

PROGRESSIVE DISCIPLINE
& RESTORATIVE JUSTICE PLAN

The Progressive Discipline and Restorative Justice Plan identifies prohibited conduct, progressive interventions, possible disciplinary consequences, and when a plan of action based on restorative justice will be developed in accordance with NRS Chapter 392.

Discipline decisions will be individualized based on age, disability status, factual circumstances, severity, safety considerations, prior interventions, and applicable due-process requirements. The school will strive to provide the best possible learning environment for all children.

Circumstances will be reviewed on a case-by-case basis to determine how best to address behavior.

Below is how sample behavior and recurring behavior issues may be handled, at administration's discretion on progressive approach based on the infraction, interventions, and potential consequences.

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INFRACTIONS, INTERVENTIONS, AND CONSEQUENCES

Grade Band	Type	Infractions	Intervention	Consequence
Kinder –2nd Grade	Type A	**Type A Behaviors: Including but not limited to:** • Violation of classroom rules • Unauthorized food, gum, etc. • Littering in unauthorized area • Disrespectful to peers (including swearing and obscene gestures) • Inappropriate items (toys, cards, etc.) • Failure to line up when bell rings • Dress code violations	**Classroom Teacher — First Incident** • Verbal warning **Second Incident** • Discussion with student • Parents notified by teacher via email **Third Incident** • Referral to Administration **Administration — Third Incident** • Contact Parent/Guardian via phone or email • Behavior recorded in Infinite Campus • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day **Fourth Incident** • Move to Level B	**First Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships • Increase positive reinforcement for demonstrating HERD behavior **Second Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships (community circle, etc.) • Use effective language statement and restorative questions in discussion (see examples below) • Increase positive reinforcement for demonstrating HERD behavior **Third Incident (Administration)** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their plan to change their behavior in the future, write a letter of apology, beautify the campus, etc.)

Grade Band	Type	Infractions	Intervention	Consequence
Kinder –2nd Grade	Type B	**Type B Behaviors: Including but not limited to:** • Fourth Incident Type A Behavior • Lying, Cheating • Getting into someone else's personal property including locker, backpack, lunch box, etc. • Chronic disruption of class • Throwing food • Display of gang writings, symbols, etc. • Unacceptable language • Continually unprepared for class • Rough play (wrestling) • Bullying • Failure to keep hands and feet to self with peers • Excessive OR Unwanted Physical contact (hugging, kissing, etc.) • Failure to serve detention • Bathroom horseplay	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Contact Parent/Guardian via phone or email • Behavior recorded in IC • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day • On a case by case basis a Plan of Action Based on Restorative Justice / Restorative Action Plan (RAP) (see outline below) may be appropriate. Upload in IC. • Follow up on the RAP if implemented **Second Incident** • Develop an RAP, upload in IC • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Third Incident** • Move to Level C	**Administration — First Incident** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their plan to change their behavior in the future, write a letter of apology, beautify the campus, etc.) • Implement Restoration by Repairing Harm action steps in the RAP if implemented (see Repairing Harm action steps below) **Second Incident** • Implement Restoration by Repairing Harm action steps in the RAP, upload in IC • Possibly assign lunch detention or loss of recess with Administration

Grade Band	Type	Infractions	Intervention	Consequence
Kinder –2nd Grade	Type C	**Type C Behaviors: Including but not limited to:** • Repeated violations of Type B Behaviors • Cause or threaten to cause bodily injury to another (fighting) or the school or its occupants • Possession of a dangerous item (lighter, etc.) • Possession of tobacco or smoking • Damage to school or private property • Disrespect/ impertinence/ defiance to authority • Extortion • Lewd, indecent, offensive conduct/sexual harassment • Stealing/ Possession of stolen property	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Conference with parent/guardian • Develop an RAP upload in IC • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Second Incident** • Move to Level D	**Administration — First Incident** • Conference with parent/guardian • Implement Restoration by Repairing Harm action steps in the RAP • Possibly assign lunch detention or loss of recess with Administration

Grade Band	Type	Infractions	Intervention	Consequence
Kinder –2nd Grade	Type D	**Type D Behaviors: Including but not limited to:** • Repeated violations of Type C Behaviors • Possession/ furnishing a weapon (knife, firearm, explosive, replica, etc.) • Brandishing a weapon at another person • Possession/ furnishing of any controlled substance, alcohol, or tobacco • Under the influence of a controlled substance • Arson/Robbery • Chronic defiance not modified by previous progressive discipline • Assault/battery upon any school employee	**Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Notify law enforcement when required by law or when facts indicate a suspected criminal act or safety threat • Conference with parent/guardian • Suspension or expulsion • Develop an RAP prior to reentry. Upload in IC. • Assist with classroom reentry • Follow-up on RAP	**Administration — First Incident** • Implement Restoration by Repairing Harm action steps in RAP • Possible expulsion

Grade Band	Type	Infractions	Intervention	Consequence
3rd–5th Grade	Type A	**Type A Behaviors: Including but not limited to:** • Violation of classroom rules • Unauthorized food, gum, etc. • Littering in unauthorized area or no hall pass • Disrespectful to peers (including swearing and obscene gestures) • Inappropriate items (toys, cards, etc.) • Failure to line up when bell rings • Failure to keep hands and feet to self with peers • Dress code violations	**Classroom Teacher — First Incident** • Verbal warning **Second Incident** • Discussion with student • Parents notified by teacher via email • In some circumstances a referral to Administration may be appropriate **Third Incident** • Referral to Administration **Administration — Third Incident** • Contact Parent/Guardian via email or phone • Behavior recorded in IC • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day • On a case by case basis a Plan of Action Based on Restorative Justice / Restorative Action Plan (RAP) (see outline below) may be appropriate. Upload in IC • Follow up on the RAP if implemented **Fourth Incident** • Move to Level B	**First Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships • Increase positive reinforcement for demonstrating HERD behavior **Second Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships (community circle, etc.) • Use effective language statement and restorative questions in discussion (see examples below) • Increase positive reinforcement for demonstrating HERD behavior **Third Incident (Administration)** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their behavior in the future, write a letter of apology, beautify the campus, etc.) • Implement Restoration by Repairing Harm action steps in the RAP if implemented (see Repairing Harm action steps below). Upload in IC • Possibly assign lunch detention or loss of recess with Administration

Grade Band	Type	Infractions	Intervention	Consequence
3rd–5th Grade	Type B	**Type B Behaviors: Including but not limited to:** • Fourth Incident Type A Behavior • Lying, Cheating • Getting into someone else's personal property including locker, backpack, lunch box, etc. • Chronic disruption of class • Throwing food • Display of gang writings, symbols, etc. • Unacceptable language • Continually unprepared for class • Rough play (wrestling) • Bullying • Failure to keep hands and feet to self with peers • Excessive or Unwanted Physical contact (hugging, kissing, etc.) • Failure to serve detention • Bathroom horseplay	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Contact Parent/Guardian via phone or email • Behavior recorded in IC • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day • On a case by case basis a Plan of Action Based on Restorative Justice / Restorative Action Plan (RAP) (see outline below) may be appropriate. If it is appropriate for a student to be excluded from class for more than 20 minutes or miss a recess/lunch break an RAP must be developed. • Follow up on the RAP if implemented **Second Incident** • Develop an RAP, upload in IC • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Third Incident** • Move to Level C	**Administration — First Incident** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their plan to change their behavior in the future, write a letter of apology, beautify the campus, etc.) • Implement Restoration By Repairing Harm action steps in the RAP if implemented (see Repairing Harm action steps below) Upload in IC • Possibly assign lunch detention, or loss of recess, or in-school suspension with Administration **Second Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Assign in-school or out-of-school suspension

Grade Band	Type	Infractions	Intervention	Consequence
3rd–5th Grade	Type C	**Type C Behaviors: Including but not limited to:** • Repeated violations of Type B Behaviors • Cause or threaten to cause bodily injury to another (fighting) or the school or its occupants • Possession of a dangerous item (lighter, etc.) • Possession of Tobacco, vaping, or smoking • Damage to school or private property • Disrespect/ impertinence/ defiance to authority • Extortion • Lewd, indecent, offensive conduct/sexual harassment • Stealing/ Possession of stolen property	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Conference with parent/guardian • In School suspension • Develop an RAP • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Second Incident** • Move to Level D	**Administration — First Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Assign in-school or out-of-school suspension

