



## **Innovations International Charter School of Nevada Restorative Justice Policy**

### **Restorative Justice State Mandate**

In accordance with NRS 392.4644, and passage of the School Safety omnibus bills, Senate Bill 89 and Assembly Bill 168, during the 2019 Session of the Nevada Legislature, each school district shall complete Restorative Discipline Plans, formally known as Progressive Discipline Plans.

Restorative Practices (RP) is an alternative to exclusionary disciplinary practices which removed students from the academic environment; instead, restorative justice seeks to repair the harm done when a standard of conduct is violated.

As required by NRS 392.4644 (which was amended by AB 168 and SB 89 in 2019):

Per AB 168 (2019), the requirement for establishment of a plan to provide for the restorative discipline of students and on-site review of disciplinary decisions is now at the district Board of Trustees level rather than at the principal level, as it had been previously. The plan must:

- Be developed with input and participation of teachers, school administrators, and other educational and support personnel, and the parents/guardians of students enrolled in schools within the district; and
- Include provisions designed to address the specific disciplinary needs and concerns of each school within the district.

Additions to the District Restorative Discipline Plan per AB 168 and SB 89:

- The plan must provide for placement at a different school in accordance with NRS 392.466 (including all new changes/additions resulting from AB 168 and SB 89).
- Per SB 89, the plan may allow for assignment to a temporary alternative placement rather than require it.
- Provide restorative disciplinary practices 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.

Principal review and distribution of the District Restorative Discipline Plan:

- Each principal must review the District Restorative Discipline Plan in consultation with recommendations of teachers, school administrators, other educational and support personnel, parents/guardians, and students who are enrolled in the school; and
- On or before September 15th of each year, make recommendations for revisions to the district Board of Trustees; and
- Post the plan on the school's website; and
- Distribute a copy of the plan (written or electronic) to each teacher, school administrator, and all educational and support personnel who are employed at or assigned to the school.

On or before September 15 of each year: The principal of each school must review the district's Restorative Discipline Plan and, in consultation with teachers, school administrators, other educational and support personnel, parents/guardians, and students who are enrolled in the school, make recommendations for revisions to the district Board of Trustees

On or before November 15 of each year: Each district Board of Trustees shall submit a written report to the Superintendent of Public Instruction that describes the progress made by each school in the district with respect to complying with the requirements of AB 168. The progress report must also be posted on the district's website.

Each quarter of each year (AB 490, 2019): The principal of each school must report data related to student discipline to the district Board of Trustees which must include, without limitation: the number of expulsions and suspensions of pupils and the number of placements of pupils in another school. Such data must be disaggregated into subgroups of students and types of offense.

## **Statutory Requirements**

The major components of the changes under AB 168 (2019) can be understood as a set of Student-level Changes and Systems Changes.

Student-level Changes:

- Changes to discipline laws for all students, including restrictions on suspending and expelling students who are not more than 10 years of age; and
- Changes to discipline laws for students in a program receiving special education services under an Individualized Education Program (IEP), including some additional restrictions on suspending and expelling such students.

Systems Changes:

- Shift from progressive discipline school-wide plans to restorative discipline district-wide plans; and
- Changes to data collection and reporting regarding student discipline and attendance.

## NRS 392.462

Collection by public school of data on discipline of pupils. Each public school shall collect data on the discipline of pupils. Such data must include, without limitation, the number of expulsions and suspensions of pupils and the number of placements of pupils in another school. Such data must be disaggregated into subgroups of pupils and the types of offense. The principal of each public school shall:

1. Review the data and take appropriate action; and
2. Report the data to the board of trustees of the school district each quarter.

## NRS 392.472

Requirement to provide plan of action before expelling pupil; example plans of action; approval of plans of action; guidance document; regulations.

1. Except as otherwise provided in NRS 392.466 and to the extent practicable, a public school shall provide a plan of action based on restorative justice before expelling a pupil from school.
2. The Department shall develop one or more examples of a plan of action which may include, without limitation:
  - 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 team
  - A referral to appropriate community-based services; and
  - A conference with the principal of the school or his or her designee and any other appropriate personnel.
3. The Department may approve a plan of action based on restorative justice that meets the requirements of this section submitted by a public school.
4. The Department shall post on its Internet website a guidance document that includes, without limitation:
  - A description of the requirements of this section and NRS 392.462
  - A timeline for implementation of the requirements of this section and NRS 392.462 by a public school
  - One or more models of restorative justice and best practices relating to restorative justice
  - A curriculum for professional development relating to restorative justice and references for one or more consultants or presenters qualified to provide additional information or training relating to restorative justice; and
  - One or more examples of a plan of action based on restorative justice developed pursuant to subsection 2.
  - The Department shall adopt regulations necessary to carry out the provisions of this section.
5. As used in this section:
  - "Individualized education program team" has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(B).
  - "Restorative justice" means nonpunitive intervention and support provided by the school to a pupil to improve the behavior of the pupil and remedy any harm caused by the pupil.

