



Responsible Office: Office of the Ombudsman and Strategies

BOARD POLICY 5100

STUDENT BEHAVIOR

PURPOSE

The Board of Trustees ("Board") believes that every student has the right to learn in a respectful, safe and inclusive learning environment and that every teacher has the right to teach in an environment that is free from distractions and disruptions that impede learning. The home, school, and community must work together to enhance the quality of the educational experience of all of our students in all of our schools. A positive school climate and culture characterized by mutual respect and the building of relationships will result in academic, social, and emotional growth for all students in the Washoe County School District ("District").

DEFINITIONS

1. Positive Behavior Interventions and Supports is a proactive approach to establishing the individual behavioral supports and the equitable and inclusive social culture needed for all students in a school to achieve social, emotional, and academic success. Attention is focused on creating and sustaining systems of support that improve lifestyle results for all youth by making targeted misbehavior less effective, efficient, and relevant, and desired behavior more functional.
2. Social Emotional Learning is a process designed to assist students to acquire the knowledge skills and dispositions related to self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.
3. District-Level Behavior Hearing: A hearing conducted by a district-level hearing officer for violations to state law and other severe behaviors impacting the safety and welfare of others.
4. Restorative justice refers to intervention and support to address and repair the impact harm has had on victims and the school community, and to hold students accountable for their behavior.

POLICY

1. Positive student behavior is an integral part of overall academic success. Student behavior is best shaped through proactive teaching, positive interventions, relationships, and individualized support. Behavior that jeopardizes the safety of any member of the school community will not be tolerated.

2. Through equitable practices, school officials and teachers act *in loco parentis* during the time students are under their supervision.
3. The District is committed to encouraging, protecting, and ensuring student freedom of speech, press and expression, and rights documented through Board policy, District regulations and procedures, the U.S. Constitution, and state and federal laws and regulations.
4. The District promotes equitable practices regularly reviewing relevant data to identify any potential disproportional impact of disciplinary practices. It also reviews behavioral infractions through the lens of equity and diversity and considers any associated motivation when determining consequences.
5. The Board, Superintendent, principals/administrators, faculty and staff have responsibilities, along with peace officers, for the protection of students on District property, to include in school, at school sponsored events, on their way directly to and from school, and for the enforcement of order and behavior among such students.
 - a. For the purposes of this policy, District property includes any building, owned or leased by the District, used for instruction, administration, support services, maintenance, parking lots or storage; the grounds and surrounding buildings; bus stops; and all District-owned, rented, and leased vehicles.
6. The District promotes non-violent, cooperative means of conflict resolution through the use of support programs and restorative practices.
7. Restorative justice shall be utilized to improve student behavior and remedy any harm caused by a student. The District shall support each school in the creation of a plan of action based on restorative justice prior to consideration of expelling a student from school or other severe forms of discipline including long-term suspension or a directed transfer to an alternative school. Such plans of action may include, but are not limited to:
 - a. Positive behavioral interventions and support;
 - b. A plan for behavioral intervention;
 - c. Referral to a team of student support;
 - d. Referral to an individualized education program (IEP) team;
 - e. Referral to appropriate community-based services; and/or
 - f. A conference with the school principal or designee and any other appropriate District staff, the student, and the student's parent(s)/guardian(s).

8. Questioning of a Student. When ensuring a safe environment, the urgency of a situation can prompt an investigation including the questioning of a student regarding disciplinary matters.
 - a. Prior to questioning a student regarding behavior that could result in a school transfer, long-term suspension (10 days or more) or expulsion, a school or District administrator must attempt to contact the student's parent or legal guardian. However, school or District administration is under no obligation to contact a student's parent or legal guardian prior to questioning a student if exigent circumstances exist, such as the threat of destruction of evidence or District property, or if there is a risk to the health, safety, and welfare of the student(s) and/or school community. If circumstances prohibit this initial notification prior to questioning the student, the parent/guardian shall be informed as soon as practicable after the questioning.
 - b. Prior to questioning by school police a, the parent/guardian shall be contacted unless there is a risk to the health, safety, and welfare of the student(s) and/or school community. If circumstances prohibit this initial notification, the parent/guardian shall be informed immediately afterwards.
9. Certain infractions as outlined in Nevada state law, and in the District Behavior Matrix, may warrant removing a student from his/her school of enrollment.
10. In accordance with state law, the District shall:
 - a. Create, maintain, and implement progressive discipline procedures, known as the Behavior Matrix. The District's Behavior Matrix shall identify potential interventions and consequences for student behavior, be reviewed annually, and revised as needed to ensure equitable and consistent practices are in place throughout the District.
 - b. Support schools in developing School Progressive Discipline Plans in alignment with this policy and the District's Behavior Matrix that will be reviewed annually and will support positive behavior with a focus on keeping students in school whenever possible.
11. The District will utilize Multi-Tiered Systems of Support (MTSS), Positive Behavior Interventions and Supports (PBIS), Restorative Practices, and Social and Emotional Learning (SEL) practices to ensure students are provided individualized support, re-teaching, and appropriate interventions for behavior as well as academics.
12. No action shall be taken against a student with a disability who is participating in a program of special education unless the action complies with: The Individuals with Disabilities Act, The Americans with Disabilities Act of 1990 as amended, Title V of the Rehabilitation Act of 1973, any other federal law applicable to

children with disabilities, and the procedures adopted by the District for such matters.

