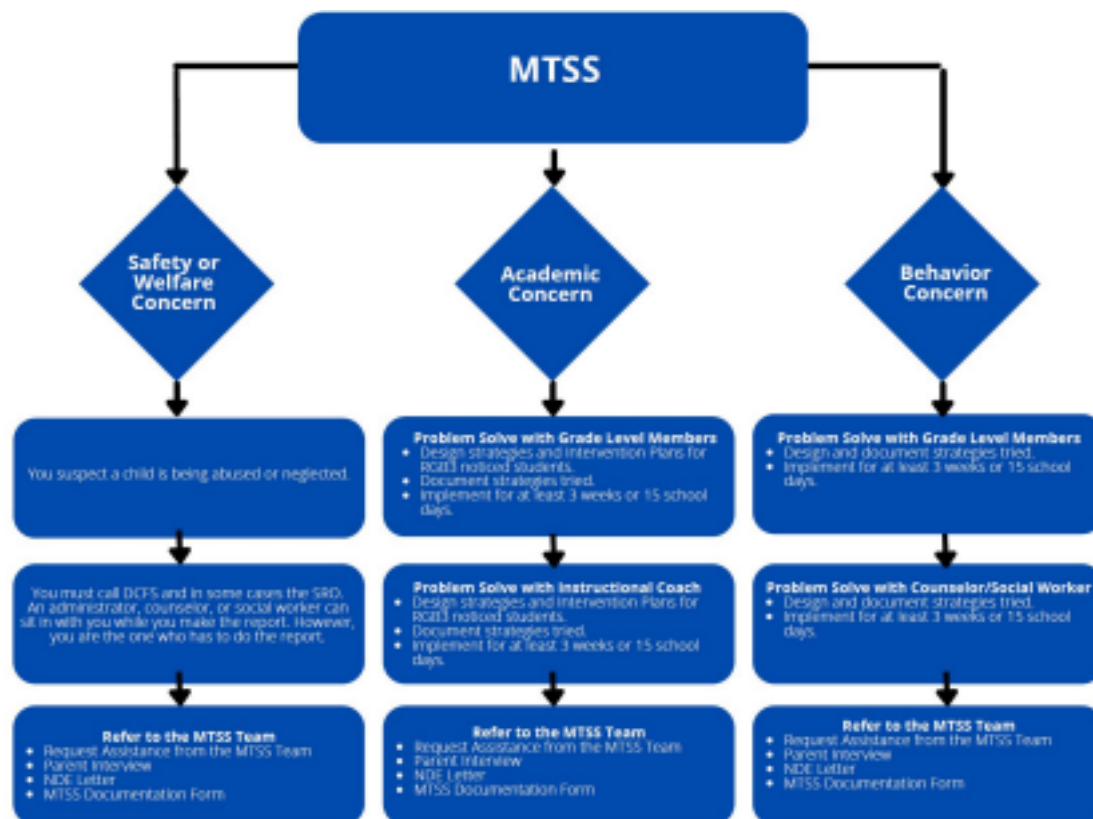


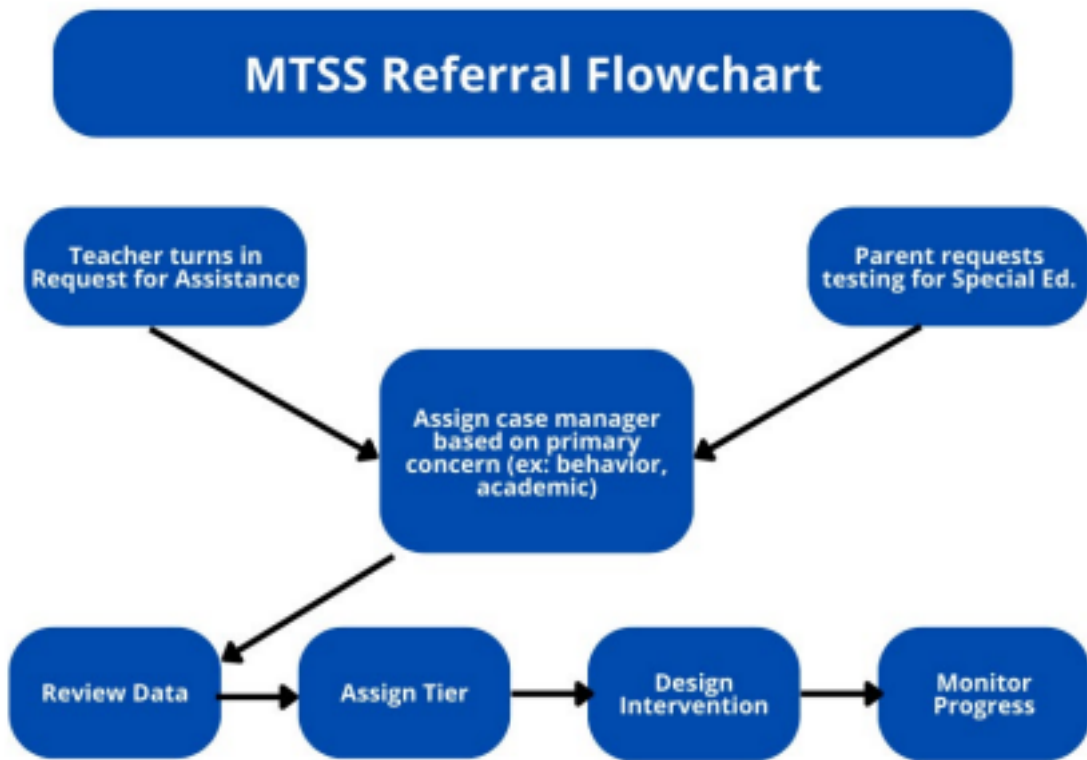
***HCSD Plan to Provide for the Progressive Discipline of Pupils
and on site review of disciplinary decisions
2023-2024***