Grade Band	Type	Infractions	Intervention	Consequence
3rd–5th Grade	**Type D**	**Type D Behaviors: Including but not limited to:** • Repeated violations of Type C Behaviors • Possession/ furnishing a weapon (knife, firearm, explosive, replica, etc.) • Brandishing a weapon at another person • Possession/ furnishing of any controlled substance, alcohol, or tobacco • Under the influence of a controlled substance • Arson/Robbery • Chronic defiance not modified by previous progressive discipline • Assault/battery upon any school employee	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Notify law enforcement when required by law or when facts indicate a suspected criminal act or safety threat • Conference with parents/guardians • Suspension or expulsion • Develop an RAP prior to reentry. Upload in IC. • Assist with classroom reentry • Follow-up on RAP	**Administration — First Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Possible suspension or expulsion

Grade Band	Type	Infractions	Intervention	Consequence
6th–12th Grade	Type A	**Type A Behaviors: Including but not limited to:** • Violation of classroom rules • Unauthorized food, gum, etc. • Littering in unauthorized area • Disrespectful to peers (including swearing and obscene gestures) • Inappropriate items (CD player, toys, cards, etc.) • Failure to line up when bell rings or being tardy from lunch • Failure to keep hands and feet to self with peers • Dress code violations • Bathroom horseplay	**Classroom Teacher — First Incident** • Verbal warning **Second Incident** • Discussion with student • Parents notified by teacher via email • In some circumstances a referral to Administration may be appropriate **Third Incident** • Referral to Administration **Administration — Third Incident** • Contact Parent/Guardian via email or phone • Behavior recorded in IC • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day • On a case by case basis a Plan of Action Based on Restorative Justice / Restorative Action Plan (RAP) (see outline below) may be appropriate. Upload in IC • Follow up on the RAP if implemented **Fourth Incident** • Move to Level B	**First Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships • Increase positive reinforcement for demonstrating HERD behavior **Second Incident (Classroom Teacher)** • Follow classroom behavior management plan with a focus on relationships (community circle, etc.) • Use effective language statement and restorative questions in discussion (see examples below) • Increase positive reinforcement for demonstrating HERD behavior **Third Incident (Administration)** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their behavior in the future, write a letter of apology, beautify the campus, etc.) • Implement Restoration by Repairing Harm action steps in the RAP if implemented (see Repairing Harm action steps below). Upload in IC • Possibly assign lunch detention or loss of recess with Administration

Grade Band	Type	Infractions	Intervention	Consequence
6th–12th Grade	Type B	**Type B Behaviors: Including but not limited to:** • Fourth Incident Type A Behavior • Lying, Cheating • Getting into someone else's personal property including locker, backpack, lunch box, etc. • Frequent Tardiness • Chronic disruption of class • Throwing food • Display of gang writings, symbols, etc. • Unacceptable language • Continually unprepared for class • Rough play (wrestling) • Bullying • Excessive or Unwanted Physical contact (hugging, kissing, etc.) • Failure to serve detention • Bathroom horseplay	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Contact Parent/Guardian via phone or email • Behavior recorded in IC • Allow a "cooling off period" for both the student, teacher, and/or class if appropriate • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Support the student and teacher by following up during the school day • On a case by case basis a Plan of Action Based on Restorative Justice / Restorative Action Plan (RAP) (see outline below) may be appropriate. If it is appropriate for a student to be excluded from class for more than 20 minutes or miss a recess/lunch break an RAP must be developed. • Follow up on the RAP if implemented **Second Incident** • Develop an RAP, upload in IC • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Third Incident** • Move to Level C	**Administration — First Incident** • Discuss behavior with students using effective language statements and restorative questions. • Implement a restorative consequence (practice an appropriate apology including their plan to change their behavior in the future, write a letter of apology, beautify the campus, etc.) • Implement Restoration by Repairing Harm action steps in the RAP if implemented (see Repairing Harm action steps below) Upload in IC • Possibly assign lunch detention, or loss of recess, or in-school suspension with Administration **Second Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Assign in-school or out-of-school suspension

Grade Band	Type	Infractions	Intervention	Consequence
6th–12th Grade	Type C	**Type C Behaviors: Including but not limited to:** • Repeated violations of Type B Behaviors • Cause or threaten to cause bodily injury to another (fighting) or the school or its occupants • Possession of a dangerous item (lighter, etc.) • Possession of tobacco or smoking • Damage to school or private property • Disrespect/ impertinence/ defiance to authority • Extortion • Lewd, indecent, offensive conduct/sexual harassment • Stealing/ Possession of stolen property	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Conference with parent/guardian • In School Suspension • Develop an RAP • Assist with classroom reentry (deliver letter of apology, facilitate a verbal apology to those impacted, etc.) • Follow-up on RAP **Second Incident** • Move to Level D	**Administration — First Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Assign in-school or out-of-school suspension

Grade Band	Type	Infractions	Intervention	Consequence
6th–12th Grade	Type D	**Type D Behaviors: Including but not limited to:** • Repeated violations of Type C Behaviors • Possession/ furnishing a weapon (knife, firearm, explosive, replica, etc.) • Brandishing a weapon at another person • Possession/ furnishing of any controlled substance, alcohol, or tobacco • Under the influence of a controlled substance • Arson/Robbery • Chronic defiance not modified by previous progressive discipline • Assault/battery upon any school employee	**Classroom Teacher — First Incident** • Referral to Administration **Administration — First Incident** • Conduct a search only when legally justified under the Searches of Students policy; use a witness and same-sex staff member when required or practicable. • Notify law enforcement when required by law or when facts indicate a suspected criminal act or safety threat • Conference with parents/guardians • Suspension or expulsion • Develop an RAP prior to reentry. Upload in IC. • Assist with classroom reentry • Follow-up on RAP	**Administration — First Incident** • Implement Restoration by Repairing Harm action steps in the RAP • Possible expulsion

RESTORATIVE DISCIPLINE

Restorative Practice for Offending Student

When students make poor decisions or demonstrate unacceptable behaviors, the administration will implement a Restorative Action Plan for the student in addition to progressive disciplinary consequences as needed. This is based on the infraction and its severity, student discipline history, the effect on campus safety & culture, and the remorsefulness of the offender.

If future offenses are committed by the same student, actions may be implemented, including, but not limited to, the following:

- Increased Amount of Restorative Practices
- Restorative Action Plan (revision based on behavior)
- Behavior Development Plan
- Community Intervention Plan
- Behavior Contract
- Discipline Committee Review

These plans focus on interventions which provide the student with community support, socioemotional learning support, building accountability, and repairing harm done to the victim(s). This opportunity allows the offending student to reflect on the poor decision made and make the choice to improve.

It is important to note that common sense and good judgment will prevail in all cases. Oasis Academy students are expected to show respect for themselves and others. Students are expected to behave in ways that are acceptable to classmates and conducive to learning. Behavior can be generally corrected when parents and teachers work together. Continued disregard for school rules is a key factor for including progressive consequences. Restorative action is also commensurate with the severity of the offense.

Administration will determine ordinary disciplinary responses consistent with this policy and applicable law. Significant suspension, expulsion, and permanent expulsion remain subject to the hearing, appeal, governing-body review, and special-population requirements stated in this policy and NRS Chapter 392. If administration determines that a restorative conference is not practicable, not appropriate for the victim or impacted party, or insufficient to address safety or serious misconduct, other restorative interventions and progressive discipline may be imposed as allowed by law.

If the student continues to exhibit disruptive, dangerous, defiant, or otherwise undesired behavior and/or the student violates their Restorative Action Plan, parents must come to campus and attend a Required Parent Conference. The conference may include members of the Restorative Justice Team, members of the leadership team, the parent(s)/guardian(s), and the student.

Oasis Academy's Restorative Action Plan Template is included below:

OASIS ACADEMY'S RESTORATIVE ACTION PLAN (RAP)

Overview

Restorative practices should be offered in a manner that is voluntary for impacted parties and developmentally appropriate for the student. A student may be expected to participate in school-assigned reflection, skill-building, accountability, and reintegration activities; however, a victim or impacted party is not required to participate in a restorative conference or direct apology. If a student declines or does not complete a restorative component, administration may use other appropriate interventions and progressive discipline consistent with NRS Chapter 392, the student's rights, and the facts of the incident.

Student Information

- **Date:**
- **Student Name:**
- **DOB:**
- **Grade:**
- **Parent/Guardian(s):**
- **Discipline Administrator:**
- **Other People Present in the Meeting:**
- **Meeting Date, Time & Location:**

Restorative Interventions and Explanation

Support by Community

- Starting on **[date]**, **[student name]** will have weekly check-ins with **[staff name]**, **[staff position]**. The student can also request to meet with **[second staff]** at other times as needed.
- **Goal:** To build, strengthen, and restore relationships on campus, providing the student with a voice, respect, and acceptance.

