

## **Lincoln County School District**

### **Plan to Provide for the Progressive Discipline of Pupils and On-Site Review of Disciplinary Decisions and Plan to Use Disciplinary Practices Based on Restorative Justice**

**Revised September 2023**

School staff and stakeholder input 9/13/23 and Board approved 9/13/23

The purpose of this document is to describe the Lincoln County School District (LCSD) Plan to Provide for the Progressive Discipline of Pupils and On-Site Review of Disciplinary Decisions and the Plan to Use Disciplinary Practices Based on Restorative Justice (collectively, “the Plan”). The document begins with a description of the statutory requirements for the Plan, followed by the components as they are implemented in LCSD. All references to “parent” or “parents” include legal guardian(s).

#### **Requirements for Plan to Provide for the Progressive Discipline of Pupils and On-Site Review of Disciplinary Decisions**

State law (NRS 392.4644) requires that the Lincoln County School District Board of Trustees establish a plan to provide for the progressive discipline of students and on-site review of disciplinary decisions. The plan must:

- Be developed with the input and participation of teachers, school administrators, school counselors, school social workers, school psychologists, behavior analysts and other educational personnel and support personnel who are employed at the public school, pupils who are enrolled in schools within the school district, and the parents and guardians of students who are enrolled in schools within the district;
- Be consistent with the written rules of behavior prescribed by the district to ensure that its public schools are safe places for learning;
- Include provisions designed to address the specific disciplinary needs and concerns of each school within the school district;
- Prescribe methods of alternative conflict resolution and interventions based on social and emotional learning that are developed to avoid the need for the removal of a pupil;
- Include provisions that authorize the temporary removal of a student from a classroom or other premises of a public school if, in the judgment of the teacher or other staff member responsible for the classroom or other premises, the student has engaged in behavior that seriously interferes with the ability of the teacher to teach the other students in the classroom and with the ability of the other students to learn or with the ability of the staff member to discharge his or her duties;
- Provide for the placement of a student in more restrictive educational environment at that school or at a different school within the school district if a school is unable to retain a student in the school for the safety of any person or because doing so would not be in the best interest of the student;

- Include the names of any members of a committee to review the temporary alternative placement of students;
- Be provided to each school over which the board of trustees has authority and posted on the Internet website maintained by the public school.
- Be in accordance with a plan to use disciplinary practices based on restorative justice, as set forth below

### **Requirements for Plan to Use Disciplinary Practices Based on Restorative Justice**

State law (NRS 392.4644) also requires that the Lincoln County School District Board of Trustees establish a plan to use disciplinary practices based on restorative justice. The plan must:

- Authorize the use of disciplinary practices based on restorative justice which include, without limitation:
  - Holding a pupil accountable for his or her behavior;
  - Restoration or remedies related to the behavior of the pupil;
  - Relief for any victim of the pupil; and
  - Changing the behavior of the pupil
- Be in accordance with the statewide framework for restorative justice developed pursuant to NRS 388.1333, including, without limitation, by addressing the occurrences of the suspension, expulsion or removal of pupils from schools that disproportionately affect pupils, disaggregated according to the following categories:
  - Pupils who are economically disadvantaged
  - Pupils from major racial and ethnic groups
  - Pupils with disabilities
  - Pupils who are English learners
  - Pupils who are migratory children
  - Gender of the pupils
  - Pupils who are homeless
  - Pupils in foster care
  - Pupils whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard

## **The Lincoln County School District (LCSD) Plan**

### **Introduction**

The optimum benefits of the instructional process are available only when each student participates in and contributes to the process of learning that takes place in the classroom. To assure that this is present in each classroom, the Trustees believe that each student must adhere to the standards of conduct established by the school district and each of the schools. School administrators and teachers will make known to all students and parents the expectations of good school conduct. They will assure that all class conduct is based on these principles. Moreover, the decisions made by school administrators and teachers will reflect their commitment to fair, unbiased, and equitable responses to students who engage in misconduct.

