

**Sedway Middle School  
Disciplinary Procedures  
2018-2019**

Marvin M. Sedway Middle School has established the following discipline plan for the progressive discipline of pupils and on-site review of disciplinary decisions. The plan was developed with the input and participation of teachers, other educational personnel (counselors, strategists and specialists), support personnel, and the parents and guardians of pupils who are enrolled in the school. The plan has been developed in accordance with written rules of behavior prescribed in NRS 392.463 and NRS 392.4644.

It includes, without limitation, provisions designed to address the specific disciplinary needs and concerns of the school. The plan provides for the temporary removal of a pupil from a classroom in accordance with NRS 392.4645. The plan was reviewed and developed by the Discipline Committee. The plan was reviewed and revised by administration, teachers, other educational personnel, support staff personnel, and parents. The review and revisions were made continually and collaboratively as requested following monthly discipline committee meetings, weekly administrative meetings, and monthly Parent Advisory Committee meetings. A copy of this plan is located in the main office lobby and posted electronically on the school website for public inspection.

**HABITUAL DISCIPLINARY PROBLEM CRITERIA**

A student will be considered a Habitual Disciplinary Problem if written evidence documents that within one school year the student has:

1. Threatened or extorted, or attempted to threaten or extort, another student or school employee two or more times; or
2. Has a record of five suspensions for any reason. And
3. Has not entered into and participated in a behavior plan

A student who is declared a Habitual Disciplinary Problem (NRS 392.4655) will be suspended 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 as determined by the principal of the school.

**Habitual Disciplinary Declaration**

If two teachers of a pupil enrolled at Sedway Middle School request that the principal deem a student a Habitual Disciplinary Problem, the principal will meet with each teacher to review the student's discipline record. If, after the review, the principal determines the student does not meet the criteria of a Habitual Disciplinary Problem, the teacher(s) submitting the request may appeal that determination to the Board of School Trustees.

## **PROCEDURES FOR CRITERIA # 1**

Sedway Middle School will process threats, extortion incidents, or any attempt thereof using existing expulsion procedures, however, in order to be considered Habitual Disciplinary Problem under current statute, the act of threatening or extorting, or attempting to threaten or extort, must have been documented at least twice during one school year. Habitual Disciplinary Problem language will be included in addition to identifying the infraction when preparing expulsion paperwork (CCF-571). Legacy will provide a written notice seven days prior to declaring a student a Habitual Disciplinary Problem to the parent or legal guardian that contains:

- 1) A description of the act(s).
- 2) Dates on which the act(s) were committed.
- 3) An explanation that pursuant to NRS 392.466, a student declared a Habitual Disciplinary Problem may be suspended 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 as determined by the principal of the school.

A student who is determined to have documented infractions in the progression of those identified under statute relevant to Habitual Disciplinary Problem may enter into a voluntary behavior plan designed to prevent the student from being deemed Habitual Disciplinary Problem and may include, without limitation:

- 1) A plan for graduating if the student is credit deficient and not likely to graduate according to schedule;
- 2) Information on alternative schools;
- 3) A voluntary agreement by the parent/guardian to attend school with the student;
- 4) A voluntary agreement by the student and parent/guardian to attend counseling;
- 5) A voluntary agreement by the student and the parent/guardian for the student to attend summer school, intersession school, or Saturday School.

If the student commits the same act for which the notice was provided after he/she enters into a plan of behavior, the student shall be deemed to have not successfully completed the plan of behavior and may be deemed a Habitual Disciplinary Problem.

## **HABITUAL DISCIPLINARY PROBLEM PROCEDURES FOR CRITERIA # 2**

Following a student's fourth suspension, Sedway Middle School will provide written notice to the parent or legal guardian that contains:

- 1) Description of the act committed by the pupil.
- 2) Date the act was committed.
- 3) An explanation that if the student is suspended five times within one school year, the student will be deemed a Habitual Disciplinary Problem.
- 4) An explanation that pursuant to NRS 392.466, a student declared a Habitual Disciplinary Problem may be suspended 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 as determined by the principal of the school.

If the referral is contested, due process will occur prior to submitting the packet to Education Services Division. The last level of appeal for these students is the CCSD Board of Trustees.

## **BEHAVIOR PLAN PRIOR TO DECLARATION**

Before a student is deemed a Habitual Disciplinary Problem, if within one school year, a student is suspended one time for threatening or extortion, or attempting to threaten or extort, another student or school employee; or if the student has been suspended four times, a plan of behavior will be developed with the parent and student. A student may enter into one behavior plan per school year. The plan, without limitation, may include a voluntary agreement for:

- 1) A plan for graduating if the student is credit deficient and not likely to graduate according to schedule;
- 2) Information on alternative schools;
- 3) A voluntary agreement by the parent/guardian to attend school with the student;
- 4) A voluntary agreement by the student and parent/guardian to attend counseling;
- 5) A voluntary agreement by the student and the parent/guardian for the student to attend summer school, intersession school, or Saturday School.