## Introduction

Innovations International Charter School of Nevada has established the following Restorative Justice Policy in accordance with its Governing Body to address disciplinary infractions of students in virtual classrooms and in on-site disciplinary decisions. The plan has been developed in accordance with written rules of behavior prescribed in NRS 792.4644. It includes, without limitation, provisions designed to address the disciplinary needs and concerns of the school that align with the most integral framework elements of Restorative Justice practices.

## Restorative Disciplinary Practices

Restorative disciplinary practices are an alternative to exclusionary disciplinary practices or removal from the academic environment, instead, restorative disciplinary practices help students establish respect for one another, take responsibility for their actions and behaviors, repair the harm that their behavior may have caused, reestablish positive relationships, and reintegrate back into the school community. Each School Performance Plan shall include restorative disciplinary practices, a multi-tiered system of supports, and culturally inclusive teaching practices.

A restorative culture seeks to address the missing piece of teaching social-emotional and conflict-resolution skills by turning behaviors into learning opportunities. Accepting responsibility for behaviors and making right what has been wronged is the goal of a restorative learning community. As much as possible, students are responsible to their teachers for classroom expectations and behavior. When working within the classroom does not work, a student may be referred to the counselor for an intervention aimed at helping him/her make better choices. The ultimate goal is to ensure a supportive and stable learning environment while encouraging growth toward self-discipline, acceptance of responsibility, and appreciating the rights of others.

## Right to a High-Quality Education

All students have a right to a high-quality education in a safe learning environment. School disciplinary measures at Innovations will not be used to exclude students from school or deprive them of an education, unless it is necessary to preserve the safety of students and staff.

## General Principles

The goal of student discipline is to assist teachers and students with modifying and monitoring their behaviors in ways that contribute to academic achievement and school success. By integrating Restorative Practices, the school will seek to repair relationships that have been damaged, including those damaged through bullying. The emphasis will be to develop a strong learning community while managing conflict and tensions by repairing harm and building relationships. The five principles included in this process will be:

- Relationship
- Respect
- Responsibility

- Repair
- Reintegration

Successful school discipline is also guided by the following principles.

1. Effective and engaging instruction and classroom management are the foundations of effective discipline.
2. School discipline is best accomplished by preventing poor choices leading to misbehaviors before they happen while using effective and positive restorative practices to mitigate the situation.
3. School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students.
4. School staff promote high standards of behavior by teaching, modeling, and monitoring behavior while fairly and consistently correcting poor choices and misbehaviors as necessary.
5. School discipline paired with meaningful instruction and guidance offers students an opportunity to learn from mistakes and contribute to the school's community.
6. Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students are removed from classrooms due to poor choices and misbehaviors.

### Reasonable Consequences

Innovations will make every reasonable effort to correct student misbehaviors through restorative practices, positive behavioral rewards, and the use of a progressive discipline system. The use of these elements will enhance a positive school learning environment and avoid a negative behaviorally focused school. The majority of behavioral issues should be addressed at the classroom level by teachers. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

### Establishing Structures to Support Restorative Practices

#### 1. Role of Administration

Innovations' administration will play a lead role in implementing restorative practices at the school. These members have to be willing to work towards a strong belief in restorative practices and ensure this new approach to school-wide discipline becomes the expectation for dealing with student and/or staff behaviors. In order to implement and maintain restorative practices, a Behavior Team must be organized within the school members of this team may include the following:

- a. Administrator or designee
- b. Counselor
- c. Support Staff
- d. Educator
- e. Security
- f. Facilitator
- g. Other

## 2. Role of Behavior Team

The Behavior Team brings together the various supports that students might need and streamlines communication between educators, support staff, and administration. The Behavior Team meets frequently to review punitive and restorative discipline data and address concerning trends/needs. This team also helps develop individualized behavior plans for students of concern and communicate this plan/concern to parents/guardians. Questions of concern for the Behavior Team are:

- a. W/which students, addressing both individuals and larger demographics are being referred most often? What are the root causes? What supports can be offered?
- b. Which students, addressing both individuals and larger demographics are being referred that were not before? What are the root causes of this change in behavior? What supports can be offered?
- c. What are the rising behaviors seen throughout the school? What are the root causes? What is the plan to address this rising behavior?