13. The Superintendent is delegated the authority to oversee and adopt any administrative regulations and procedures necessary to implement the provisions of this policy. These may include, but are not limited to:
 - a. Written rules regarding student behavior, potential consequences, and rights to include prohibited behaviors, unlawful behavior, habitual truancy, habitual disciplinary concerns, and temporary alternative placement for certain students;
 - b. A student dress code to provide guidelines seeking to ensure student safety while protecting a student's right to freedom of expression;
 - c. A District code of honor for students relating to cheating, plagiarism, and academic dishonesty on examinations and course work;
 - d. Establishment and requirements of school safety teams;
 - e. Behaviors and conditions which may result in a student being suspended or expelled from school shall be documented;
 - f. Adoption of a plan to provide for the progressive and restorative discipline of students and on-site review of disciplinary decisions.
 - g. The process for adopting a Restorative Justice Plan of Action, particularly for a student who commits battery resulting in the bodily injury of a staff member or who sells or distributes any controlled substance on school property, including District provided transportation, or at a District/school-sponsored activity and who is at least 11 years of age.
 - h. Disciplinary and due process protocols, including any hearings or appeals related to the suspension, expulsion, or removal of a student, in compliance with established policy and District procedures, as well as applicable state and federal laws and regulations, to include the Individuals with Disabilities in Education Act (IDEA);
 - i. The District's Police Department will develop and consistently implement procedures which shall be followed in arresting a student on school grounds during school hours.
 - j. The use of corporal punishment on any student by any staff member or volunteer of the District is expressly prohibited;
 - i. The prohibition against corporal punishment does not prohibit a teacher or District official from using reasonable and necessary force for the purpose of self-defense or the defense of another person, to quell a disturbance that threatens physical injury to any person or the destruction of property, to obtain possession of a

weapon or other dangerous object within a student's control, or to escort a disruptive student who refuses to voluntarily leave with the proper authorities.

- k. Guidance Variances (directed transfers.) District administration reserves the right to provide a directed transfer for a student who poses a threat to other students or staff on his or her zoned campus and to preserve the safety of a student who is at risk of health and welfare issues on his or her own campus;
- l. Use of electronic devices. The District promotes responsible and thoughtful use of personal electronic devices to support student achievement. Teachers and other school personnel reserve the right to confiscate a student's electronic device if it is interfering with curriculum/instruction.
- m. Anonymous Reporting. The District will provide means for students to report anonymously if the student chooses, any unlawful activity or prohibited behavior which is being conducted on school property, at a school sponsored activity, on a school bus, or which may disrupt the safe and respectful learning environment of students or working environment of staff.
- n. The District prohibits gangs and criminal gang activities on school property. This includes gang-related clothing, jewelry, insignias, colors, paraphernalia and materials. The District shall consult with local law enforcement and other agencies to determine changes in gang appearance, dress and activities.

LEGAL REQUIREMENTS & ASSOCIATED DOCUMENTS

- 1. This policy reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Administrative Manual 5115, Student Behavior, Interventions and Support
 - b. Administrative Manual 5904, Parent / Student Handbook
 - c. Administrative Regulation 5102, Student Dress Code
- 2. This policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. Chapter 392, Pupils, and specifically:
 - i. NRS 392.461 – 392.4675: Behavior and Discipline.
- 3. This policy complies with federal laws and regulations.

REVISION HISTORY

Date	Revision	Modification
2/18/2009	1.0	Adopted
5/19/2010	2.0	Pursuant to change in state law, <i>Policy</i> No. 4(a) was revised regarding bullying
10/25/2011	3.0	Pursuant to change in state law, <i>Policy</i> No. 4(a) was revised regarding gender identity
9/22/2015	4.0	Revised: related to statutory changes; Number changed from 5039 to 5100; Name changed from Student Discipline to Student Behavior
4/9/2019	5.0	Revised: adds language related to equity and eliminating disproportional impact of disciplinary practices
10/15/2019	6.0	Revised to comply with Assembly Bill 168 (2019) adding information about restorative justice