Support by Social & Emotional Learning (SEL)

- **[Student]** will participate in **[SEL activity]** tailored to their needs, beginning with a lesson on respect (for others and themselves) on **[date]**. The student will complete an assignment and debrief with **[staff name]**.
- **Goal:** To teach self-awareness, self-management, social awareness, relationship skills, and responsible decision-making, essential for navigating life as successful adults.

Reintegration by Accountability

- On **[date]** and **[date]**, **[student]** participated in **[restorative justice practice]** with **[staff name]** to discuss the incident, their feelings, the impact on others, and steps to make amends.
- **Goal:** To set high expectations and support students in repairing and learning from their actions.

Restoration by Healing and Repairing Harm

- On **[date]**, **[student]** wrote a sincere letter of apology to the victim, thoroughly addressing the situation. The letter was shared with the victim.
- **Option for Discussion: [Student]** was offered the chance to meet with the victim. **[Write Outcome, e.g., victim/student declined at this time.]**
- **Goal:** To identify and address the needs of all parties involved, rebuild relationships, and provide opportunities for reflection and healing.

Integration of Interventions

The interventions are designed to support **[student]** in being successful. The rules and expectations have been clearly explained, allowing the student to reflect on their actions and understand their impact on the educational environment. **[Student]** has discussed alternative ways to handle similar situations and has developed a plan for managing frustrations. Access to multiple staff members will help the student see that there are many people on campus who care about their success.

Progressive Discipline

Students may face progressive discipline alongside this RAP based on the severity of the offense, history, and administrator's discretion. Possible interventions for future re-offenses include:

- Behavior Development Plan / Behavior Contract
- Suspension

If a student refuses to sign or participate in the RAP, progressive discipline will be enforced at the school leadership's discretion, considering the incident, its severity, and past behavior. This may include:

- Detention
- In-School Suspension (length TBD)
- Out-of-School Suspension (length TBD)
- Expulsion Review

Comments or Concerns:
Student:

Parent/Guardian:

Acknowledgment

The following parties have read, acknowledged, and agreed to the above Restorative Action Plan.

- **Student Signature: _____ Date: _____**
- **Parent/Guardian Signature: _____ Date: _____**
- **Administrator Signature: _____ Date: _____**

RELIEF FOR VICTIMS

The victim shall report any retaliatory behavior and any improper communication directed at the victim. Oasis Academy shall be available for the care and support for the victim's wellbeing. The following are potential steps to be taken:

1. The necessary staff members will be apprised of the situation and will make every effort to provide support.

2. Any school staff who witness or are otherwise made aware of any harassing, intimidating, cyberbullying, bullying, or retaliatory behavior directed toward the student will intervene immediately and will report such behavior to the administrator.

3. A teacher will be designated as the student's primary point of contact (trusted adult) on staff.

4. A leadership administrator or student support staff member will meet with the student as much as needed, even daily.

If a pupil is the victim of a violent offense while at school, or on the grounds of the school in which the pupil is enrolled, that pupil must be offered the choice to attend another public school, including, without limitation, a charter school consistent with NRS 392.017.

PROHIBITED CONDUCT

Committing, participating in, or unlawfully attempting any of the following activities or acts in school buildings or on school property is prohibited and may constitute cause for disciplinary action. In addition, students at school-sponsored off-campus events and those using Oasis Academy-sponsored transportation shall be governed by the policies, rules, regulations, and procedures established in policy. Any criminal act shall be reported at once to the local police or sheriff's office. The student's parent(s) or guardian(s) shall also be notified, if possible. The school will take disciplinary action, whether or not criminal charges result.

CRIMINAL OFFENSES (As defined in applicable statutes or ordinances)

Violations of local, state, or federal laws shall be enforced on school properties or at activities sponsored by Oasis Academy. Examples of such laws are indicated below:

- **ALCOHOL:** The possession, sale, and furnishing of alcoholic beverages.
- **ARSON:** The intentional setting of fire.
- **ASSAULT:** Physical or verbal threats with the intent and the ability to carry them through.
- **BATTERY:** An unconsented touching or application of force to another person.
- **BOMB THREAT/FALSE:** Willfully conveying by mail, written notes, telephone, telegraph, radio, or any other means of communication any threat, knowing it to be false.
- **BURGLARY:** Illegal entry with the intent to commit a crime.
- **DESTRUCTION OF PROPERTY:** Willfully and maliciously destroying or injuring the real or personal property of another.
- **DISTURBING THE PEACE:** Maliciously and willfully disturbing the peace of any person; maliciously and willfully interfering with or disturbing persons in the school.
- **EXPLOSIVE DEVICES:** The possession of explosive or incendiary devices.
- **FALSE FIRE ALARMS:** False reporting of, or transmission of, a signal knowing it to be false.
- **FIREWORKS:** The possession, sale, furnishing, use, or discharge of fireworks.
- **INDECENT EXPOSURE:** An open indecent or obscene exposure of oneself or another person.
- **LARCENY:** Stealing, taking, or carrying away the property of another.
- **LIBEL:** A malicious defamation expressed to impeach a person's honesty, integrity, virtue, or reputation.
- **MARIJUANA:** The possession, sale, or furnishing of marijuana.
- **NARCOTICS:** The possession, sale, or furnishing of a controlled substance.
- **NARCOTICS PARAPHERNALIA:** The possession, sale, furnishing, or use of narcotics paraphernalia.
- **RESISTING OFFICER:** Willfully resisting, delaying, or obstructing an officer in the performance of duty.
- **ROBBERY:** The unlawful taking of personal property from another person or in their presence, against their will, by means of force, violence, or fear of injury.
- **ROUT/RIOT:** Two or more persons meeting to do an unlawful act or two or more persons actually doing an unlawful act with or without a common cause of quarrel.

- **STOLEN PROPERTY:** Receiving or possessing property of another, knowing or under such circumstances as would cause a reasonable person to know it was so obtained.
- **TAMPERING WITH MOTOR VEHICLES:** Willfully breaking, injuring, tampering with, removing parts from, or defacing a vehicle; without the consent of the owner, climbing into or upon a vehicle with intent to injure; manipulating any levers while the vehicle is at rest or unattended, or setting the vehicle in motion.
- **THROWING SUBSTANCE AT VEHICLE:** To throw any stone, rock, missile, or any substance at any motorbus, truck, or other motor vehicle.
- **TRESPASS:** To be upon the property of another without the permission of the owner and to stay upon the same after warning. To be on school property or at a school function while under suspension from school.
- **WEAPONS:** Brandishing any knife, blackjack, slingshot, billy, sand club, sandbag, metal knuckles, explosive substance, dirk, dagger, pistol, revolver, or other firearm, or other deadly weapon in a rude, angry, or threatening manner, or using the same in any fight or quarrel.
    - **Concealed:** It is unlawful for any person to carry any weapon commonly known as a knife, blackjack, slingshot, billy, sand club, sandbag, metal knuckles, explosive substance, dirk, dagger, pistol, revolver, or other firearm, or other dangerous weapon. For the purpose of this section, nunchakus are included herein.
    - **Possession:** It is unlawful for any person to possess any weapon commonly known as a knife, blackjack, slingshot, billy, sand club, sandbag, metal knuckles, explosive substance, dirk, dagger, pistol, revolver, or other firearm, or other dangerous weapon.

      Violation of other federal or state criminal laws or local ordinances at school, at school-sponsored activities, or on school-sponsored transportation is prohibited.

OASIS ACADEMY OFFENSES

The following non-criminal activities may also lead to disciplinary action. Generally, these are acts that disrupt and interfere with the educational process or with the rights of other members of the educational community.