## 3. Restorative Practices Coordinator

A restorative practices coordinator's responsibilities can be divided into three categories: (a) reactive restorative practices, (b) proactive and preventative restorative practices and (c) restorative practices training/professional development.

Reactive restorative practices phase involves the support of students and teachers the coaching, modeling, and debriefing to students and staff members when an incident involves action. The proactive and preventative practices phase is the time where the school climate is improved and further behavior issues are abated when possible. Finally, the professional development phase is the continued modeling, refining, and training/use of restorative practices so that a common school language and procedures are developed to produce meaningful restorative practices that validate and reshape poor behavior choices.

While it is suggested that the restorative practices coordinator be a full time staff member, it can also involve a team approach at Innovations involving:

- a. Administration
- b. Counseling
- c. Impact Team Leaders
- d. Social Workers
- e. Other

### Staff Training

Innovations is committed to ensuring all staff employed by the school are trained yearly in its progressive disciplinary process. Additionally, staff will receive extensive training in restorative practices and positive behavioral supports. Every classroom within the school shall make an annual allocation of professional development time to ensure that disciplinary programs are effective and relevant policies are utilized and enforced.

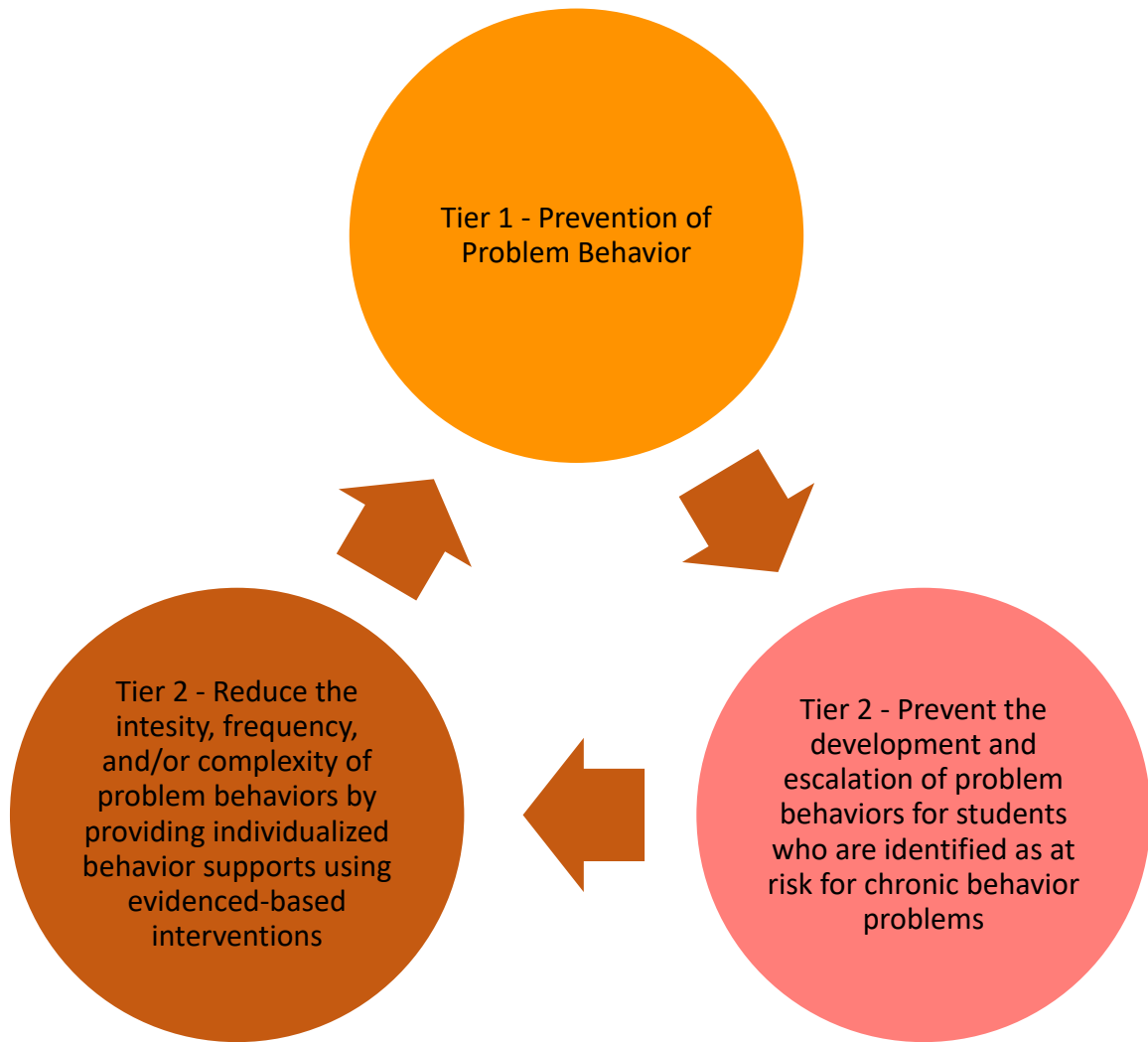
## **Multi-tiered Approach**

Innovations utilizes a multi-tiered instructional support model with a focus on positive, progressive disciplinary procedures to deter negative student behavior while empowering students to make appropriate behavior choices. If student behavior falls outside school wide expectations, state established behavioral guidelines will be used by school administrators to determine appropriate consequences and/or interventions for student behavioral violations.

In all instances, these guidelines may be modified contingent upon the level of severity of the incident and aligned with age, developmental level and other extenuating circumstances. Whenever possible and appropriate, Innovations will provide restorative disciplinary practices which include 1) holding a student accountable for his/her behavior; 2) restoration or remedies related to the behavior of the student; 3) relief for any victim of the student; and, 4) changing the behavior of the student.

In all circumstances, school administrators will make decisions based upon the health, safety, and welfare of all students. Decisions will be made regardless of real or perceived race, creed, religion, sex, sexual orientation, gender identity, economic status, and/or disability status with a focus on student success and their pathway to graduation.

## Three Tiers of Restorative Justice





## Expectations

The following are considerations for the school's approach to managing student behavior.

- Establish systematic school-wide structures and procedures for teachers and students to facilitate teaching and learning
- Encourage and engage students in managing their own behaviors to enhance the learning environment
- Minimize student behaviors that inhibit teaching and learning interactions
- Help students realize they are responsible for their own actions
- Help student to become accountable and responsible for their own actions and consequences for making poor choices
- Uphold the dignity and rights of every individual to help the school develop an academic atmosphere of mutual respect and trust that can be established and maintained by all