The Humboldt County School District (HCSD) utilizes the Multi-Tiered Systems of Supports (MTSS) as a preventative, supportive, consistent instructional and motivational model to support students and staff in each of our eleven schools, and across all events considered to be under the jurisdiction of HCSD. Recently, the HCSD has updated its practice, and MTSS manual, to include intentional alignment with existing initiatives. By consolidating our existing (like) initiatives within a single (MTSS) framework, our system is moving towards both vertical and horizontal alignment with respect to restorative disciplinary practices, Social Emotional Learning (SEL) and our ability to address trauma through informed care. This change also provides educators in each of our schools, streamlined access to additional resources such as: Positive Behavioral Intervention Supports (PBIS), Instructional Consultation and Assessment Teaming (ICAT), and wrap-around mental health services. However, it cannot be understated, that the teams themselves, are the most consequential resource to educators that have a:

1. Safety and Welfare concern
2. Academic concern
3. Behavioral concern
4. Social Emotional Learning concern

Overview of MTSS Process in HCSD





If student behavior falls below HCSD expectations, as set forth in Policy and Regulation 5040, school teams can utilize the Behavioral Intervention Menu (BIM). The BIM is a starting place for teams to look critically at a particular behavioral manifestation across a continuum, and assign a set of interventions, including consequences, that are appropriately scaled. In all instances, these guidelines may be modified contingent upon the level of severity of the incident, aligned with the age, developmental level, relief for the victim (when a victim exists), and other extenuating circumstances.

Behavior	What does this look like in Tier I	Tier I Strategies (Preventive/Proactive)	What does this look like in Tier II	Tier II Strategy	What does this look like in Tier III	Tier III Strategy
Elopement	Student removing themselves from group but in class.	<ul style="list-style-type: none"> Labeling of Behavior Proactive Circles Clear Expectations Conference with student Peer-buddy to model expectations and help 	Student removing themselves from classroom without permission	<ul style="list-style-type: none"> Labeling of expectation Scheduled elopement Schedule of Preferred Activities Transition Cues Classroom safe space Planned Alternative Location CICO Parent notification Admin Notification Support Team Referral ABCR Restorative Circle 	Student leaving building or campus Student running away from bus stop	<ul style="list-style-type: none"> CPI Team SRO Parent notification Admin Notification Mobile Crisis Unit
Defiance	Refusal	<ul style="list-style-type: none"> Reteaching Reflection Sheet 1 Forced Choice Modeling expectations PBIS - catching others being good Break Student 	Repeated Refusal Verbalizing Refusal Destruction of Activity Non-Responsive	<ul style="list-style-type: none"> CICO Parent Notification Admin Notification Support Team Referral Restorative Circle/Meeting Behavior Plan 	Elopement Bragging About Inappropriate Behavior	<ul style="list-style-type: none"> Truancy Letters SRO Referral Parent Notification Admin Notification Support Team Referral Wrap Around Service Referrals

Behavior	What does this look like in Tier I	Tier I Strategies (Preventive/Proactive)	What does this look like in Tier II	Tier II Strategy	What does this look like in Tier III	Tier III Strategy
		conference				<ul style="list-style-type: none"> CIS
Disrespect	Talking back Arguing Profanity "Dress Code"	<ul style="list-style-type: none"> Reteaching Proactive Circles Power Struggle Script (Avoid) Reflection Sheet 1 	Use of profanity directed another person Arguing/Talking Back Use of slang/slurs not directed at someone	<ul style="list-style-type: none"> CICO Parent Notification Admin Notification Restorative Circles/ Meeting 	Threatening other students or staff Use of slang/slurs directed at or about someone	<ul style="list-style-type: none"> Progressive Discipline Plan Restorative Circles/ Meeting Behavior Plan
Technology Violation	Playing games Chatting with friends via device Cellphones or earbuds in class Music during instruction	<ul style="list-style-type: none"> Security Progressive Technology Policy Reteaching Community Notification/ Education 	looking up non-educational sites etc.	<ul style="list-style-type: none"> Loss of privilege to use technology 	Pornography Cyberbullying Sharing inappropriate Materials	<ul style="list-style-type: none"> SRO Progressive Discipline Plan Parent Notification Admin Notification Referral to Support Team (all parties) Safety Plans for all parties
Classroom Property Misuse	Throwing a pencil Drawing on desk Destroying papers	<ul style="list-style-type: none"> Clear Expectations Proactive Circle Reteach expectations Reflection Sheet 1 	Throwing a chair Flipping a desk/table Repeat destroying property Destroying/ vandalizing big ticket item	<ul style="list-style-type: none"> Clear Classroom CPI Restorative Circle/ Meeting Parent Notification Admin Notification Support Team Referral 	Throwing or flipping heavy objects causing injury. Purposeful destroying property	<ul style="list-style-type: none"> SRO Progressive Discipline Plan Expand Referral Admin Notification Parent Notification Mobile Crisis Unit