- **ALCOHOLIC BEVERAGES:** Being on campus, on school-sponsored transportation, or at a school-sponsored activity after having consumed an alcoholic beverage.
- **BULLYING:** "Bullying" means written, verbal, or electronic expressions or physical acts or gestures, or any combination thereof, that are directed at a person or group of persons, or a single severe and willful act or expression that is directed at a person or group of persons.
- **DISOBEDIENCE, INSOLENCE, AND INSUBORDINATION:** Students must obey the instructions of school personnel.
- **DISRUPTIVE CONDUCT:** Conduct that interferes with the educational process. Serious situations may be handled under criminal sanctions.
- **FIGHTING.**
- **FORGING OR USING FORGED PASSES, EXCUSES, OR OTHER SCHOOL DOCUMENTS.**

- **GUM CHEWING AND EATING FOOD AT INAPPROPRIATE TIMES OR IN INAPPROPRIATE PLACES AS DETERMINED BY THE ADMINISTRATOR.**
- **HAZING:** Any act that forces another student to undergo a humiliating or abusive ordeal, as in initiations.
- **ILLEGAL SUBSTANCE:** Being on campus, on school-sponsored transportation, or at a school-sponsored activity after having used an illegal substance.
- **INAPPROPRIATE DRESS AND APPEARANCE:** Dress and appearance must not present potential health or safety problems or cause disruptions.
- **MISCONDUCT ON SCHOOL VEHICLES:** Any action that creates a safety hazard or distracts the attention of the driver.
- **PLAGIARISM AND CHEATING**.
- **POSSESSION AND USE OF TOBACCO, CIGARETTES, VAPES/eCigarettes, CHEW, ETC., ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY.**
- **PROFANITY:** Use of vile or indecent language.
- **RADIO PAGERS (BEEPERS) AND PORT ABLE PHONES:** Students may possess or use electronic signaling devices, including but not limited to pagers, beepers, and cellular/ digital telephones, provided that the use of such devices is confined to areas outside school buildings—before and/or after school hours or during lunch break. Electronic signaling devices shall not be carried into classrooms during assessments, semester exams, or other testing situations. Teachers may collect all electronic signaling devices at the beginning of each class period. Devices will be off or in silent mode at this time. Outside of the school instructional hours or during school activities, electronic signaling devices may be carried in the "vibrate" or "silent ringer" notification mode.
- **SEXUAL HARASSMENT:** A student should not be sexually harassed, discriminated against, denied a benefit, or excluded from participation in any OASIS ACADEMY educational program or activity as guaranteed by Title IX of the Educational Amendments of 1972. Sexual harassment is defined as the verbal or physical conduct of a sexual nature, imposed on the basis of sex, by an employee or agent of the school or by a student of the school. No student shall be denied or limited to the provision of aid, benefits, services, or treatment protected under Title IX.
- **SPREADING FALSE OR UNSUBSTANTIATED INFORMATION IN WRITING OR VERBALLY ABOUT A PERSON AND HARMING HIS/HER REPUTATION.**
- **TRAFFIC VIOLATIONS ON SCHOOL GROUNDS.**
- **TRUANCY:** Being absent from school without a valid excuse acceptable to the administrator.
- **GANG ACTIVITY:** As set forth in policy relating to GANGS.

Legal Reference: NRS 392.461 to 392.464

SUSPENSIONS; TYPES OF SUSPENSIONS; SPECIAL CONDITIONS

Suspension is the temporary removal of a student from school or from school-sponsored activities. Students may be suspended for the following reasons:

1. Violation of any state law or local ordinance in a school building, on school grounds, or at a school-sponsored activity. Examples of these violations are listed in the section of this manual titled prohibited conduct.
2. Violation of rules, policies, and procedures established for Oasis Academy as outlined in this manual. Examples of these violations are listed in the section of this manual titled prohibited conduct.
3. Student actions or inactions at school or at a school-sponsored activity that disrupt, interfere with, or pose a threat to the educational program, other students, staff, visitors, or the student personally.
4. As a step in the progressive discipline policy.

The primary purpose of suspension is to give the student, his or her parent(s) or guardian(s), and the school the time needed to resolve a problem. The duration of suspension is related to a course of action designed to resolve the problem.

Types of Suspension:

1. **Emergency Suspension:** The administrator, or his or her designee, may suspend any student whose conduct is determined to be a clear threat to the physical safety of others or to the property interests of others or is so extremely disruptive as to make the student's temporary removal necessary to preserve the right of the other students to pursue an education.
2. **Significant Suspension:** For purposes of this policy, a suspension of three (3) or more consecutive school days is treated as a significant suspension and must follow the applicable notice, education-service, appeal, and hearing procedures. A suspension exceeding ten (10) school days may trigger additional due-process and, for students with disabilities, change-of-placement analysis.
3. **Minor Suspension:** A student may be removed from school and/or from interscholastic activities for no more than two (2) consecutive school days by the administrator. Suspensions of three (3) or more consecutive school days should be treated as significant suspensions for purposes of this policy.
4. **In-School Suspension:** A student may be removed from his or her classes and all school activities for no more than ten (10) days, and during the term of the In-School Suspension, the student will remain in a separate supervised area of the school on-campus. The primary intention of this action is to gain cooperation from the student's parent(s) or guardian(s) and to isolate the student from all regular academic and social activities and correct the behavior. If this action seems warranted after an investigation and after consultation with the parent(s) or guardian(s), the administrator, or his or her designee, shall take action.

SUSPENSION OF TEN DAYS OR LESS

A pupil may be removed from school immediately for any of the following reasons:

1. Posing a continuing danger to persons or property,
2. Posing an ongoing threat of disrupting the academic process,
3. Selling or distributing any controlled substance, or
4. Being found in possession of a dangerous weapon as provided in NRS 392.466.

When a student is removed for any of these reasons, the student shall be given an explanation of the reasons for his or her removal. The student shall also be given an explanation of pending proceedings, which will be conducted as soon as practicable after removal, for his or her suspension or expulsion.

In all other cases involving suspension, the administrator shall:

1. Tell the student you are meeting with him or her to investigate allegations that the student has violated laws, rules, state Oasis Academy policies, or the school's policies.
2. Tell the student the specific laws, rules, or policies that are alleged to have been violated and that, if the evidence supports the allegations, there will be consequences up to and including suspension from school. Ask if he or she understands the allegations.
3. Explain to the student the evidence you have regarding the alleged violations.
4. Ask the student if he or she admits or denies the allegations. If the student admits to violations, assign appropriate consequences. If the student denies the allegations, give him or her the chance to explain and present his or her side of the story. The administrator will consider the student's explanation and, if deemed appropriate, may investigate the matter further. (This does not mean that the student can secure counsel, confront, and cross-examine witnesses, or call witnesses on his or her behalf to present his or her case.)
5. After hearing the student's explanation and evidence, the administrator should determine if he or she needs more information and, if so, obtain it before making a decision. If not, the administrator should determine what, if any, violations exist and assign appropriate consequences.
6. If the student has a behavior plan, the administrator should review the plan with the student. If the student does not have a behavior plan and is subject to the habitual discipline statute (NRS 392.4655), then a behavior plan may be written.
7. If suspension is appropriate, the administrator shall notify the student that he or she will be suspended for (number of days) commencing (starting date).
8. The administrator shall notify the parents of the suspension as soon as possible by phone or in person and follow up that notification with a letter, which will be placed in the student's file.

SPECIAL CONDITIONS OF SUSPENSION:

1. A student may not participate in extracurricular activities during the term of his or her suspension.
2. Suspensions may be reflected in the student's class citizenship or school citizenship grade under critical life skills.
3. Notations of suspensions from school will be made in the student's cumulative folder.
4. Schoolwork missed due to suspensions lasting 10 days or less may be made up through the completion of make-up work in the manner described in the section of these policies titled ATTENDANCE, ABSENCES, TRUANCY AND MAKE-UP WORK. Any work that cannot be made up, or is not made up, will result in the lowering of the academic grade for the grading period and may result in loss of credit.

Suspension is the temporary removal of a student from school or from school-sponsored activities. Students may be suspended, depending on analysis of the behaviors, for:

1. Violation of any state law or local ordinance in a school building, on school grounds, or at a school-sponsored activity.