Students who do not observe the standards interrupt their own instruction, but more seriously, that of other students in the class. Students who will not observe these standards and whose parents

will not or cannot affect proper behavior will be denied the opportunity to attend school. It shall be the policy of the Board of Trustees that the Superintendent shall cause to formulate administrative regulations to provide a basic discipline procedure for each of the schools in the district. Each school shall be charged with the development of school and classroom plans that are consistent with the regulations and that serve the unique needs of each school.

Exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student in the LCSD and one that will not be imposed without appropriate due process, including timely notification to parents/guardians. Accordingly, suspension or expulsion of students in the LCSD will occur only in compliance with all state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, as applicable. When city, state or federal laws have been violated, a referral will be made to the proper legal authorities.

### **Development and Content of the LCSD Plan**

The LCSD Plan has been developed with the input and participation of teachers, school administrators, school social workers, school counselors, and other educational personnel and support personnel who are employed by the LCSD, students enrolled in schools within the LCSD, and the parents and guardians of students who are enrolled in schools within the LCSD.

The LCSD Plan is consistent with LCSD Policy JFC (Student Conduct and Discipline) and the corresponding Administrative Regulation (JFC-AR) that sets forth the written rules of behavior prescribed in accordance with NRS 392.463, as well as specific requirements for imposing out-of-school removals, including the timelines and processes for appealing suspension and expulsions. The LCSD Plan is also consistent with Nevada Revised Statutes 392.461 *et seq.* (Behavior and Discipline) and Nevada Revised Statutes 388.121 *et seq.* (Provision of Safe and Respectful Learning Environment).

### **Disciplinary Practices Based on Restorative Justice**

“Restorative justice” means non-punitive intervention and support provided by the school to a student to improve the behavior of the student and remedy any harm caused by the student.

The LCSD Plan authorizes and encourages the use of disciplinary practices based on restorative justice, including:

- Holding a student accountable for his or her behavior
- Restoration or remedies related to the behavior of the student
- Relief for any victim of the student, and
- Changing the behavior of the student

The LCSD will provide a student a “progressive discipline plan based on restorative justice,” (1) after the student has received at least five cumulative days of suspension during a school year, and (2) within two days after removing a student from a classroom or other premises of the public school or suspending or expelling a student from school for a period of at least three days. The

plan supports holding the student accountable for his or her behavior and helps to change the behavior of the student. The plan will include:

- Positive behavioral interventions and support
- A plan for behavioral intervention
- A referral to a team of student support
- A referral to determine (1) whether an IEP is needed, and (2) whether adjustments should be made to an IEP that has been developed
- A referral to appropriate community-based services
- A conference with the principal of the school or his or her designee and any other appropriate personnel
- A determination of the need for a referral to a school social worker
- Guidelines for the provision of notice to a student to initiate his or her reinstatement, and
- A plan for the reinstatement of a student who was expelled

A sample “progressive discipline plan based on restorative justice” will be provided to each school in the LCSD.

### **Prevention of Misconduct**

The LCSD Plan includes a focus on the prevention of misconduct through an emphasis on communication and supervision. The following practices are used:

#### Communication

Students and parents receive information about behavioral expectations and restorative discipline practices through these activities:

- Posting of the LCSD Plan on school and district websites
- Conferences with students
- Parent teacher conferences
- Teacher contact with parents by phone, email, electronic messaging and in person
- Teachers’ syllabi/classroom codes/standard operating procedures (SOPs)
- Presentations by teachers and administrators at the beginning of each year to explain behavioral expectations to students and SOPs
- Student handbooks
- Information shared through Infinite Campus and other social media
- Annual awareness/prevention intervention, *The Week of Respect* (first week of October)

#### Classroom-Based Interventions

- Clearly define/post the behavioral expectations, SOPs.
- Implement procedures for all class routines SOPs - entering the room, handing in assignments, sharpening the pencil, welcoming a guest, etc.
- TEACH and ROLE-PLAY the behavioral expectations, classroom procedures, use of materials, etc. Demonstrate what the expected behavior “looks like” (positive example) as well as what it “does not look like” (non-example).