- Encourage students to demonstrate respect for self and others
- Encourage students to demonstrate courtesy to others
- Encourage students, parents, and staff members to behave in a responsible manner
- Expect that students will attend school and class regularly
- Expect that students will arrive prepared for class
- Motivate students to take seriously the course of study they select for College and Career Readiness
- Expect staff and students to follow the school's dress code
- Encourage students to cooperate with school staff, administration, and support staff
- Expect students, staff, and parents to respect other's property
- Avoid altercation and actions that violate the Student Code of Conduct or endanger the safety of others
- Encourage parent, community, staff, and student support through communication and through the support for the school's policies and procedures

Since Innovations' learning environment and culture encompass the Professional Learning Communities (PLC) philosophy, specific school-wide learner outcomes (SLOs) are expected. These are as follows:

- **All students are responsible for their own learning**
  - Students, with the help of the school's staff and their families will set priorities, plan, and work to achieve goals
  - Students will learn to monitor their own academic and behavioral outcomes
- **Understand that it is critical for all people to work together collaboratively**
  - Students and staff will demonstrate respect for other's feelings, ideas, abilities, and cultural diversities
  - Students and staff will work cooperatively to help and encourage each other to engage in the learning environment

- **Demonstrate critical thinking and problem solving**
  - Students and staff will work to consider that there are many ways to analyze and solve a problem
  - Students and staff will consistently work to evaluate information and solutions to problems developing the ability to transfer what they have learned to future issues that arise
- **Recognize and produce quality performance and outcomes**
  - Students and staff will identify characteristics of quality work and outcomes
  - Students and staff will set criteria for producing evidence of good behavior choices and academic achievement that meets or exceed IICSN expectations
- **Communicate effectively**
  - Students and staff will communicate effectively and clearly without accusatory or derogatory comments
  - Students and staff will communicate effectively and clearly through speaking, listening, and written expression
  - Students and staff will use appropriate forms of conversation to convey ideas and information for a variety of audiences and for a variety of purposes
- **Use a variety of technology effectively and ethically**
  - Students and staff will use appropriate technology for communication, collaboration, research, creativity, and problem solving
  - Students and staff will understand and respect the legal and ethical issues when accessing, managing and generating information from the Internet
  - Students and staff will understand and respect confidentiality issues and student safety taking into account the legal and ethical issues relating to social media

For each alleged infraction or violation of Innovations' student behavioral expectations, students are entitled to fairness, consistency, and due process. Parent/guardians are informed of the infractions and consequences, following the intervention and/or investigation by a school staff member. Parent/guardian cooperation and support in encouraging and redirecting his/her child's behavior to a more constructive and positive choice is integral to student achievement and behavior management. It is up to the school to inform the parent and to maintain a safe and secure learning environment to make this happen.