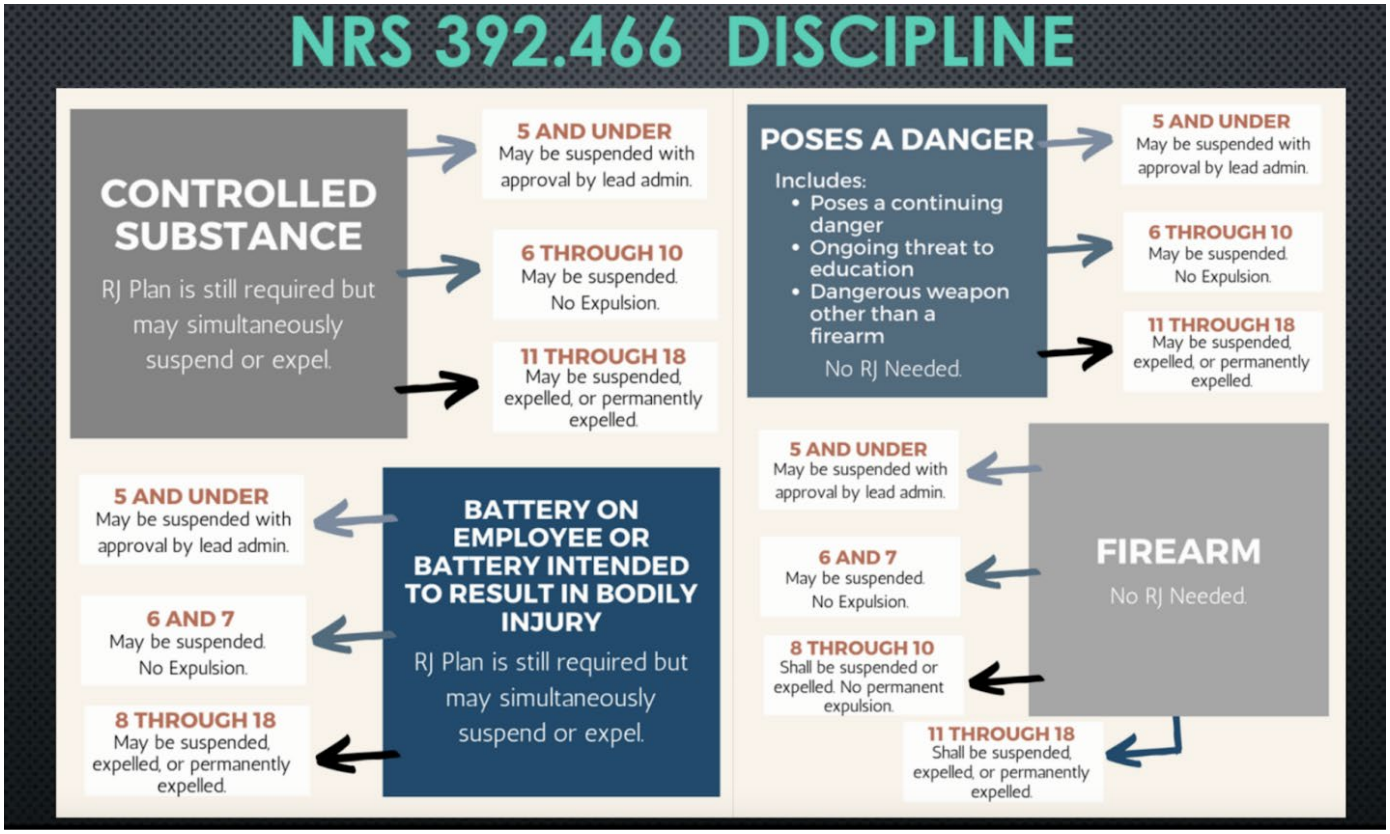
2. Violation of rules, policies, and procedures established and outlined in this manual.

3. Student actions or inactions at school or a school-sponsored activity that disrupt, interfere with, or pose a threat to the educational program, other students, staff, visitors, or the student personally.

The primary purpose of minor and significant suspensions is to give the student, his/her parent(s) or guardian(s), and the school the time needed to resolve a problem. The duration of suspension is related to a course of action designed to resolve the problem.

The primary intention of this action is to gain cooperation with the student's parent(s) or guardian(s) and to isolate the student from all regular academic and social activities. If this action seems warranted after an investigation and after consultation with the parent(s) or guardian(s), the administrator, or his or her designee, may take further action.

Under Nevada law (NRS 392.466) age restrictions apply, as noted in the below table:



NRS 392.472 provides a requirement of a Plan of Action based on Restorative Justice.

For all offenses not in the previous table, a Plan of Action Based on Restorative Justice must be implemented and failed prior to suspending or expelling.

NRS 392.4645 provides for temporary removal from a classroom when, in the teacher's judgment, the

pupil's behavior seriously interferes with the teacher's ability to teach or other pupils' ability to learn. The administrator must explain the reason for removal to the pupil, provide an opportunity to respond, notify the parent or legal guardian within 24 hours, and determine the appropriate placement or disciplinary process. Restorative supports should be considered after removal unless an immediate safety-based or statutory discipline procedure applies.

In the cases where student safety is of concern, the board designates the senior administrator on site to review the circumstances and approve short term suspension until the required parent conference and PBIS, Trauma Informed Practices, and/or Restorative Practices can be put in place.

Accordingly, suspension or expulsion of students in Oasis Academy will occur only in compliance with all state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, as applicable. When city, state or federal laws have been violated, a referral will be made to the proper legal authorities.

Additionally, Oasis Academy will provide restorative justice intervention and action plan prior to the expulsion or removal of a student for infractions, to the extent practicable.

For purposes of habitual-disciplinary-problem notice/counting and this policy's significant-suspension procedures, a suspension of three (3) or more consecutive school days is treated as a significant suspension. Shorter removals should be documented separately.

Habitual Disciplinary Problem

If a student has been suspended from Oasis Academy, school administrators will develop a Restorative Action Plan. This intervention and action plan should be designed to prevent the student from being deemed a habitual disciplinary problem. If infractions continue despite the implementation of the action plan with fidelity, a student will be considered a Habitual Disciplinary Problem (HDP). Written evidence must be provided within one school year the student has:

1. The pupil has either threatened or extorted, or attempted to threaten or extort, another pupil, a teacher, or other personnel employed by the school, two or more times, or the pupil has a record of five significant suspensions from the school for any reason;

2. The pupil has entered into and participated in, or the parent/legal guardian and pupil were offered and declined/refused to participate in, a plan of behavior or other behavior/restorative action plan designed to prevent the pupil from being deemed a habitual disciplinary problem; and

3. The behavior of the pupil was not caused by homelessness, as determined in consultation with the local educational agency liaison for homeless pupils designated in accordance with the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§ 11301 et seq., or a contact person at a school, including, without limitation, a school counselor or school social worker.

A student who is declared a Habitual Disciplinary Problem (NRS 392.4655) and is at least 11 years old, will be suspended or expelled from school for a period not to exceed one school semester as determined by the seriousness of the acts which were the basis for the discipline or expelled from school under extraordinary circumstances.

Discipline Limits for Students who receive Special Education Services in accordance with an Individualized Education Program (IEP)

- Pupils with IEPs age 11 or older: Under NRS 392.466 and NRS 392.467, a pupil participating in special education pursuant to NRS 388.419 may be suspended, expelled, or removed only after the board of trustees reviews the circumstances and determines that the action complies with IDEA.

- Limit on removal: Where the NRS special-education limitation applies, discipline is limited to suspension of not more than 5 days for each occurrence of misconduct or permanent expulsion. The statute does not expressly authorize nonpermanent expulsion for these pupils.

- IDEA overlay: Cumulative removals must be monitored. If removals exceed 10 school days in a school year or amount to a disciplinary change of placement, the school must comply with IDEA, including manifestation determination requirements and provision of required services.

- Pupils under age 11: A pupil with an IEP who is younger than 11 must not be permanently expelled except under extraordinary circumstances, and the school must request an exception from the board of trustees.

Legal References:

NRS 385A.250
NRS 388A.495
NRS Chapter 388
NRS 389.155
NRS 392.017
NRS 392.455
NRS 392.4644
NRS 392.466
NRS 392.467

REMOVAL FROM A SPECIFIC CLASS

As part of the school's progressive discipline plan and as required under NRS 392.4645, if, in the judgment of the teacher, the pupil has engaged in behavior that seriously interferes with the ability of the teacher to teach the other pupils in the classroom and with the ability of the other pupils to learn, the teacher may remove the pupil from the classroom or have the pupil removed.

Upon the removal of a pupil from the classroom, the administrator of the school shall provide an explanation of the reason for the removal to the pupil and offer the pupil an opportunity to respond to the explanation. Within 24 hours after the removal of a pupil, the administrator shall notify the parent or legal guardian of the removal.

If the administrator finds that the pupil should be suspended or expelled, the pupil may be suspended or expelled, as appropriate, following the procedures in policies SUSPENSIONS and EXPULSION AND SIGNIFICANT SUSPENSION.

If the pupil is not suspended, the pupil must be assigned to a temporary alternative placement in which the pupil:

- Is separated, to the extent practicable, from pupils who are not assigned to a temporary alternative placement.
- Studies under the supervision of appropriate school personnel.
- Is prohibited from engaging in any extracurricular activity sponsored by the school.

Legal Reference: NRS 392.4645

EXPULSION AND SIGNIFICANT SUSPENSION

When it is determined that a student's behavior seriously interferes with the educational program or the safety or welfare of school personnel or other students, Oasis Academy's governing body may remove the student from further attendance at Oasis Academy in accordance with NRS Chapter 388A and NRS Chapter 392. Students may be removed for the following reasons:

1. Violation of any state law or local ordinance in a school building, on school grounds, or at a school-sponsored activity. Examples of these violations are listed in the section of this manual titled **PROHIBITED CONDUCT**.
2. Violation of rules, policies, and procedures established for Oasis Academy, as outlined in this manual. Examples of these violations are also listed in the section of this manual titled **PROHIBITED CONDUCT**.
3. Student actions or inactions at school or a school-sponsored activity that disrupt, interfere with, or pose a threat to the educational program, other students, staff, visitors, or the student personally.
4. As a step in the progressive discipline policy.