- Pre-correct - Prior to directing students to perform a task, provide a description of what the expected behavior will look like. “Lunch will be in two minutes. At that time, everyone will put away all the materials, push in all the chairs and line up.”
- Cue/Prompt/Remind - Provide a pre-arranged/previously taught cue to remind specific students to engage in the appropriate behavior.
- Acknowledge students who appropriately demonstrate the expected behavior.
- Specifically explain HOW the behavior did not meet the stated / taught expectation. “It is disrespectful to other students when you \_\_\_\_\_.”
- Provide a warning - “Respect a school rule. All students are expected to talk respectfully to staff and students here at ABC School. This is your official warning.”
- Check for student understanding of the behavioral expectations - “Please summarize what we discussed so I ensure there is no confusion.”
- Evaluate the student’s skill repertoire. Determining if the student is capable of demonstrating the behavioral expectation. Evaluate behavior & academic domains.
- Determine the FUNCTION of the misbehavior. All behaviors serve a purpose (function). Determine what the student is gaining or avoiding by misbehaving?
- Provide a structured choice - clearly offer a choice between two alternatives and state the consequence for each. “You can work quietly on your assignment now and leave with the class or work with me during lunch.”
- Evaluate ENVIRONMENTAL factors within the classroom which may be contributing to the misbehavior: Space, Time, Materials, Interactions.
- Collaborate with colleagues to identify behavior patterns and trends (class to class, year to year, etc.).
- Use a variety of consequences: Positive Reinforcement, Negative Reinforcement, Penalties and Punishments. Remember, punishment is the least effective consequence for students with antisocial behaviors.
- Evaluate the effectiveness of consequences. Ineffective consequences must be analyzed and modified. Seek assistance for “out of the box” ideas.
- Involve a problem-solving team.

### Supervision

The LCSD provides necessary supervision to support positive student behaviors and deter misconduct through these activities:

- Staff supervision at assigned duty areas before and after school, at nutrition breaks and during lunch, and at school-sponsored activities
- The work of our safe school professionals and counselors or social worker
- Access to support from law enforcement officials and juvenile probation officers as necessary

### **Restorative Discipline Practices**

The LCSD Plan also includes restorative discipline practices designed to: (1) hold a student accountable for his or her behavior; (2) provide opportunities for restoration or remedies related to the behavior of the student; (3) provide relief for any victim of the student; and (4) change the behavior of the student. The practices for implementing restorative discipline include, but are not limited to, these activities:

## Holding Students Accountable

- Behavior contracts
- Attendance contracts
- Athletic participation agreements signed by all student athletes
- Lunch and after school detentions
- In-school and out-of-school suspensions

When a student's misconduct requires disciplinary consequences, the LCSD will take into consideration the following factors:

- Level of progression on the discipline continuum;
- Implementation of a progressive discipline plan based on restorative justice for the student;
- Nature and severity of the conduct violation;
- Extent of previous attempts to support and intervene to redirect and educate the student to engage in appropriate student conduct; and
- Compliance with LCSD policy and Nevada Revised Statutes regarding behavior and discipline.

## Opportunities for Restoration or Remedies

- Opportunities to make restitution for physical/emotional harm (e.g., participate in mediation and/or offer apologies) or property damage
- Teacher, student and parent phone calls to collaboratively discuss problem behavior and identify solutions
- School and/or community service; campus beautification; lunchroom clean-up
- Complete an educational project (poster, research, essay, etc.)
- Targeted parent/guardian engagement activities with access to support services
- Reentry plans to support student integration back into school after a suspension

## Relief for Victims

- Mediation and/or restorative conferences
- Apology letter and/or in-person verbal apology
- Restitution for property damage
- School-based counseling; referrals to community-based services
- Opportunities to turn in work or take tests that were delayed/missed as a consequence of another student's misconduct
- Teacher, student and parent phone calls to collaboratively discuss impact on student victim and identify strategies to remediate
- Targeted parent/guardian engagement activities with access to support services