Behavior	What does this look like in Tier I	Tier I Strategies (Preventive/Proactive)	What does this look like in Tier II	Tier II Strategy	What does this look like in Tier III	Tier III Strategy
Physical Aggression (to self or others)	Pushing Not keeping hands to self Tripping Horseplay/ Wrestling	<ul style="list-style-type: none"> Conference Proactive Circle Reflection Sheet 1 	Hitting an inanimate object Posturing Physical Threat/Fake Out Stabbing/Hitting another person with an object Self-injurious behavior	<ul style="list-style-type: none"> CPI Holds SRO Suicide Awareness Support Team Referral Admin/ Counselor Referral Safe Voice (off hours) 	Fighting Sexual Aggression/ Unwanted Advances Weapon Use/ Possession Self-injurious behavior	<ul style="list-style-type: none"> CPI Team/ Holds SRO Progressive Discipline Plan Safe Voice (off hours)
Abusive Language	general profanity usage Isolated events of name-calling Hurtful Language	<ul style="list-style-type: none"> Reflection Sheet 1 	profanity directed at staff - excessive profanity Persistent name calling - intentional mispronunciation of names - not to level of "bullying"		persistent name calling with derogatory words Racial slurs Insults etc related to sexual orientation Verbal threats to safety	<ul style="list-style-type: none">
Disruption to the educational environment	Making noises Off Task	<ul style="list-style-type: none"> Re-teaching 	Off task and getting others off task	<ul style="list-style-type: none"> CICO Behavior Plan 	Destroying the classroom and causing an evacuation or CPI removal	<ul style="list-style-type: none"> CPI Team SRO
Chronic Absenteeism	10%	<ul style="list-style-type: none"> Attendance groups 	excessive absences excused	<ul style="list-style-type: none"> Truancy Advisory 	Unexcused absences	<ul style="list-style-type: none"> Truancy Court Grade

Behavior	What does this look like in Tier I	Tier I Strategies (Preventive/Proactive)	What does this look like in Tier II	Tier II Strategy	What does this look like in Tier III	Tier III Strategy
	Absences excused and many with medical documentation	<ul style="list-style-type: none"> Parent/student conferencing Tier 1 notices to parents 	only by parent Absences display a pattern Unexcused Absences (Truancy Advisory Board at 3 Truancy letters) Admittance of skipping class	<ul style="list-style-type: none"> Board Tier II notices to parents with meeting paired with Truancy notices CICO SRO 	Continued Unexcused absences (HS level) Non-compliance with Truancy Advisory Board	<ul style="list-style-type: none"> retention Tier III Notice/parent meeting/Truancy Notices
Theft	Taking shared classroom supplies	<ul style="list-style-type: none"> Re-teaching 	Repeated taking of classroom/shared items Taking items from other students	<ul style="list-style-type: none"> Parent conference CICO 	Stealing money or high price items Stealing repeated offenses	<ul style="list-style-type: none"> SRO
Academic Dishonesty	Looking at someone else's work Allowing student to look at work "Quoting" without proper citations	<ul style="list-style-type: none"> Re-teaching 	Copying verbatim someone else's work Doing the work for someone	<ul style="list-style-type: none"> Admin Notification Parent Notification 	Plagiarism Multiple events of copying / sharing work	<ul style="list-style-type: none"> Parent Conference
Vaping/Tobacco/ Drinking/Drug use	On their person Vaping on campus	<ul style="list-style-type: none"> SRO Vape Educate Internal Referral to Counseling Admin 	Using Alcohol/Drug Use on campus (with discretion, this could fall into Tier	<ul style="list-style-type: none"> SRO Educational Lessons on Using Community/ Parental 	Selling Alcohol/Drug Use on campus	<ul style="list-style-type: none"> OSS long-term expulsion Police report Probable external referral to SUD

Behavior	What does this look like in Tier I	Tier I Strategies (Preventive/Proactive)	What does this look like in Tier II	Tier II Strategy	What does this look like in Tier III	Tier III Strategy
		<ul style="list-style-type: none"> notification Parent notification 	3 depending on substances being used and how excessive) Showing up to school drunk/high	Education on Drug/Alcohol Use <ul style="list-style-type: none"> Internal referral to Counseling to assess - potential external referral to SUD (Substance Use Disorder) Counseling Services 		<ul style="list-style-type: none"> Counseling Services

Embedded within the BIM are non-punitive interventions and supports that provide a scaffolded path to improve the behavior of the pupil and remedy any harm caused by the pupil. This is known in the State of Nevada as restorative justice. As stated in the HCSD Multi-Tiered Support Manual: "Relationships Matter", we in the HCSD understand that one positive adult relationship can alter a neural-pathway, and ultimately a life. Because of this, the following non-exhaustive list of potential remedies was created:

Reteaching, social skills groups such as friendship groups, anger management, conflict resolution, drug/alcohol counseling, tobacco cessation classes, social worker/counselor/SRO meetings/support groups, parent/student conferences, reverse suspensions, check in and check out (CICO).

In some cases, these non-punitive measures are afforded to a student, in addition to other interventions and potentially, consequences. However, it should be noted, that in other instances, when appropriate, restorative justice measures can be selected by the student in lieu of progressive consequences for the infraction.

A more recent feature of Nevada's MTSS framework are safety plans, which are statutorily required for victims of bullying, but used in HCSD for this purpose and more. These plans consider the needs of the victim holistically and are designed to afford the victim of bullying a safe path forward. The HCSD uses safety plans liberally where appropriate, as a feature of restoration for victims, and this plan.

Student Responsibilities:

It is the belief of Humboldt County School District that students are expected to follow their school's classroom and school rules. 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 while away at school sponsored activities. All expectations must be developed in accordance with Policy and Regulation 5040 and the multi-tiered systems of support manual. At each school site, students will be provided a handbook that includes established school rules. In addition, students will receive instruction on the expected school behavior, and be held to those expectations consistently.

Prohibited Conduct	Definition	Related HCSD Policy/Administrative Regulation
A. ARSON	Intentionally setting fire, or attempting to set fire, or intentionally engaging in conduct which may reasonably be foreseen to set fire to property of another; participating in, or encouraging another person to participate in such conduct.	