## **Interventions**

### 1. Types of Interventions

There are three types of intervention strategies available to teachers and administrators. See them outlined below.

- a. Administrative Strategies: these are statutory, rule-based, or contract-base interventions done "to" the offender. (ex: detention, suspension, expulsion)
- b. Restorative Strategies: are problem solving interventions done "with" the offender. They focus on the harm caused and how it will be repaired. Examples may be:

- a. Group work with the counselor
- b. Victim-offender mediation
- c. Classroom peace circles
- c. Therapeutic Strategies: are done 'by' the offender and require intrinsic motivational behavior change. Such interventions include:
  - a. Mental health counseling
  - b. Anger management classes
  - c. Informal mentoring and behavior coaching

## 2. Strategies in Utilizing Interventions

Innovations' teachers and administrators will be using different types of strategies, or multiple strategies simultaneously to deal with poor choices or misbehaviors. From a restorative justice standpoint, this multi-tiered intervention usage could be:

- a. **Investigation Phase:** soliciting stakeholders' interests and involvement in the event
- b. **Supervision Phase:** conferences with the victims and offenders to coordinate and collaborate what responsible members and leaders of a community do
- c. **Mediation Phase:** supports the healing process by bringing all members to use "I" statements to note the effect the incident had on all members while providing a chance for all members to mutually accept a responsibility for any harm committed
- d. **Restitution Phase:** the offender accepts accountability for the harm he/she caused to others with a 'payment' or good choice to be given to develop responsibility for his/her actions
- e. **Community Service Phase:** the offender is given an opportunity to make things right. Community service is meant to help develop a citizenship or participation-based experience to solve problems created by the offender so the behavior does not repeat itself.
- f. **Counseling Phase:** is an intervention with the counselor to discuss strengths and shortcomings to help make a connection to cause-effect relations and to setting and obtaining goals. This phase is meant to help prevent further poor choices and behaviors.

## **Assembly Bill 521 (Temporary removal of student)**

The Innovations International Charter School of Nevada's Discipline Plan provides for the temporary removal of a student from a classroom if, in the judgment of the teacher, 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.

Restorative Justice Discipline will be followed within the classroom as explained, and may include such things as: verbal warning, parent contact, restorative intervention, counselor referral, restorative action plan, and administrator's referral. If a student is removed by teacher, the administrator will explain to the student the reason for the removal and the student will have an opportunity to respond. The administrator will contact the parent within 24 hours. A temporary, alternative placement will be given to the student unless the student is suspended or expelled for disciplinary action. A suspension may be conducted in the form of online learning from home during a determined period of time to allow the student the ability to remain current with his/her academic work. An expulsion will follow the school's procedure of investigation,

suspension while in the midst of investigation, and then a presentation to Innovations' Governing Body the evidence collected while allowing the student and his/her parents to advocate the child's rights and thought process during the offense constituting expulsion. Expulsion may only be granted by the Governing Body.

A conference with the student, parent, administrator, and teacher will be held within three days of the incident. Since it was the teacher who requested the removal of the student, not the administrator, during the conference, the teacher must provide an explanation of the reasons for the removal request and the parent must be given an opportunity to respond. Upon completion of the conference, the administrator will recommend whether the student returns to the classroom or remains in alternative placement for additional time. If the administrator recommends that a student be returned to the classroom from which he/she was removed and the teacher who removed the student does not agree with the recommendation, the administrator shall continue with the temporary alternative placement and will immediately contact the Governing Body. The parent will be informed of the meeting.

The Governing Body will convene to review temporary alternative placement. If the committee membership includes the teacher who removed the student, that teacher shall not participate in the deliberation on that case. The Governing Body will review the circumstances of the student's removal and behavior. Based upon its review, the committee shall assess the best placement available for the student and shall, without limitation 1) Direct that the student be returned to the classroom from which he was removed; 2) Assign the student to another classroom; 3) Assign the student to an alternative form of instruction; 4) Recommend suspension or expulsion in accordance with NRS 392.467; or 5) Take any other appropriate disciplinary action against the student that the committee deems necessary.