## Changing the Behavior of the Student

- Behavior contracts

- School-based counseling; referrals to community-based services
- Targeted use of interventions described above
- Targeted skill development (e.g. anti-social conduct, conflict with authority, drug/alcohol use, impulse control, problems with peers, withdrawal)
- Increased support and feedback (e.g., check in/check out, mentoring, intentional staff/student interactions)
- Increased progress monitoring
- Social skills groups
- Structure provided in after school programs, organizations, clubs and athletics
- Positive Behavior Support Plans as determined in Individualized Educational Plans
- School leadership and school mentoring programs
- Teacher, student and parent phone calls to collaboratively discuss problem behavior and identify solutions
- Classroom observations and support to promote a positive culture
- Targeted parent/guardian engagement activities with access to support services
- Reentry plans to support student integration back into school after a suspension

### **Methods for Alternative Conflict Resolution and Interventions**

When appropriate, teachers will use restorative justice principles when working with students to respond to misconduct and resolve conflict. The following conflict resolution framework emphasizes holding a student responsible for his or her behavior, restoration or remedies related to the behavior of the misbehaving student, and relief for the victim. Following are six steps teachers can use to help students resolve a dispute<sup>1</sup>:

#### **1. Cool off**

First, before problem-solving can begin, the students need time to calm down. For younger students, have them take some deep breaths.

#### **2. Share, listen, check**

Students need to listen to each other share their issues, and then check that they understand them. This can take practice and coaching from a teacher. When sharing, students should use respectful but assertive “I statements,” like “I feel sad when you don’t let me play because I am alone.” Students can work on reflective listening and paraphrasing when they check for understanding. For example, they can start sentences with “I think I heard you say you feel ...” or “So you want me to try to ...”.

#### **3. Take responsibility**

Once students have shared their perspectives, they need to take responsibility for their own actions. You can prompt students by asking them an open-ended question like, “What could you have done differently to change what happened?”

#### **4. Brainstorm solutions**

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<sup>1</sup> Driscoll, Laura. “Teaching Conflict Resolution Skills in 6 Easy Steps.” Social Emotional Workshop. October, 2017. <https://www.socialworkemotionalworkshop.com/2017/10/teaching-conflict-resolution-skills/>

Now the students can work together to find a solution that's acceptable to both. This is a good time for students to learn to compromise. It can be helpful for a teacher to start the discussion with some suggestions, but it's best that the ideas come from the students.

### **5. Choose a solution**

Students now go over their brainstormed list of solutions to eliminate the ones that aren't good for both of them and ones that won't address future problems.

### **6. Affirm, forgive, or thank**

Students can close out the session by acknowledging what happened and forgiving the other student (if an apology or forgiveness is warranted). They can then thank each other for working on the solution together.

### **Authorization for Temporary Removal of a Student Under NRS 392.4645 ("TAP")**

If, in the judgment of a teacher or other staff member responsible for the classroom or other premises, a student has engaged in behavior that seriously interferes with the ability of the teacher to teach and the other students to learn, the student shall may be temporarily removed from the classroom or any other premises of a public school and assigned to a temporary alternative placement. While in alternative placement, the student shall be separated from other students who are not assigned to a temporary alternative placement, under the supervision of appropriate school personnel, and prohibited from engaging in extracurricular activities.

Upon the removal, the principal of the school shall provide a written explanation of the reason for the removal to the student and offer the student an opportunity to respond to the explanation, and shall, within 24 hours, notify the student's parent of the removal.

Not later than three school days after the student was removed from the classroom or any other premises of a public school, a conference shall be held with the student, the student's parent, the principal and the teacher or other staff member who removed the student to discuss the removal of the student. The principal shall give an oral and written notice of the conference to each person who is required to participate. The conference can be rescheduled or waived by the parent. If the conference is rescheduled, the principal will send written notice to the parent confirming that the conference has been postponed at the request of the parent. If the parent refuses to attend a conference, the principal will send a written notice to the parent confirming that the parent has waived the right to a conference and authorized the principal to recommend a placement of the student.