<p>B. ATTENDANCE VIOLATIONS</p> <p>1. Truancy</p> <p>2. Habitual Truancy</p> <p>3. Tardy</p>	<p><u>Truancy:</u> A student is considered truant if he/she is absent from school without permission from either the school or his/her parent/guardian unless he/she is physically or mentally unable to attend school. The teacher or principal shall give written approval for a student to be absent if an emergency exists or upon the request of a parent/guardian of the student. Before a student may attend or otherwise participate in school activities outside the classroom during regular classroom hours, he/she must receive the approval of the teacher or principal.</p> <p><u>Habitual Truancy:</u> A Habitual Truant is one who has been declared a truant three or more times within one school year (NRS 392.040). Any student who has once been declared a habitual truant and who, in an immediately succeeding year, is absent from school without written approval may again be declared a habitual truant.</p> <p><u>Tardy:</u> Arriving late to class or leaving early.</p>	<p>5030</p>
<p>C. BOMB THREAT</p>	<p>Willfully conveying by mail, written notes, telephone, texting, internet, radio, or any other means of communication, any bomb threat, knowing it to be false.</p>	
<p>D. BULLYING</p>	<p>Association of a person with another person having one or more of those actual or perceived characteristics.</p> <p>The term includes, without limitation:</p> <p>(a) Repeated or pervasive taunting, name calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person;</p> <p>(b) Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitation, spreading false rumors;</p>	<p>5145</p>

	<p>(c) Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures;</p> <p>(d) Threats of harm to a person, to his or her possessions or to other persons, whether such threats are transmitted verbally, electronically or in writing;</p> <p>(e) Blackmail, extortion or demands for protection money or involuntary loans or donations;</p> <p>(f) Blocking access to any property or facility of a school;</p> <p>(g) Stalking; and,</p> <p>(h) Physically harmful contact with or injury to another person or his or her property.</p> <p>The term does not include expressions, acts or gestures which are engaged in as part of a mutual disagreement or conflict.</p>	
E. CHEATING/PLAGIARISM	Cheating is the improper taking of information from and/or giving of information to another student, individual or other source. Plagiarism is representing another person's work or ideas as your own without credit to the proper source and submitting it for any purpose.	
F. COMBUSTIBLES/ INCENDIARY/EXPLOSIVE DEVICE	The possession, use or sale of explosive or incendiary devices.	
G. CYBER-BULLYING	Cyber-bullying means bullying through the use of electronic communication. The term includes the use of electronic communication to transmit or distribute a sexual image of a minor. "Sexual image" has the meaning ascribed to it in NRS 200.737.	5145
H. DAMAGE TO OR DESTRUCTION OF SCHOOL PROPERTY	Willfully and maliciously destroying or injuring real or personal property of another.	5090
I. DISREGARD FOR SCHOOL RULES <p>1. Altering Records</p> <p>2. Communicating False Information (spoken or written)</p> <p>3. Forgery</p>	<p>Violations of the rules of the schools as outlined in the Parent/Student Handbook, or disseminated by the individual school, teacher or coach, including but not limited to:</p> <p><u>Altering Records:</u> Changing or attempting to change school records or grades.</p>	5005 5095 5145

<p>4. Inappropriate Language (including use of obscene language and gestures)</p> <p>5. Inappropriate Behavior</p> <p>6. Presence in Unauthorized</p> <p>7. Technology Violation (including cell phone use violations)</p> <p>8. Traffic Violation</p> <p>9. Unacceptable Items</p>	<p><u>Communicating False Information:</u> Telling lies (spoken or written); publishing or distributing libelous or slanderous material.</p> <p><u>Forgery:</u> Reproducing something, such as a forged signature, for a deceitful or fraudulent purpose</p> <p><u>Inappropriate Language:</u> Use of obscene language or gestures or writing obscenities or displaying obscene materials.</p> <p><u>Inappropriate Behavior:</u> Violation of any school rule.</p> <p><u>Presence in Unauthorized Area:</u> Presence in any area that is not authorized for student use at the time the student is present.</p> <p><u>Technology Violation:</u> Violations of the HCSD Acceptable Use Policy; violations of the HCSD Cell Phone Use Policy.</p> <p><u>Traffic Violation:</u> Violations of the HCSD Driving Regulations.</p> <p><u>Unacceptable Items:</u> Use or possession of the following items on campus or at a school activity: firearms, dangerous weapons and substances, matches, firecrackers, caps, water guns, water balloons, and snowballs.</p>	
J. DISRESPECT/ INSUBORDINATION	<p><u>Disrespect:</u> Use of inappropriate language, conduct, and demeanor when addressing another individual or group of individuals.</p> <p><u>Insubordination:</u> Behavior that is disobedient or defiant toward school employees, either in language or action.</p>	
K. DISTURBANCE OF SCHOOL ACTIVITIES, DISTURBING THE PEACE	Conduct which interferes with the educational process. Willfully disturbing the peace of any person; intentionally and willfully interfering with or disturbing persons in the school.	
L. DRESS CODE VIOLATION	Violations of the dress code as outlined in HCSD Policy and Regulation 5110 and/or individual school rules. This includes violations of the standard student attire policy and regulation that are considered to constitute a disruption to the school environment.	5110
M. EXTORTION OR THREAT OF EXTORTION	Obtaining something, especially money, through force or threats. In some circumstances, extortion may constitute	5145