## **Assembly Bill 14 – Students with Special Educational Needs**

If a student has a disability who is at least 11 years old and is participating in special education, the student may be suspended or expelled from school in the same manner as a student without a disability if the behavior is NOT a manifestation of his/her disability. This suspension or expulsion may occur only after the Governing Body has reviewed the circumstances and determined the action is in compliance with the Individuals with Disabilities Education Act (IDEA). Additionally, Part B of the Individual with Disabilities Education Act (IDEA) and established disciplinary procedures will be met when declaring a special education student, a Habitual Disciplinary Problem as well as reflect the changes outlined in AB 168 and SB 89.

The exemption to this may be in the case of possession of a firearm or dangerous weapon by a student. Suspension of a student with an IEP is limited to 1-5 days for each occurrence on misconduct. Only under extraordinary circumstances may a student with an IEP under the age of 11 be expelled. This exemption can be requested by Innovations International from its Governing Body.

The Individuals with Disabilities Education Act, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973, any other federal law applicable to children with disabilities, and the procedures adopted by the Governing Body will be reviewed for students with disabilities and/or participating in special education pursuant to NRS 388.440 to 388.520 to be removed under AB 168.

Battery or Sale/Distribution of Controlled Substances (NRS 392.466.1)

If a student with an IEP has committed battery of an Innovations employee, the employee may appeal the plan of action based on restorative justice if (1) the employee feels that any actions taken pursuant to that plan are inappropriate; and (2) the Governing Body has reviewed the circumstances and determined that the appeal is in compliance with Individuals with Disabilities Education Act (IDEA)

Possession of a Firearm or Dangerous Weapon (NRS 392.466.3)

A student with an IEP who is at least 11 years' old who is found to be in possession of a firearm or a dangerous weapon may be removed from the school immediately upon being given an explanation of the reasons for their removal and pending proceedings. A student with an IEP who is 10 years old or younger cannot be removed from school immediately; this age limitation does not apply to general education students.

## Innovations International Charter School of Nevada Restorative Action Plan

Student Name: \_\_\_\_\_ Student ID# \_\_\_\_\_

DOB: \_\_\_\_\_ Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

### Restorative Intervention and Explanation

Beginning on (date) \_\_\_\_\_ student will have weekly scheduled meetings with the Counselor and his/her Advocate (if applicable). The student may also request to meet with one of the above named adults at other times as needed.

### Social and Emotional Learning

Student will participate in mentorship and/or social skills small group intervention lessons tailored to his/her needs starting with a lesson on respect (towards self and others) on (date): \_\_\_\_\_.

Student will complete the assignment and participate in a debriefing with the Counselor and Dean of Students. This intervention was selected to intentionally help the student with self-awareness, self-management, social awareness, relationship skills, and responsible decision making. Students will need these skills to navigate life as successful adults.

### Reintegration by Accountability

On the following dates, \_\_\_\_\_, student participated in Restorative Conversations with the Counselor, Advocate, and Dean of Students to discuss the events leading up to the incident. Discussion will focus on how he/she was thinking and feeling at the time of the incident, who was impacted by the incident, and is needed to be done to make things right. Expectations for classroom behavior were clearly explained and the student had the opportunity to ask clarifying questions as necessary.

### Restoration by Healing and Repairing Harm

On (date) \_\_\_\_\_, student elected to write a letter of apology to the victim. The letter was sincere and addressed the situation thoroughly. The letter was shared with the victim on: \_\_\_\_\_

The student was offered the opportunity to sit with the victim to discuss the matter. Check one: \_\_\_\_\_ the victim declined at this time or \_\_\_\_\_ the victim accepted

The rules and expectations of behavior have been clearly explained to the student on (date) \_\_\_\_\_

Student has had the opportunity to reflect on their actions and see the impact his/her choices have had on the educational environment

Student has talked about alternative ways of handling a similar situation in the future and has developed a plan to be better prepared for days when he/she comes to school frustrated

Additionally, by providing the student with access to multiple staff members and opportunities to seek assistance, we are helping him/her to see that there are many people on campus who care about his/her success

We want to ensure the student knows that he/she can come to adults working within Innovations for help or assistance and that these adults can help him/her work through struggles

Seeking a Change in Placement (Circle One)    Yes    No

Provide justification for removal – what interventions or supports are needed that are not available at the current location.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_