The student must not return to the classroom or other premises of the public school from which the student was removed before the conference is held. If the conference is not held within 3 school days after the removal of the student, the student must be allowed to return to the classroom or other premises unless:

- The parent refuses to attend the conference;
- The failure to hold the conference is attributed to the action or inaction of the student or the parent of the student;
- The parent has requested that the date of the conference be postponed; or



- If, in the judgment of the principal, there is a reasonable expectation that the student poses a threat to employees of the school or other students enrolled at the school; and the principal has received written authorization from the superintendent to extend the period for which the student is removed from the classroom or other premises

During the conference, the teacher or other staff member who removed the student, or the principal shall provide the student and the student's parent with an explanation of the reasons for the removal of the student. The student and the student's parent must be granted an opportunity to respond to the explanation and to indicate whether the removal was appropriate in their opinion based on the behavior of the student. If the student is a homeless student, the conference must include consideration of and interventions to mitigate the impact of homelessness on the behavior of the student.

Following this conference, or not more than three days after the removal, or extended removal authorized by the superintendent, the principal shall recommend whether the student shall continue in temporary alternative placement, or return to his or her class or other premises. If the teacher or other staff member who removed the student disagrees with the principal's recommendation, the principal shall immediately convene a disciplinary review committee composed of the principal, two teachers, and one staff member selected by a majority of their peers. One additional teacher and one additional staff member will be selected as alternates. A teacher or staff member who has served on the committee for two consecutive years or more is not eligible to be selected for membership. The specific names of the members and alternates of the disciplinary review committee will be identified no later than September 15 at the beginning of each school year. The principal shall inform the parent of the student that the committee will be conducting a meeting.

The committee will review the circumstances of the student's removal and the student's behavior that caused the removal. Based on its removal, the committee shall assess the best placement available for the student and shall:

1. Return the student to his or her classroom or other premises from which he or she was removed
2. Assign the student to another appropriate classroom or appropriate premises
3. Assign the student to an available alternative education program
4. Recommend the student be suspended or expelled
5. Take any other necessary appropriate disciplinary action against the student

The principal shall report to the school district each time a committee is convened and upon the conclusion of the committee's review of a placement, shall supplement the report with the result of the assessment of the committee.

If a student is removed from a classroom or any other premises of the public school for more than 2 school days pursuant to the "temporary alternative placement" provisions of state law, a TAP plan must be offered to the student to include:

- Education services to prevent the student from losing academic credit or becoming disengaged from school during the period the student is removed; and

- Appropriate positive behavioral interventions and support, trauma-informed support and a referral to a school social worker or school counselor
- An option to provide such education and support services to a student in an in-person setting
- The location where such services will be provided to the student; and
- A plan for the student to complete any assignments or course work missed during his or her removal

A sample TAP plan will be provided to each school in the LCSD.

**Provisions to Address Disproportionality in Suspension, Expulsion or Removal from School**

The LCSD Plan requires that schools determine whether, and to what extent, occurrences of suspension, expulsion or removal of students from school disproportionately affect students when the data are disaggregated by these categories:

- Pupils who are economically disadvantaged
- Pupils from major racial and ethnic groups
- Pupils with disabilities
- Pupils who are English learners
- Pupils who are migratory children
- Gender of the pupils
- Pupils who are homeless
- Pupils in foster care
- Pupils whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard

Schools will analyze these data and make any recommendations deemed appropriate for revision to the LCSD Plan.

**Plan for Placement of a Student in a More Restrictive Educational Environment at That School or in a Different School Within the District**

If a school is unable to retain a student in the school pursuant to sections 1 through 6 of NRS 392.466, for the safety of any person or because doing so would not be in the best interest of the student, the student may be placed in a more restrictive educational environment at that school, suspended, expelled or placed in another school. If a student is placed in another school, the current school of the student shall explain what services will be provided to the student at the new school that the current school is unable to provide to address the specific needs and behaviors of the student. The current school and new school shall create a progressive discipline plan based on restorative justice for the student and ensure that any resources required to execute the plan are available at the new school.