	bullying.	
N. FIGHTING	The mutual use of physical force, which includes striking both with hands and feet, or other body parts. This also includes biting, scratching or other actions of a physically aggressive nature.	
O. INSTIGATION/ PROMOTION OF FIGHTING/VIOLENCE	The willful act of provoking or facilitating fighting between two or more students by using a variety of communications aimed at causing or resulting in a physical altercation.	
P. GANG RELATED BEHAVIOR/ ACTIVITY	Involvement or potential involvement in any activity representing a group involved in illegal actions. Wearing any clothing or carrying any symbol on district property that denotes membership in or an affiliation with a criminal gang.	
Q. HABITUAL DISCIPLINE PROBLEM	<p>A student is deemed a habitual discipline problem if a school has written evidence documenting that in one school year:</p> <p>(a) The student has threatened or extorted, or attempted to threaten or extort, another student or a teacher or other personnel employed by the school two or more times, or the student has a record of five suspensions (of at least three days each) from the school for any reason; and</p> <p>(b) The school has made reasonable efforts to develop a plan of behavior and the student has not made efforts to enter into or participate in such a plan of behavior.</p>	5140
R. HAZING	Any action taken or situation created that causes, or is reasonably likely to cause, harassment, bodily danger or physical harm, serious mental or emotional harm, extreme embarrassment or ridicule, or personal degradation or loss of dignity to any student or other person associated with the school. In some circumstances, hazing may constitute bullying.	5145
S. INTERFERENCE WITH INSTRUCTION	Disruptive conduct in the classroom which has the effect of disrupting the instruction of other students but does not result in a large-scale disturbance.	
T. INTIMIDATION	To use harm or threat of harm to compel a person to abstain from doing, or to do, any act which he/she has a right to do. In some	5145

	circumstances, intimidation may constitute bullying.	
U. NIAA SUBSTANCE ABUSE VIOLATION	See NIAA Substance Abuse Policy.	5055
V. POSSESSION OF DRUG PARAPHERNALIA	The possession of, or sale, furnishing or use of items that are used to inhale, ingest, or by any other means introduce a controlled substance into the body, whether or not the student is under the influence of alcohol or a controlled substance on school property or at a school sponsored activity at any time.	5055
W. POSSESSION/USE OF ALCOHOL	The possession of, sale, furnishing or use of alcohol, to include being under the influence of alcohol on school property or at a school sponsored activity.	
X. POSSESSION/USE OF A CONTROLLED SUBSTANCE	The possession of, sale, furnishing or use of marijuana, narcotics, illegal substances or legal substances (such as prescription drugs) possessed to be used as intoxicants, whether or not the student is under the influence on school property or at a school sponsored activity at any time.	5055
Y. POSSESSION/USE OF A DANGEROUS WEAPON OR FIREARM	<p>“Dangerous weapon” is defined under NRS 392.466 as follows: “Dangerous weapon” includes, without limitation, a blackjack, slungshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku or trefoil, as defined in NRS 202.350, a butterfly knife or any other knife described in NRS 202.350, a switchblade knife as defined in NRS 202.365, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person.</p> <p>“Firearm” is defined under NRS 392.466 as follows: “Firearm” includes, without limitation, any pistol, revolver, shotgun, explosive substance or device, and any other item included within the definition of a “firearm” in 18 U.S.C. § 921, as that section existed on July 1, 1995.</p>	
Z. RETALIATION	To do something bad to someone who has hurt you or treated you badly; to get revenge against someone.	
AA. SALE/DISTRIBUTION OF A CONTROLLED SUBSTANCE	The exchange of controlled substances, or items represented to be controlled substances, between two or more parties.	5055
AB. SEXUAL HARASSMENT IN VIOLATION OF TITLE IX	Sexual harassment is defined under the federal Title IX regulations as conduct on the basis of sex that satisfies one or more of the following:	5160

	<p>(a) A school employee conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct (i.e., <i>quid pro quo</i>); or</p> <p>(b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school district's education program or activity; or</p> <p>(c) Sexual assault as defined in the federal Clery Act, or dating violence, domestic violence, or stalking as defined in the federal Violence Against Women Act.</p>	
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BB. THEFT/POSSESSION OF STOLEN PROPERTY	Intentionally receiving, taking, or possessing property of another without the owner's permission.	
CC. THREATS TO STAFF OR STUDENTS	Any communication, verbal or physical, or by means of electronic devices, that would question the safety, or cause the impression of danger or harm, to school district personnel or students.	5145
DD. TOBACCO VIOLATION	Possession or use of any nicotine delivery device which includes without limitation, cigars, cigarettes, electronic cigarettes, chew, snuff, pipes, hookahs, etc. NIAA Rules apply.	
EE. VIOLENCE OR HARM TO STAFF OR STUDENTS	<p>A battery which results in the bodily injury of an employee of the school or a student.</p> <p>Battery: Unlawful and offensive hitting or touching of another person, a person's clothes, or anything attached or held by him/her.</p>	5145
FF. DISCRIMINATION BASED ON RACE	<p>Discrimination based on race means any single or repeated or pervasive act or acts, whether targeted to a specific person or targeted in general to any demographic:</p> <p>(a) Regarding the race, color, culture, religion, language, ethnicity or national origin of a person that causes harm or creates a hostile work or learning environment, which may include, without limitation, jokes, threats, physical altercations or intimidation; and</p> <p>(b) That occurs in person, online or in any other setting including, without limitation, in a course of distance education.</p>	5145

Teacher Responsibilities:

HCSD teachers will implement individualized classroom management systems (Tiered PBIS), 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, including non-punitive interventions and 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 Restorative Discipline Plan, unless the behavior is deemed beyond classroom intervention.

Parent/Guardian Responsibilities:

If your 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 your 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 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.