**If the student violates the conditions of the plan or commits the same act for which notice was provided (i.e. commits a second extortion or attempted extortion; or receives a fifth suspension) after he/she enters into a plan of behavior, the student shall be deemed a Habitual Disciplinary Problem.**

The parent/legal guardian of a student who has entered into a plan of behavior may appeal the contents of the behavior plan to the Board of School Trustees.

**DUE PROCESS NOTIFICATION**—Sedway Middle School will provide due process notification to each parent at least seven days before the school deems the student a Habitual Disciplinary Problem.

## **STEPS TEACHERS MUST TAKE PRIOR TO AB 521 REFERRAL**

AB 521 is an option teachers have for a student who has engaged in behavior that seriously interferes with the ability of the teacher to teach and the other students to learn. Before a student's behavior reaches this level of severity, the teacher must attempt to correct the student's behavior through progressive discipline. According to AB 521, progressive discipline must be followed in the classroom before requesting that a student be temporarily removed. Teachers will complete the following interventions before submitting an AB 521 referral:

1. Conference with student.
2. Parent contact by phone.

3. If the student's family has no phone, a copy of the parent contact form must be mailed home.
4. Assign teacher detention.
5. Social Work/Counselor referral.
6. Referral to Dean for disruptive behavior.

**These steps must be documented, and documentation must be submitted with an AB 521 referral.**

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

The Sedway Middle School 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.

Progressive Discipline will be followed within the classroom as explained, and may include such things as: verbal warning, parent contact, detention, counselor referral, and Dean'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 conference with the student, parent, administrator, and teacher will be held within three days of the incident. Since it was the teacher that ordered the removal of the student, not the administrator, during the conference, the teacher must provide an explanation of the reasons for the removal 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 convene a meeting of the AB 521 Committee. The parent will be informed of the meeting.

The committee 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 AB 521 Committee 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 school of education (Behavior School) if available or appropriate; 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.

#### **AB521 Committee 2018-2019**

Nicole Puza, Dean of Students

Members of this committee were selected based on their diverse, educational backgrounds and willingness to volunteer their time.

## **SPECIAL EDUCATION STUDENTS --Assembly Bill 14**

If a student has a disability 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. 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.

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 CCSD board of trustees 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 521.

## Sedway Middle School 2018-2019 Progressive Discipline Plan

	Tier I Interventions	Tier II Interventions	Tier III Interventions
Staff	Warning, Redirection, Rule Review, Conference with Student, Phone Parent, Counselor Referral	Buddy Room, Teacher Detention, Peer Mediation, Social Work Referral, Parent Conference	N/A
Admin	Warning, Timeout in Office, Conference with Student, Phone Parent, Detention, RPC	IHS, SUS, STAR On, Behavior School Recommendation, Discretionary Expulsion, Loss of Privilege	Mandatory Expulsion Referral

<b>INFRACTION</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>	<b>FOURTH OFFENSE</b>
<b>Aggressive Behavior (Minor)</b>  <b>After 4<sup>th</sup> offense, becomes Major</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Aggressive Behavior (Major)</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Alcohol Possession/Use (Involve Police)*</b>	RPC/STAR-On Enrollment in Drug Program	RPC/ SUS Pending EXP		
<b>Arson (Involve Police)</b>	RPC/STAR-On	RPC/SUS Pending EXP/Behavior School		
<b>Assault to Adult /Battery - Employee (Involve Police)</b>	SUS Pending EXP			
<b>Battery to Student w/Injury (Bullying) (Involve Police)</b>	RPC	RPC/SUS Pending EXP		

<b>Bullying/Cyber Bullying</b>	RPC	RPC/Possible SUS	SUS/STAR-On or EXP/Behavior School	SUS/STAR-On or EXP/Behavior School
<b>Bus Citation</b>	Follow Bus Referral	Follow Bus Referral	Follow Bus Referral	Follow Bus Referral
<b>Campus Disruption/Incitement (May involve police)</b>	RPC/SUS/Possible STAR On	RPC/SUS/Possible STAR On	RPC/SUS Pending Behavior School	
<b>Cheating/Plagiarism</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Classroom Disruption (Minor) After 4<sup>th</sup> offense, becomes Major</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Classroom Disruption (Major)</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Closed Campus Violation*</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Computer Misconduct - Minor</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Computer Misconduct - Major</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Controlled Substance Use or Possession/Paraphernalia (Involve police)*</b>	RPC/STAR On/Referral to SAAP	RPC/SUS Pending EXP		
<b>Controlled Substance Sale and/or Distribution (Involve police)*</b>	RPC/ SUS Pending EXP			
<b>Detention NO-Show</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Dress Code*</b>	Parent Contact/Change	Parent Contact/IHS	RPC	SUS