**Transportation (NRS 392.4636)**

The Board recognizes that parents of students who are transported to school by District buses are responsible for the supervision of such students until such time as the student boards the bus in the morning and after the student leaves the bus at the end of the school day. The responsibility of the School District commences when the student boards the bus and ends when the student is delivered

to the regular bus stop at the close of the school day. The Board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. In cases when a student does not conduct themselves properly on a bus, the Supervisor of Transportation shall inform the building principal, who will inform the parents immediately of the misconduct and request their cooperation in addressing the student's behavior.

Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended. In such cases, the parents of the students involved become responsible for seeing that their children get to and from school safely.

### **LCSD Plan Distribution**

The LCSD Plan is posted on the district and school websites and available at each school site. The LCSD Plan will be added to the student handbooks. Handbooks will include the information applicable to all schools but may also include the "specific provisions" applicable to the specific school. In addition, the LCSD Plan will be distributed by written or electronic copy to each teacher, school administrator and all educational support personnel who are employed at or assigned to the school.

### **Provisions to Address Specific Disciplinary Needs and Concerns of Each School**

The Plan includes the following provisions designed to address the specific disciplinary needs and concerns of each school within the school district.

LCSD is implementing a Multi-Tiered Systems of Supports (MTSS) as a preventative, supportive, consistent instructional and motivational model to deter negative student behaviors. If student behavior falls below expectations, as listed in the school handbook, school teams can develop behavioral guidelines and a matrix to determine appropriate consequences and/or interventions for student behavior violations appropriate for their grade levels at each site. In all instances, these guidelines may be modified contingent upon the level of severity of the incident, aligned with the age, developmental level and other extenuating circumstances. The guidelines are applicable to incidents that occur at school, travel to and from school, during lunch, and while involved in all school-sponsored activities.

As part of the school's MTSS matrix, site teams will develop restorative practices to include intervention strategies and logical consequences in addition to or as an alternative to the negative consequences for inappropriate behavior that may not lead to changes in behavior. Examples are given in the Classroom-Based Interventions section above.

### **Student Responsibilities**

It is the belief of Lincoln County School District that students are expected to follow their school's classroom codes and school SOPs. In order to do so, each school must establish school-wide behavioral guidelines to include expectations within the classroom, playground, lunchroom, passing periods, as well as expectations away at school sponsored activities. At each school site, students will be provided a handbook that includes established school and district rules. In addition, students will receive instruction on the expected school behavior, and be held to those expectations consistently.

### **Teacher Responsibilities**

LCSD teachers will implement individualized classroom management systems along with class codes and SOPs, ensuring that it is taught to all students and communicated to parents. Each classroom plan should include both positive reinforcement for students demonstrating appropriate behaviors as well as progressive steps of discipline for students who demonstrate actions not meeting classroom expectations. Minor classroom offenses should be handled by the teacher at the lowest level deemed appropriate. Students referred to the office should have already gone through the defined steps in a teacher's progressive discipline plan, unless the behavior is deemed beyond classroom intervention.

### **Parent/Guardian Responsibilities**

If a child is experiencing difficulty with behavior or is unclear about classroom or school expectations, the first step in the process is to work with the child's teacher directly to ensure the right supports and/or interventions are in place. Intervening and communicating early is vital to your child's success in school. Parents will be contacted by the school (teacher and/or administrator) when their child's behavior has warranted that level of intervention which could include repeated minor offenses and/or a major incident.

### **Administrator Responsibilities**

The administrators of each site will be responsible to ensure that teachers are following their classroom management plans, classroom codes and SOPs for expected behavior. Administrators will support staff in implementing their plans and will address student disciplinary referrals as expediently as possible, and in accordance with district policy as well as state and federal laws. Administrators will provide necessary information regarding the outcome of an incident in accordance with established procedures. Administrators will ensure that consistent log entries are made in Infinite Campus as well as documenting and sharing behavior plans, safety plans, and restorative practice plans as needed.

### **Resources for Schools**

<https://doe.nv.gov/SafeRespectfulLearning/Home/>

[https://doe.nv.gov/SafeRespectfulLearning/Discipline and Restorative Practices/](https://doe.nv.gov/SafeRespectfulLearning/Discipline%20and%20Restorative%20Practices/)

<https://doe.nv.gov/SafeRespectfulLearning/MTSS/>