HCSD and Board of Trustees Responsibilities:

District staff and the HCSD Board of Trustees will ensure policies are updated as mandates change, while ensuring the appropriate level of training and support is provided to staff, students and parents as necessary to provide staff and students with a safe and respectful teaching and learning environment.

Statutory requirements/changes under AB 330 and AB 285 can be understood as a set of student-level changes and system-level changes, summarized as follows:

Student-level changes:

1. Changes to discipline laws for all students, including guidance on age and behavior.
2. Changes to discipline laws for students receiving special education services under an Individualized Education Program (IEP).

System-level changes:

1. Shift to include progressive discipline and restorative justice practices within state and district discipline plans.
2. Changes to data collection and reporting regarding student discipline.
3. Changes to the appeals process.

The following sections provide further detail on the impact of new legislation, and HCSD implementation.

Student-level changes

Changes to discipline laws for all students.

General Guidance on Age and Behavior

Students who are less than 6 years old may only be suspended with the review and approval of the HCSD superintendent or his or her designee. (NRS 392.466).

Students who are less than 8 years old may not be expelled or permanently expelled (NRS 392.466)

In extraordinary circumstances, a school official may request an exception from the Board of Trustees to expel or permanently expel a student under 11 years of age.

If any student is suspended for one semester or expelled, the HCSD—alone or through a partnership with another school district—will offer an in-person program of alternative education which allows each student to receive educational services in the least restrictive environment (NRS 392.466).

If, in the judgment of the principal, there is a reasonable expectation that a student poses a threat to employees or other students, the principal may extend the period for which a student is removed from the classroom or school with the written authorization from the HCSD superintendent (NRS 392.4646).

Progressive Discipline Plan Based on Restorative Justice (Individualized Student Plan) A HCSD

progressive discipline plan based on restorative justice will include:

Positive behavioral interventions and support;

A plan for behavioral intervention;

A referral to a team of student support;

A referral to an individualized education program (IEP) team to determine:

Whether an IEP is needed for the pupil; or

If there is an existing IEP, whether it has been appropriately implemented and whether any adjustments should be made.

A referral to appropriate community-based services;

A conference with the principal of the school or their designee and any other appropriate personnel; A determination of the need for a referral to a school social worker; and

For a pupil who was expelled, a plan for reinstatement and guidelines for the provision of notice to a pupil to initiate their reinstatement.

HCSD progressive discipline plans based on restorative justice will be provided for students in the following scenarios:

For any student who sells/distributes any controlled substance or commits battery against an employee of a school with or without intent to cause bodily injury to the employee, a school must provide the student and parent/legal guardian with a progressive discipline plan based on restorative justice (NRS 392.466).

For **any** student who has received at least five cumulative days of suspension during a single school year OR is suspended for a period of at least three days, a school must provide a progressive discipline plan based on restorative justice within two days after removing the student (NRS 392.472).

For any student being deemed a habitual disciplinary problem, a school should make a reasonable effort to complete a progressive discipline plan based on restorative justice to prevent the student from being deemed a habitual disciplinary problem (NRS 392.4655.5).

The following sections review the required and allowed responses to specific disciplinary offenses in HCSD.

Distribution of a Controlled Substance (NRS 392.466)

Any student who sells or distributes any controlled substance on school grounds, a school bus, or at a school-sponsored activity, may be suspended, expelled, or permanently expelled, with the following guidelines based on age:

1. If the student is less than 6 years old, the suspension must be reviewed and approved by the district superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.
2. If the student is less than 11 years old, the student may be suspended. The student may not be expelled or permanently expelled.
3. If the student is aged 11 years or older, the student may be suspended, expelled, or permanently expelled.
4. The student and their parents/legal guardian(s) must meet with the school.
5. The school must provide a progressive discipline plan based on restorative justice to the parent or legal guardian of the student.
6. The principal of a HCSD school may reduce the period of suspension or convert an expulsion to a suspension for a student who distributes a controlled substance on school grounds, a school bus, or at a school-sponsored activity if:
7. The student is less than 11 years old;
8. The student has not engaged in such proscribed conduct before; and
9. After a thorough review of the facts and circumstances, the principal determines that the pupil did not know that the substance being distributed was a controlled substance.

Battery of a School Employee (NRS 392.466)

Any student who commits battery against an employee of the HCSD while on school grounds, a school bus, or at a school-sponsored activity, may be suspended, expelled, or permanently expelled, with the

following guidelines based on age:

1. If the student is less than 6 years old, the suspension must be reviewed and approved by the district superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.
2. If the student is less than 8 years old, the student may be suspended. The student may not be expelled or permanently expelled.
3. If the student is aged 8 years or older, the student may be suspended, expelled, or permanently expelled.

The student and their parents/legal guardian(s) must meet with the school. The school must provide a progressive discipline plan based on restorative justice to the parent or legal guardian of the student.

Battery of a School Employee with Intent to Result in Bodily Injury (NRS 392.466)

Any student who commits battery with the intent to cause bodily injury against an employee of the school while on school grounds, a school bus, or at a school-sponsored activity, must be suspended, expelled, or permanently expelled, with the following guidelines based on age:

1. If the student is less than 6 years old, the student may be suspended, and the suspension must be reviewed and approved by the superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.
2. If the student is less than 8 years old, the student must be suspended. The student may not be expelled or permanently expelled.
3. If the student is aged 8 years or older, the student must be suspended, expelled, or permanently expelled.

The student and their parents/legal guardian(s) must meet with the school. The school must provide a progressive discipline plan based on restorative justice to the parent or legal guardian of the student.