RESTORATIVE JUSTICE

Oasis Academy provides restorative justice in accordance with the Restorative Justice policy in this manual and NRS Chapter 392. 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.

The school will track, analyze, and monitor discipline in compliance with NRS 392.462 in order to report on such data on discipline of pupils. Any apparent disproportionality in data will be assessed by the school in compliance with NRS 392.4644.

Instances Requiring Parental Conference

In instances where Required Parental Conferences are mandatory, Oasis Academy may either suspend or expel the student. A Required Parental Conference is mandatory in the following instances where a pupil is at least 11 years old:

- Commits a battery that results in the bodily injury of an employee of the school
- Sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school, or on any school transportation.

In these instances, Oasis Academy will provide a plan of action based on restorative justice, as provided in Oasis Academy's Restorative Justice policy, to the parent or legal guardian of the pupil or, if the pupil is unaccompanied, to the pupil.

EXPULSION/SIGNIFICANT SUSPENSION RECOMMENDATION

After a determination is made by the administrator that a student is to have a Significant suspension or expulsion, the principal of the school shall notify the student and parent(s)/guardian(s) within 24 hours. If the parent(s) waive their rights to a hearing, the discipline shall be imposed.

EXPULSION AND SIGNIFICANT SUSPENSION HEARINGS:

If, after an investigation and administrative review, the Significant suspension, one-year expulsion, or permanent expulsion seems warranted, Due Process Procedures, as outlined in the STUDENT DISCIPLINE HEARING section of this manual, will be instituted.

RE-ADMITTANCE

Students may, within 45 school days from the one-year anniversary of their expulsion by the Board of Directors, apply for re-admittance. Such requests should be made to the administrator. During this period, the administrator will review the request to ensure that all special conditions for re-admittance, such as a psychological evaluation, are completed, as well as determining that the student has been a good citizen during the period of expulsion.

This information will be presented to the Board of Directors for their review and action at the Board of Trustees meeting closest to the actual completion of the period of expulsion. The decision of the Board of Trustees regarding re-admittance requests shall be final. The findings of the Board of Trustees will be transmitted to the student and parent(s) or guardian(s) in writing by the administrator.

APPEALS PROCESS FOR SUSPENSION

If a student is suspended or expelled from Oasis Academy, school administration shall provide, on the same day that the student is suspended or expelled, a notice of the policy for appealing the suspension or expulsion pursuant to NRS 392.4671. A notice provided must:
a) Include information regarding the timelines for appealing the suspension or expulsion;
b) Be written clearly and in a manner that allows a student and parent or legal guardian to understand each provision of the policy; and
c) Be provided in as many languages as possible, to the extent practicable.

The student and/or parent/guardian has five school days to file an appeal pursuant to the policy adopted by the board of trustees of Oasis Academy. Not later than five school days after receiving notification of the appeal of a suspension or expulsion, the board of trustees must schedule a hearing.

The pupil who is suspended or expelled or is being considered for suspension or expulsion:
a) Must be provided education services to prevent the pupil from losing academic credit during the period of suspension or expulsion; and
b) May be considered for temporary alternative placement if, in the judgment of the principal, after consideration of the seriousness of the acts that were the basis for the discipline of the pupil:

- The temporary alternative placement will serve as the least restrictive environment possible, pursuant to NRS 392.4673; and
- The pupil does not pose a serious threat to the safety of the school.

APPEALING EXPULSION:

If there is a decision that a student will be expelled, the Committee will contact the student or the student's guardian(s) within 24 hours of the hearing with its decision. If the student or the student's guardian(s) disagree with the committee's decision, they may appeal to the Board of Directors within 5 days of the expulsion decision. An appeal hearing will then take place within 5 days of the appeal notice.

At an Appeals Hearing, the Committee will consider all evidence, including evidence from the investigation, witness statements, and live testimony. The decision by the Board of Directors will be final.

PLACEMENT AT DIFFERENT SCHOOL

If the hearing is waived or the Board of Directors confirms the decision to expel, according to NRS 392.466(3), a parent or guardian must know they may enroll their child in a private school, homeschool their child, or enroll their child in a program of independent study. Parent(s) or Guardian(s) may also enroll their child in the zoned school. The zoned school has the choice of whether to enroll the student as a student expelled from public school.

Legal References:
NRS 388A.495
NRS 392.466
NRS 392.467

NOTICE OF SIGNIFICANT SUSPENSION

[School Letter Head]
[Insert Date]
Student Name:
DOB:
Grade:
Parent/Guardian(s):

Dear Parent/Guardian,
This letter is to advise you that a recommendation for a significant suspension has been made. This letter shall serve as notice in accordance with NRS 392.4655.

Reason for recommendation:
[A description of the act committed by the pupil and the date on which the act was committed]

If [student name] receives five significant suspensions on their record during the current school year and has not entered and participated in a behavior plan, [student name] will be deemed a habitual disciplinary problem.

Pursuant to subsection 5 of NRS 392.466, a pupil who is deemed a habitual disciplinary problem may be further suspended from school or expelled from school under extraordinary circumstances as determined by the principal of the school.

[Pupil with Disability - Explanation of the effect of NRS 392.466(10): If it is determined in accordance with 20 U.S.C. § 1415 that the pupil's behavior is not a manifestation of the pupil's disability, he or she may be suspended or expelled from school in the same manner as a pupil without a disability. It was determined that [student name]'s behavior is not a manifestation of [student name]'s disability.]

[Required Parental Conference - where a pupil at least 11 years old commits a battery that results in the bodily injury of an employee of the school or sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school, or on any school transportation, Oasis Academy is required to hold a parental conference. In these instances, Oasis Academy will provide a plan of action based on restorative justice, as provided in Oasis Academy's RESTORATIVE JUSTICE policy, to the parent or legal guardian of the pupil or, if the pupil is an unaccompanied pupil, the pupil.]

Behavior Plan
Oasis Academy is required, in consultation with [student name] and a parent or legal guardian, to develop a plan of behavior. One plan of behavior may be entered per school year. The parent or legal guardian of [student name] may choose for [student name] not to participate in the plan of behavior. However, [student name] may be at risk of being deemed a habitual disciplinary problem.

A plan of behavior must be designed to prevent [student name] from being deemed a habitual disciplinary problem and may include, without limitation:
(a) A plan for graduating if the pupil is deficient in credits and not likely to graduate according to schedule.
(b) Information regarding schools with a mission to serve pupils who have been:
(1) Expelled or suspended from a public school, including, without limitation, a charter school; or
(2) Deemed to be a habitual disciplinary problem pursuant to this section.
(c) A voluntary agreement by the parent or legal guardian to attend school with his or her child.
(d) A voluntary agreement by the pupil and the pupil's parent or legal guardian to attend counseling, programs, or services available in the school district or community.
(e) A voluntary agreement by the pupil and the pupil's parent or legal guardian that the pupil will attend summer school, intersession school, or school on Saturday, if any of those alternatives are offered by the school district.

If [student name] commits the same act for which this notice was provided after entering a plan of behavior, [student name] shall be deemed to have not successfully completed the plan of behavior and may be deemed a habitual disciplinary problem.

This notice shall be provided at least 7 days before the school deems [student name] a habitual disciplinary problem.

Enclosed you will find a copy of Oasis Academy's **SUSPENSIONS** policy, **EXPULSION AND SIGNIFICANT SUSPENSION** policy, **STUDENT DISCIPLINE HEARING** policy, **RESTORATIVE JUSTICE** Policy.

If you do not agree with this recommendation, please see the enclosed policies for information regarding the appeals process.

Sincerely,

School Administrator
CERTIFIED MAIL

NOTICE OF EXPULSION

[School Letterhead]
[Insert Date]
Student Name:
DOB:
Grade:
Parent/Guardian(s):

Dear Parent/Guardian,
This letter is to advise you that a recommendation for expulsion has been made. This letter shall serve as notice in accordance with NRS 392.466 subsection 5.

Reason for recommendation:
[A description of the act committed by the pupil and the date on which the act was committed]

Summary of Evidence:
[An explanation of the evidence]
[Required Parental Conference - where a pupil at least 11 years old commits a battery that results in the bodily injury of an employee of the school or sells or distributes any controlled substance while on the premises of any public school, at an activity sponsored by a public school, or on any school transportation, Oasis Academy is required to hold a parental conference. In these instances, Oasis Academy will provide a plan of action based on restorative justice, as provided in Oasis Academy's RESTORATIVE JUSTICE policy, to the parent or legal guardian of the pupil or, if the pupil is an unaccompanied pupil, the pupil.]