	Clothes			
<b>Fighting</b>	RPC/SUS (3-day)	RPC/SUS (5-day)	RPC/STAR On	RPC/SUS Pending Behavior School
<b>Forgery (May Involve police)</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Gambling*</b>	RPC, 3 day SUS	RPC/ 5 day SUS	RPC/STAR On	
<b>Gang Activity*</b>	RPC/SUS/Possible STAR On	RPC/SUS Pending Behavior School		
<b>Disregard of School Rules - Minor</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Disregard of School Rules - Major</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Hitting</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Immoral Conduct</b>	RPC/SUS (5 day)	RPC/SUS (7 day)	RPC/STAR On	RPC/SUS Pending Behavior School
<b>Inappropriate Touching</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Insubordination - Minor</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Insubordination – Major</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Nuisance Items</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Confiscation/Student Pick-Up/After 45 days donation	Confiscation/Parent Pick-Up/After 45 days donation
<b>Public Display of Affection</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Possession of a Weapon (non NRS)*</b>	RPC/SUS (10-day)	RPC/STAR ON	RPC/SUS Pending Behavior School	

<b>Sexual Assault (Involve Police)</b>	RPC/SUS Pending Behavior School			
<b>Tardiness/Tardy Lock Out</b>	Follow Tardy Card	Follow Tardy Card	Follow Tardy Card	Follow Tardy Card
<b>Threats - Student</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Threats - Employee</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Theft (May Involve police)*</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Tobacco (Possession and/or Use)*</b>	RPC/Confiscation	RPC/SUS (3 day)/Confiscation	RPC/SUS (5 day)/Confiscation	RPC/STAR On/Confiscation
<b>Truancy (May Involve Police)</b>	Parent Contact Truancy Letter	Parent Contact Truancy Letter	Parent Contact Truancy Letter	Citation
<b>Unacceptable Language (Minor)</b>	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier I	Teacher Progressive Discipline Tier II	Teacher Progressive Discipline Tier II
<b>Graffiti/Vandalism/Destruction or Defacing Property (May Involve Police)</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Verbal Abuse</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Verbal Confrontation</b>	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier I	Administrative Progressive Discipline Tier II	Administrative Progressive Discipline Tier II
<b>Weapons* (Involve Police)</b>	RPC/SUS Pending Expulsion			

\* A student safety search may be performed by administration.

<b>Minor</b>	<b>Major</b>
<ul style="list-style-type: none"> <li>• Acceptable Use Policy – inappropriate computer use (websites, pictures, etc.)</li> <li>• Aggressive Behavior – horseplay/pushing/no intent to harm</li> <li>• Cheating</li> <li>• Class Disruption – outbursts/out of seat/throwing things</li> <li>• Disregard of Rules/Regulations</li> <li>• Forgery – fake passes</li> <li>• Unacceptable Language – cursing/racial slurs not directed at someone</li> <li>• Insubordinate – not doing a specific action directed **school work is a choice**</li> <li>• Public Display of Affection – kissing/hugging</li> <li>• Nuisance Items – cell phones, head phone, fidget spinner</li> </ul>	<ul style="list-style-type: none"> <li>• Arson</li> <li>• Alcohol – use/possession</li> <li>• Assault – towards staff/student (feeling)</li> <li>• Battery – towards student (physical)</li> <li>• Bullying – **USE HAZING**</li> <li>• Campus Disruption – throwing stuff, smoke bombs, etc.</li> <li>• Controlled substance – drugs - use/possession</li> <li>• Fighting – not horseplay</li> <li>• Gambling</li> <li>• Gang Involvement</li> <li>• Graffiti</li> <li>• Hitting – one time</li> <li>• Immoral Conduct – sex or sexual act</li> <li>• Inappropriate Touching – butt slapping</li> <li>• Vandalism – physical damage to school</li> <li>• Verbal Abuse – cursing/racial slurs directed at someone</li> <li>• Threat – towards school, student, or staff – verbal/written</li> <li>• Tobacco – use/possession</li> </ul>
<b>Urgent</b>	
<ul style="list-style-type: none"> <li>• Alcohol – distribution or use/possession (2<sup>nd</sup> time)</li> <li>• Battery – towards staff (physical)</li> <li>• Battery with injury – towards students/staff</li> <li>• Controlled Substance – distribution or use/possession (2<sup>nd</sup> time)</li> <li>• Weapon – possession/use/threat with</li> <li>• Sexual Assault - rape</li> </ul>	