The principal of a public school may, at their discretion, reduce or eliminate the period of suspension, convert an expulsion to a suspension, or otherwise reduce, eliminate, or alter a disciplinary action imposed upon a student who commits a battery which results in the bodily injury of an employee of the school.

Continuing Danger to People or Property/Ongoing Threat of Disrupting Academic Process (NRS 392.466)

Any student who poses a continuing danger to people or property or is an ongoing threat of disrupting the academic process may be suspended, expelled, or permanently expelled, with the following guidelines based on age:

1. If the student is less than 6 years old, the suspension must be reviewed and approved by the district superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.
2. If the student is less than 11 years old, the student may be suspended. The student may not be expelled or permanently expelled.

3. If the student is aged 11 years or older, the student may be suspended, expelled, or permanently expelled.
4. The student may be immediately removed from school premises upon being provided an explanation of the reasons for removal and pending proceedings, which must be conducted as soon as practicable after the removal.

Possession of a Dangerous Weapon Other than a Firearm (NRS 392.466)

Any student who is found in possession of a dangerous weapon other than a firearm while on school grounds, a school bus, or at a school-sponsored activity, may be suspended, expelled, or permanently expelled, with the following guidelines based on age:

1. If the student is less than 6 years old, the suspension must be reviewed and approved by the district superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.
2. If the student is less than 11 years old, the student may be suspended. The student may not be expelled or permanently expelled.
3. If the student is aged 11 years or older, the student may be suspended, expelled, or permanently expelled.

The student may be immediately removed from school premises upon being provided an explanation of the reasons for removal and pending proceedings, which must be conducted as soon as practicable after the removal.

Possession of a Firearm (NRS 392.466)

Any student who is found in possession of a firearm while on school grounds, a school bus, or at a school-sponsored activity must be suspended, expelled, or permanently expelled, with the following guidelines based on age:

If the student is less than 6 years old, the student may be suspended, and the suspension must be reviewed and approved by the district superintendent or administrative head of a charter school or university school for profoundly gifted pupils or his/her designee. The student may not be expelled or permanently expelled.

1. If the student is at least 6 years but less than 8 years old, the student may be suspended.
2. If the student is at least 8 years but less than 11 years old, the student must be suspended or expelled. The student may not be permanently expelled.
3. If the student is aged 11 years or older, the student must be suspended, expelled, or permanently expelled.

The student must be immediately removed from school premises upon being provided an explanation of the reasons for removal and pending proceedings, which must be conducted as soon as practicable after the removal. Though removal from school is mandatory for students 8 years and older, the specific length of removal is no longer mandatory. The previous requirements to expel on the first occurrence and permanently expel on the second occurrence no longer exist.

The following sections review the required and allowed responses based on the circumstances of the

student and the disciplinary action taken:

Pupils Designated as Homeless or in Foster Care (NRS 392.466)

If a student is homeless or in foster care, the student may be suspended for up to five days if the principal reviews all available information and determines the conduct of the pupil poses an ongoing threat. A determination is required that a student being homeless or in foster care is not a factor in the behavior.

If any student is suspended for one semester or expelled, the school district—alone or through a partnership with another school district—must offer an in-person program of alternative education that allows each student to receive educational services in the least restrictive environment.

Removal to Another School (NRS 392.466)

If a school is unable to retain a student of any age due to safety concerns OR if it is not in the best interest of the student, the student may be suspended, expelled, or placed in another school for offenses outlined in NRS 392.466.

1. If placement in another school is made, the originating school of the student shall explain what services will be provided to the student at the receiving school that the originating school is unable to provide to address the specific needs and behaviors of that student.
2. The originating school of the student must coordinate with the receiving school to create a progressive discipline plan based on restorative justice and to ensure that the receiving school has the resources required to execute that plan.

Habitual Disciplinary Problem (NRS 392.4655)

If a student is suspended, the school shall develop a plan of behavior for the student in consultation with the student and the parents/guardians of the student. The plan must be designed to prevent the student from being deemed a habitual disciplinary problem (NRS 392.4655.5).

1. Parents/legal guardians may choose to have their student not participate in the behavior plan that must be developed.
2. If the parents/legal guardians opt their student out of participating in the behavior plan, the school must inform them of the consequences of not participating (e.g. that the student may be deemed a habitual disciplinary problem).
3. The superintendent or administrative head of a charter school or university school for profoundly gifted pupils has the authority to determine whether or not a student is considered a habitual disciplinary problem.

Regardless of age, if a student is deemed to be a habitual disciplinary problem, the student may be suspended for a period of up to one semester OR may be expelled under extraordinary circumstances as determined by the principal, if and only if the school has made a reasonable effort to complete a progressive discipline plan based on restorative justice. (NRS 392.466)

2) Changes to discipline laws for students who receive special education services in accordance with an Individualized Education Program (IEP).

Suspension, Expulsion, and Permanent Expulsion (NRS 392.466)

After an administrative review of the circumstances and a determination that the action complies with the Individuals with Disabilities Education Act (IDEA), a student with a disability may be suspended from school for not more than 10 days for each occurrence of conduct listed above.

If a student with a disability of any age is removed from school premises, suspended, expelled, or permanently expelled for any behavior for more than 10 cumulative days, the school in which the student is enrolled must make available to the student a free appropriate public education in compliance with IDEA.

Schools must comply with this and other provisions of the IDEA with respect to notice, determining whether a removal constitutes a change of placement, conducting a manifestation determination, and other requirements in connection with any disciplinary removal of a pupil with a disability.