Opportunity for a Hearing
Enclosed you will find a copy of Oasis Academy's **EXPULSION AND SIGNIFICANT SUSPENSION** policy and **STUDENT DISCIPLINE HEARING** policy. If you do not agree with this recommendation, please see the enclosed policies for information regarding that process.

Firearms or Dangerous Weapons Exception
Any pupil found to be in possession of a firearm or a dangerous weapon, as provided in NRS 392.466 subsection 5, may be removed from the school immediately upon being explained the reasons for his or her removal and pending proceedings, to be conducted as soon as practicable after removal, for the pupil's suspension or expulsion.

Sincerely,

School Administrator
CERTIFIED MAIL

STUDENT DISCIPLINE HEARING

DEFINITIONS

- ADA – Americans with Disabilities Act
- IDEA – Individuals with Disabilities Education Act
- IEP – Individualized Education Plan
- NRS – Nevada Revised Statutes
- Serious or Very Serious Substantive Threat – Substantive assault threats are considered serious substantive threats. Substantive threats to kill, rape, or inflict very serious harm are consider serious substantive threats. Substantive threats involving a weapon are classified as very serious substantive threats.
- Substantive Threat – The individual expresses intent to physically injure or harm someone beyond the immediate situation. There is at least some risk the student will carry out the threat. A substantive threat requires that some protective action be taken. A substantive threat may be repeated over time and may include a plan or evidence of planning.
- Threat Assessment- The process of evaluating the risk of violence posed by someone who has expressed the intent to inflict harm on another. The assessment is focused on actions, communications, context and specific circumstances in order to uncover any evidence that the threat may be carried out.

DUE PROCESS PROCEDURE – SIGNIFICANT SUSPENSION AND EXPULSION

Level I Hearing

After a determination is made by the administrator that a student is to have a Significant suspension or expulsion, the principal of the school shall notify the student and parent(s)/guardian(s) within 24 hours.

Within five (5) school days of the date listed on the Significant suspension/expulsion notice, the parent(s)/guardian(s) shall notify the principal as to their desire to file an appeal to proceed with a Level I Hearing.

If the parent(s) waive their rights to a hearing, the discipline shall be imposed and the matter will be concluded.

If a request is made for a Level I Hearing, the administrator shall, within five (5) school days hold a hearing with the parent(s) and student.

At said hearing, the school administrator shall present the nature of the charges and all evidence supporting the allegations and justifying the Significant suspension/expulsion.

The parent(s)/guardian(s) and the student shall have an opportunity to respond and to discuss other educational options as appropriate.

Level II Hearing

A request for a Level II Hearing shall be submitted to the Board of Directors.

Within five (5) school days of receipt of the Level II Hearing request, a Level II Hearing shall be held with the Board of Directors. The Board shall determine the facts of the case solely on evidence presented by the student and the School. The Board shall base their decision in accordance with Nevada Revised Statutes and the written Policies and Regulations of Oasis Academy.

The hearing shall be closed to the public, pursuant to NRS 392.467. A tape recording of the hearing will be made at the expense of Oasis Academy. Upon request, and at his/her own expense, the student may obtain copies of said recording.

The student shall have the right to be represented by an advocate of his/her choosing.

The Board shall not be required to observe the same rules of evidence observed by the courts. Hearsay testimony of students shall be admissible.

The standard of proof shall be that of a civil action: a preponderance of the evidence. The Boards's determination of the appropriate consequences shall be based on the seriousness of the conduct as well as the student's prior disciplinary record insofar as it affects the effectiveness or ineffectiveness of forms of discipline previously imposed.

The Board shall issue a written decision within three (3) calendar days stating his/her findings and conclusions.

Copies of the decision shall be sent to the student and his/her parent(s) or guardian(s). The Board's decision shall be final in all cases where the penalty is less than significant suspension or expulsion.

In the case where Significant suspension or expulsion is recommended by the Board under statutory mandate penalties set forth in EXPULSION AND SIGNIFICANT SUSPENSION, the Board shall issue the written recommendation stating the findings of fact and conclusions.

The Board of Directors shall suspend or permanently expel a student only after the circumstances have been reviewed and it is determined the action is in compliance with the IDEA and Section 504 of the ADA, where applicable.

Legal Reference: NRS 392.467

School Letterhead

Insert Date

Recipients Name
Address
Address

Dear Parent/Guardian

This letter is to advise you that a recommendation for expulsion and/or significant suspension has been made. Enclosed you will find a copy of Oasis Academy's EXPULSION AND SIGNIFICANT SUSPENSION policy and STUDENT DISCIPLINE HEARING policy. This recommendation has been forwarded to the Board of Directors for final approval.

If you do not agree with this recommendation please see the enclosed STUDENT DISCIPLINE HEARING policy for information regarding that process

Sincerely,

School Administrator

CERTIFIED MAIL

Oasis Academy

EXPULSION/SIGNIFICANT SUSPENSION LEVEL I HEARING

This is to inform you that on Date, Oasis Academy made a recommendation to the Board of Directors that Students Name, be expelled or suspended for number of days for the following: Reason or reasons for expulsion or significant suspension.

I have been given a copy of Oasis Academy's Expulsion and Long Term Suspension Policy and Student Discipline Hearing Policy. I **agree** with the recommendation and am not contesting this recommendation.

_____ _____

Signature – Parent/Guardian Date

-OR-

I have been given a copy of Oasis Academy's Expulsion and Long Term Suspension Policy and Student Discipline Policy. I **do not agree** with the recommendation and am contesting this recommendation.

_____ _____

Signature – Parent/Guardian Date

If you do not agree with the recommendation made a Level II Hearing will be scheduled within fourteen (14) days of receipt of this form.

School Letterhead

Insert Date

Recipients Name
Address
Address

Dear Parent/Guardian

In accordance with STUDENT DISCIPLINE HEARING a Level I Hearing was held for student's name, on a date with the administrator to discuss the recommended expulsion or significant suspension. At this hearing, the facts were presented to you and you were given an opportunity to respond. It has been determined that the actions of your child constitute a violation of Oasis Academy Policy and/or Nevada Statute.

You have been provided a copy of Oasis Academy's EXPULSION AND SIGNIFICANT SUSPENSION policy and STUDENT DISCIPLINE HEARING policy.

This letter is to advise you that the recommendation for expulsion and/or significant suspension has been forward to the Board of Directors for final approval. If you do not agree with this decision you have the right to request a Level II hearing. Please see the provided STUDENT DISCIPLINE HEARING policy for information regarding that process.

Sincerely,

School Administrator

CERTIFIED MAIL

Oasis Academy
WITNESS
STATEMENT

Name: _____
Date: _____
Position (Student/Teacher/Etc.): _____

Incident Location: _____
Date and Time of Incident: _____

Statement:

Signature: _____Date: _____

Oasis Academy DISCIPLINE CHRONOLOGY

Student Name:
Date of Birth:
Current Grade:
Special Education/504: ☐ Yes ☐ No
Date of Report:

Chronology of Events (from most recent):

Date	Incident	Action Taken

SCHOOL RULES

It is expected that all students of Oasis Academy will conduct themselves in a proper and exemplary manner. Administrators, teachers, other educational personnel, support staff, parents, and Oasis Academy's governing body worked together to develop general rules of conduct for the welfare and safety of all students.

Under NRS, the administrator of each public school shall establish a plan to provide for the progressive discipline of pupils and on-site review of disciplinary decisions. That plan must:

- Be developed with the input and participation of teachers, other educational personnel, support personnel who are employed at the school, and the parents and guardians of pupils who are enrolled in the school;
- Be consistent with the written rules of behavior prescribed in accordance with NRS 392.463;
- Include, without limitation, provisions designed to address the specific disciplinary needs and concerns of the school; and
- Provide for the temporary removal of a pupil from a classroom in accordance with NRS 392.4645 through NRS 392.4648.

On or before October 1 of each year, the administrator of Oasis Academy shall:

- Review the plan in consultation with the teachers, other educational personnel, and support personnel who are employed at the school;
- Based on the review, make revisions to the plan, as recommended by the teachers and other educational personnel, if necessary;
- Post a copy of the plan or the revised plan, as applicable, in a prominent place at the school for public inspection and otherwise make the plan available for public inspection at the administrative office of the school;
- Submit a copy of the plan, or the revised plan, if it has been revised, to the sponsor of Oasis Academy.

Oasis Academy's governing body shall adopt rules of behavior, prescribed punishments, and procedures to be followed in imposing punishments. When those rules, punishments, and procedures have been adopted, they must be distributed to each pupil at the beginning of the school year and to each new pupil who enters the school during the year.

Those rules, punishments, and procedures must also be available for public inspection at Oasis Academy.

