed work.

- Expulsion

Students who have been expelled will not be allowed on campus. The school will notify parents of the academic programming available throughout the expulsion period.

Discipline Matrix

The following behaviors are categorized as Level 1, 2, 3, or 4 violations. This list is not an inclusive list and behaviors not listed will be categorized by the Deans according to similar actions or severity.

Level I Violations [3 Violations = Class II]	Level II Violations [3 Violations = Class III]	Level III Violations [3+ Violations = Expulsion Hearing]
<ul style="list-style-type: none"> • Disruption • Uniform Violations • Electronic Devices Misuse • Inappropriate/Rude Language • Off Task • Property Misuse/Littering • PDA • Gossip • Chewing Gum/Eating Without Permission 	<ul style="list-style-type: none"> • Defiance/Non-compliance • Plagiarism • Repeated Class I Violations • Minor Profanity/Disrespect / Excessive Rude Language • Acting with malice 	<ul style="list-style-type: none"> * Punching, hitting, etc * Direct, inappropriate language or gestures * Throwing or overturning furniture * Fighting or physical aggression * Spitting on others * Lying/Cheating * Reference to violence (without intent to follow through) * Overt defiance * Insubordination * Vandalism * Theft * Forgery/cheating * Internet misuse * Skipping class/refusal to go to class * Interference with the ability to provide educational opportunities to other students * Repeated Level I or II violations
Other Violations		
<ul style="list-style-type: none"> • Tardies (5 tardies and/or uniform violations = Class III) • Uniform Violations (5 violations/tardies = Class III) • Disruptive students can be removed from class at any time at the teacher's or staff's discretion 		

Profanity

Profane, Vulgar, and Hate Speech is considered a Class III Violation. However, Merit Academy recognizes that the degree of offense can be diminished or elevated by the emotion and/or body language of perpetrators. We reserve the right to adapt the level of violation based on the circumstances. If desired, a list can be provided to serve as an example of profane, vulgar, and other unacceptable language.

Level IV Violations

- * Vandalism/extreme property damage
- * Drug, alcohol, tobacco use/possession
- * Threatening with a weapon
- * Pornography/inappropriate sexual behavior
- * Weapon use/possession
- * Bomb threat
- * Arson
- * Explosives or combustibles
- * Leaving school building without permission
- * Repeated Level III violations
- * Interference with the ability to provide educational opportunities to other students

Remember the Rule of 3's:

Exceeded the appropriate number of warnings = Class I (handled and reported by teacher)

3 Class I's = Class II Violation (handled and reported by: teacher or Dean)

3 Class II's = Class III Violation (handled and reported by: teacher or Dean or Designee)

Class III & Class IV Violations (handled by: Dean or Designee) may also include law enforcement or other outside agencies

<p style="text-align: center;">PREVENTION</p>	<p><u>Use Love and Logic and/or other classroom management skills.</u></p> <p>If problem behavior occurs, inform student of the problem behavior and the consequence.</p> <p>Give age appropriate warnings/chances to improve.</p>
<p style="text-align: center;">LEVEL I VIOLATION</p> <p style="text-align: center;">Handled in Class</p>	<p>After 3 repeated offenses, inform the student that they will receive a Class I write-up. Give the student some reflection time if possible. If student is too disruptive of class, they can sit in a safe place in hallway or MnM room to do their work.</p> <p>The teacher/staff addresses the behavior using behavior management strategies such as: Redirect the behavior; break with appropriate staff member; Proximity control; Nonverbal cue; Private conference with the student; In-class modified seating, in-class recovery; Remind student of desired behavior; Reteach and practice desired behavior;</p> <p>Parents may be contacted, depending on incident.</p>
<p style="text-align: center;">LEVEL II VIOLATION</p> <p style="text-align: center;">Handled in Class or by Dean or Designee</p>	<p>Either Class II violations or repeated Class I's are also to be handled in-class or by the dean. If student is too disruptive of class, they may be sent to a safe place in hallway or MnM room to do their work.</p> <p>As needed, referred to the dean where they will address the behavior using consequences such as: Discipline (such as loss of privileges, detention, time in the office); Written reflection on behavior to be processed with an adult; Behavior contract/plan; Safety plan if necessary.</p> <p>Fill out an Incident Report. Parents may be contacted, depending on incident</p>
<p style="text-align: center;">LEVEL III/IV VIOLATIONS</p> <p style="text-align: center;">Referred to Dean or Designee</p>	<p>Class III violations are to be sent straight to the office, where they wait in detention while Incident Report is completed.</p> <p>The Dean will address the behavior using consequences such as: Loss of privileges; suspension (in-school or out); behavior contract/plan; safety plan; possible expulsion</p> <p>3+ Level III or a Level IV (depending on the violations = Consideration of expulsion); Law enforcement may be called when appropriate. The office will contact parents.</p> <p>Consequences may include, but are not limited to: suspension, behavioral plan, safety plan, expulsion, or outplacement</p>

Discipline: Suspension and Expulsion

The Dean of School of Grammar, Dean of Upper School, or the dean's designee has the authority to suspend students as appropriate. Suspensions for students in grades 3 and above serve a minimum of one day suspension, with number of days depending on the severity of the infraction. All suspensions will require a parent-administrator conference. A risk assessment may be required, per the dean or dean's designee, if warranted by the reasons for suspension.