System - level Changes

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

The HCSD 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 is disaggregated by these categories:

1. Pupils who are economically disadvantaged
2. Pupils from major racial and ethnic groups
3. Pupils with disabilities
4. Pupils who are English learners
5. Pupils who are migratory children
6. Gender of the pupils
7. Pupils who are homeless
8. Pupils in foster care
9. 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 this data and make any recommendations deemed appropriate for revision to the HCSD Plan.

Changes to Appeals Process

On the same day that the suspension is issued, the dean/assistant principal or principal, in schools with only one administrator, notifies the student and, if the student is under 18 years of age, the student's parent or legal guardian that the student has been suspended for (number of days) commencing (starting date). The terms of the suspension and the current process to exercise the right to appeal the suspension shall be confirmed in writing in correspondence from the school administrator to the student and, if the student is under 18 years of age, the student's parent or legal guardian.

The student or, if the student is under 18 years of age, the parent or legal guardian of a student suspended for up to 10 school days may appeal the decision of the dean/assistant principal or principal, in schools with only one administrator, by contacting the Director of Educational Opportunity in writing within five (5) days of the issuance of the suspension.

The Director of Educational Opportunity will schedule a hearing on an appeal of a suspension within five (5) days of receipt of the written request for an appeal. The appeal of a suspension for up to 10

school days will be conducted in an in-person or virtual hearing chaired by a Humboldt County School District school administrator who did not issue the original suspension. The student or, if the student is under 18 years of age, the parent or legal guardian and a Humboldt County School District school counselor shall be invited to the appeal hearing. During the hearing, the student or, if the student is under 18 years of age, the parent or legal guardian shall present any relevant information concerning the incident and alleged misconduct which formed the basis of the disciplinary action, as well as present any concerns regarding the student's meeting with the dean/assistant principal or principal, in schools with only one administrator. The school administrator in consultation with the school counselor shall then determine whether the disciplinary action taken will be upheld or overturned. The Director of Educational Opportunity shall notify the student or, if the student is under 18 years of age, the parent or legal guardian of the appeal decision within two school days of the appeal hearing. The appeal decision is final.

Transportation (NRS 392.4636):

The Board recognizes that parents of pupils who are transported to school by District buses are responsible for the supervision of such pupils until such time as the pupil boards the bus in the morning and after the pupil leaves the bus at the end of the school day. The responsibility of the School District commences when the pupil boards the bus and ends when the pupil is delivered to the regular bus stop at the close of the school day. The Board shall require pupils to conduct themselves in the bus in a manner consistent with established standards for classroom behavior. In cases when a pupil 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 checking the pupil's behavior.

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

Temporary Removal of a Student: (NRS 392.4645)

Implementation of NRS 392.4645, Removal of pupil from classroom or other school premise: Notice; assignment to temporary alternative placement; exceptions.

If a student's behavior severely and consistently interferes with teaching and learning, he/she may be removed from class (or other school premise) temporarily in accordance with NRS 392.4645.

The student who interferes with the teacher teaching or the students learning may be removed from class temporarily. While out of class, the student must be supervised and working on schoolwork in another classroom. The principal (or designee) will meet with the student and notify parents within 24 hours of the student's removal from class. Within three days, there will be a conference including the administrator, student, parents, teacher, counselor and Case Manager (if applicable). After the conference, the principal will decide whether the student should return to class. If the recommendation is that the student returns to class, and the referring teacher disagrees with that decision, the principal will call a meeting of the Progressive Discipline Committee (consisting of two elected teachers and an elected staff member; if the referring teacher or staff member is a member of the committee, the elected alternates should take their place at the review meeting) and inform the parents that the committee will be meeting to discuss the student's placement. The committee will review the circumstances for the student's removal and assess the best placement. The committee shall direct that the student be: (1) returned to the classroom (or other premise) from which he/she was removed; (2) assigned to another classroom (or other premise); (3) assigned to an alternative educational program; or (4) suspended or expelled. The committee may take other appropriate disciplinary action against the student should it deem necessary.

Notice of Nondiscrimination

Humboldt County School District ("the school district") does not discriminate on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and provides equal access to the Boy Scouts of America and other designated youth groups.

In keeping with requirements of federal and state law, the school district strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

Notice of Nondiscrimination on the Basis of Sex Under Title IX

Humboldt County School District does not discriminate on the basis of sex in the education program or activity that it operates, and the school district is required by Title IX and 34 CFR Part 106 not to discriminate in this manner. The requirement not to discriminate in the school district's education program or activity extends to employment.

Inquiries about the application of Title IX and the Title IX regulations to Humboldt County School District may be referred to the school district's Title IX Coordinator, or to the Assistant Secretary at the U.S. Department of Education, or both.

The school district has designated the following employee to coordinate its efforts to comply with Title IX. The school district's Title IX Coordinator is:

Will Jensen, Assistant Superintendent
Humboldt County School District
310 E. Fourth Street
Winnemucca, Nevada 89445
775.623.8100
wjensen@hcsdnv.com

The Assistant Secretary may be contacted at:

Assistant Secretary for Civil Rights
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, D.C. 20202

Notice of Nondiscrimination on the Basis of Disability

Humboldt School District shall ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program of the school district. Humboldt School District, in providing any aid, benefit, or service, shall not, directly or through contractual, licensing, or other arrangements, on the basis of disability:

1. deny a qualified person with a disability the opportunity to participate in or benefit from the aid, benefit, or service;

2. afford a qualified person with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;
3. provide a qualified person with a disability with an aid, benefit, or service that is not as effective as that provided to others;
4. provide different or separate aid, benefits, or services to persons with disabilities or to any class of disabled persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;
5. deny a qualified person with a disability the opportunity to participate as a member of planning or advisory boards; or
6. otherwise limit a qualified person with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.