Legal References: NRS 392.4601 *et. seq. (Behavior and Discipline)*

CORPORAL PUNISHMENT

NRS 392.465 prohibits corporal punishment of students. Under this state law and Oasis Academy policy, the governing body of Oasis Academy shall not permit corporal punishment of students. This policy does not prohibit any teacher, administrator, licensed person, or classified staff member from defending themselves if attacked by a pupil. As used in this policy, "corporal punishment" means the intentional infliction of physical pain upon or the physical restraint of a pupil for disciplinary purposes.

Corporal punishment does not include the use of reasonable and necessary force:

- 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 pupil's control,
- To defend oneself or another person, or
- To escort a disruptive pupil who refuses to go voluntarily with the proper authorities.

Legal Reference: NRS 392.4633

SEARCHES OF STUDENTS

The primary function of public schools is education. In order to serve this function, schools must maintain discipline and order, and they must provide students with physical safety and security. School officials and teachers act in loco parentis to students during the time they are under their supervision.

To provide an orderly and safe school environment, the school must control student behavior and prevent the introduction of harmful, damaging, unlawful, or deleterious items onto school premises. The law, therefore, permits school authorities to search students, their personal possessions, their desks, and lockers under appropriate circumstances. A decision to search a student, his/her possessions, or any school property or area assigned to him/her shall be made in accordance with the following guidelines:

STUDENT'S RIGHTS AND RESPONSIBILITIES

Students have a right to privacy in their person, personal belongings, effects, and personal automobiles parked on school grounds; however, that right is limited by the needs of all students for a safe, calm, and orderly school environment. Students shall not carry, conceal, or bring onto school premises any material that is prohibited by law, published school rules, regulations, or policies; nor shall they carry, conceal, or bring any material that will detract from the maintenance of a calm, orderly, and safe school environment.

SEARCHES

A teacher, administrator, or other school employee designated by an administrator may search the person of any student, the personal effects in the student's possession, or the student's automobile parked on school grounds under any of the following circumstances:

- The search is made in connection with a lawful arrest.
- The search is made with the voluntary consent of the student.
- The search is conducted on reasonable suspicion that the student is:
    - Engaged in an activity that violates a law or a published Oasis Academy rule, regulation, or policy; or
    - Carrying, concealing, or sequestering material the possession of which is prohibited by law or by published Oasis Academy rules, regulations, or policies.

If the search is made with the consent of the student, there should be a witness to the obtaining of that consent. The teacher, administrator, or other designated school employee making the search shall be of the same sex as the student searched unless the need for an immediate search requires a search by a teacher, administrator, or school employee of the opposite sex. When the search is made by someone of a different sex than the student searched, there should be a witness to the search.

The search of a desk or locker assigned to a student may be done at any time pursuant to either of the following rules:

- The search is made to maintain discipline and protect students from the introduction of

offensive or undesirable materials; or

- The search is made on reasonable suspicion that the student is:
    - Engaged in an activity that violates a law or a published Oasis Academy rule, regulation, or policy; or
    - Using school property in the form of a locker or desk for illegal or wrongful purposes or to sequester material the possession of which is prohibited by law or by published Oasis Academy rules, regulations, or policies.

In all other cases, a search warrant should be obtained before a search is conducted.

REASONABLE SUSPICION

In cases requiring reasonable suspicion as the basis for the search, the school official or employee authorizing the search shall have a reasonable suspicion that the fruits or implements of a crime or unlawful act will be found, or that a weapon or other material the possession of which is prohibited by law or by Oasis Academy rules, regulations, or policies will be found. A reasonable suspicion is a subjective, good faith belief supported by objective facts, which may include, but are not limited to, the student's age, history, and record in the school, the reliability of the information giving rise to the suspicion, and the seriousness and prevalence of the problem in the school. The required "reasonable suspicion" must be based on facts relating to a particular student whose person, belongings, automobile, desk, or locker is to be searched, and such suspicion must arise immediately prior to the proposed search.

LIMITATIONS ON THE RIGHT OF PRIVACY: LOCKERS AND DESKS

The student does not have the exclusive right to possession of the locker or desk to which he or she is assigned, and the school reserves the right to conduct searches of lockers and desks as outlined above. Each student shall accept and use the assigned locker or desk on that basis.

CANINE SEARCHES

The school may conduct canine searches of school hallways, lockers, classrooms, buildings, parking lots, and other school property through the use of a canine unit. A canine unit consists of a qualified handler and a dog specially trained to detect illegal or prohibited substances, weapons, or bombs.

If a teacher, administrator, other school official, employee, school police, or security personnel have reasonable suspicion to believe that a student or students have in his/her/their possession a weapon or a controlled substance or material that is prohibited by law or Oasis Academy rules, regulations, or policies, a search may be conducted of a student by the canine unit on campus. Such a search of a student may only be conducted on reasonable suspicion, as described above under REASONABLE SUSPICION.

ROLE OF LAW ENFORCEMENT AGENCIES

School personnel should call for assistance from local law enforcement authorities when there is reason to believe the situation is dangerous. If a search by school personnel results in the discovery of materials the possession of which is prohibited by law, local law enforcement officials shall be notified, and the materials shall be turned over to them.

RESTITUTION FOR DAMAGES AND THEFT

The administrator should handle acts of theft, forced entry, or destruction of property in a manner most suited to the development of respect for law and civic responsibility. This requires considering the age and background of the student, the specific nature of the offense, and other circumstances, but does not allow condoning such actions in any way.

Any student who steals school property, enters a locked building or enclosure, or destroys or defaces any school property shall be subject to suspension, expulsion, or other disciplinary action under the procedures set forth in policies SUSPENSIONS and EXPULSION AND SIGNIFICANT SUSPENSIONS. If it appears that a law may have been violated, the student's parent(s) or guardian(s) shall be notified, if possible, and local law enforcement officials shall be notified.

The student and his or her parent(s) or guardian(s) shall be held responsible within the limits of the law for restitution for damages to school property. State law (NRS 393.170) specifically provides that students and parent(s) or guardian(s) are responsible for instructional supplies and materials loaned to students. It specifies further (NRS 393.070) that willfully and maliciously injuring, marking, or defacing any public property is illegal.

The administrator may deal with minor damage, which does not exceed fifty dollars ($50), in a manner he or she deems most suitable. He or she will then file a report of the incident in the student’s permanent file. Whenever possible, the student should take full responsibility for restoring damages.

If the damage exceeds fifty dollars ($50) and the student or his or her parent(s) or guardian(s) does not voluntarily make restitution, the school may pursue recovery of costs as provided under the provisions of NRS 193.155.

Legal Reference: NRS 193.155

GANGS AND GANG ACTIVITY

The presence of gangs and gang activities can cause substantial disruption or material interference with schools and school activities. A "gang," as defined in this policy, is any group of two or more persons whose purposes include the commission of illegal acts. Any gang-related clothing, apparel, attire, jewelry, insignias, colors, paraphernalia, and materials may vary from school to school and may change from year to year. The school shall consult with local law enforcement agencies and other organizations to ascertain changes in gang appearances and activities no less than twice per year.

No student on or about school property or at any school activity:

1. Shall wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, tattoo, sign, or other items that are indicators of membership in or affiliation with any gang.
2. Shall commit any act or omission, or use any speech, either verbal or non-verbal (gestures, handshakes, etc.) showing membership in or affiliation with a gang.
3. Shall place graffiti on or otherwise deface property on school grounds. For the purposes of this regulation, the term "graffiti" means any unauthorized inscription, word, figure, or design that is marked, etched, scratched, drawn, painted on, or affixed to the public or private property, real or personal, of another that defaces the property.
4. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including but not limited to:
    a. Soliciting others for membership in any gangs;
    b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
    c. Committing any other illegal act or violation of Oasis Academy rules, regulations, or policies; or
    d. Inciting other students to act with physical violence upon any other person. In implementing and enforcing this regulation, the following procedures shall be followed:
5. If a student is suspected of violating this regulation, the violation should be reported to the administrator or his or her designee's office.
6. The administrator or his or her designee shall observe the student and/or talk with the student or others to make an initial determination of whether the student may be violating this regulation.
7. If a violation is observed, the administrator or his or her designee shall call the student to his or her office for a conference or otherwise contact the student.
8. During the conference or other contact with the student, the administrator or his or her designee shall attempt to resolve the problem informally. The student shall have the opportunity to rebut the contention that this regulation has been violated.
9. If required by circumstances, the administrator or his or her designee may make a reasonable effort to contact the student's parent/guardian and inform him or her of the suspected violation of this regulation and/or initiate more extreme disciplinary action under any part of the Behavior & Discipline section of this manual, depending on the nature and severity of the suspected violations.