The following may be grounds for suspension or expulsion of a student during the school year.

- Continual, willful disobedience or open and persistent defiance of proper authority
- Willful destruction or defacing of school property
- Behavior on or off school property, which is detrimental to the welfare or safety of other students or of school personnel
- Serious violations in a school building or on school property
- Repeated interference with a school's ability to provide educational opportunities to other students
- Other grounds found in CRS 22-33-106(1)(a),(b),(c),(d), and (e).

Students in Kindergarten to second grade may only be suspended for up to 3 days at a time, with specific reasons cited in statute. The school will follow State Statute in handling suspensions for students in these grades.

According to Colorado Statute, a student may be declared habitually disruptive for causing a material and substantial disruption in the class, on school grounds, in school vehicles, or at school activities or events three or more times during the course of the school year. The school will follow the procedures outlined in Statute for identifying and working with students declared habitually disruptive, notifying parents of each disruption and creating behavioral intervention plans. A request for expulsion from Merit Academy is mandatory if a student is declared habitually disruptive.

Expulsion will also be mandatory for the following violations:

- Declaration as a habitually disruptive student;
- Carrying, bringing, using, or possessing a dangerous weapon, as determined by Merit Academy;
- Possessing or using a drug or controlled substance, including having said substance on one's person, in one's locker, or in other areas as "stashed" by the student;
- The commission of an act which, if committed by an adult, would be classified as a violent or sexually related crime, including robbery, assault, or battery.

Expulsion Procedure

The Dean may recommend to the Headmaster an expulsion of a student for a serious violation of the school's code of conduct or State Statute. Parents will be provided the recommendation for expulsion and evidence that led to the administration's recommendation for an expulsion. If a parent or student

requests a hearing regarding the expulsion notice, a written request by the parent or student for an expulsion hearing must be made to the Dean within three days after the Dean's notice of expulsion. If no hearing is requested, the scholar shall be removed from the school on the date listed on the Dean's notice.

Unless otherwise determined by the Board, the Board delegates to the Headmaster, or to a designee who shall serve as a hearing officer, the authority to deny admission to or expel for any period not extending beyond one year any student whom the Headmaster, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the school. If an expulsion hearing is requested by the student or parent and is conducted by a designee serving as a hearing officer, other than the Headmaster, the hearing officer shall prepare findings of fact and recommendations for the Headmaster at the conclusion of the hearing. The Headmaster shall render a written opinion that imposes or refrains from imposing disciplinary action in the expulsion matter within five business days after the hearing whether the hearing is conducted by the hearing officer or the Headmaster.

The Headmaster shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the Headmaster shall be subject to appeal to the Board. The appeal shall consist of a brief review of the facts that were presented, arguments relating to the decision.

The Officer will meet state requirements for Expulsion Hearing Officer training in a manner that aligns with C.R.S. 22-33-105. The school will consider whether alternative remedies are appropriate prior to recommending expulsion.

This decision from an expulsion hearing may be appealed to the Board of Directors of the School by the administration or by the parent(s) of the student. A person wishing to appeal a decision must provide written notice to the other party and the Board Chair within ten (10) business days of receipt of the decision.

Upon receipt of appeal notice, the Board will promptly schedule a special meeting, unless the matter can be timely considered in a regular meeting. The written decision will be provided to the Board at least three (3) days in advance of the meeting. Consideration of the appeal shall be in executive session. The Officer and the parents shall each be allowed to present fifteen (15) minutes of argument concerning why the decision should be upheld or overruled. New evidence will not be received on an appeal. The decision of the Board shall be by vote to uphold or overrule the decision, taken in public session, without use of the student's or parents' names, and using a preponderance of evidence standard. The decision of the Board is final.

A student's out-of-school suspension may be extended by the Dean to accommodate the time needed to conduct and conclude a fair and prompt review and complete the appeals process. The School must schedule such a hearing so as to permit a final decision within no more than (25) school days of the initial out-of-school suspension. Expulsion may not extend past one full calendar year. The School will provide the parents of an expelled student with notice of their obligations and rights to education during the period of expulsion.

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Adopted: November 2, 2021

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