



Restorative Justice Policy

Restorative Justice is defined in Nevada legislation as:

NRS 392.4644 (from SB 89, 2019):

Provide restorative disciplinary practices which include, without limitation:

- Holding a pupil accountable for his or her behavior;
- Restoration or remedies related to the behavior of the pupil;
- Relief for any victim of the pupil; and
- Changing the behavior of the pupil.

NRS 392.472 (from AB 168, 2019): “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.

According to the Nevada Department of Education, Restorative Justice is about “changing systems (schools, criminal, and juvenile justice) to address harm more meaningfully and undo systemic patterns of institutional racism and oppression.” “Restorative practices strengthen students’ connections to both staff and other students, which is why these practices support both prevention and response. Repairing harm and restoring relationships after transgressions helps keep students connected to a positive school community.

At SSAES, we employ restorative justice through a whole school approach. A whole school approach uses restorative justice to build culture and climate based on restorative values of respect, trust, inclusion, tolerance, and understanding. Building a restorative culture results in fewer incidents of harm overall. We have embedded Restorative Practices into our Multi-tiered System of Supports (MTSS) framework. Our school-wide Positive Behavior Interventions and Supports (PBIS) is a large-scale example of MTSS that focuses on teaching as prevention. Our Restorative Justice Policy was developed to integrate with the school’s PBIS framework and create a model that is a more collaborative, inclusive, and positive approach to developing effective interventions for personal behavioral growth. The model is a three-tier problem-solving process that provides a continuum of tiered interventions with increasing levels of intensity and duration to prevent inappropriate behavior by means of reinforcing appropriate behavior. Tier 1 focuses on prevention of problem behavior by emphasizing universal supports. The critical features of Tier 1 include school-wide expectations that are taught and encouraged, and systems that discourage inappropriate behavior. Tier 2 is designed to prevent the development and escalation of problem behaviors for students who are identified as being at risk for developing chronic behavior problems. It involves specialized group interventions to supplement the Tier 1 supports. Tier 2 interventions focus on targeted and explicit instruction of skills, structured prompts for appropriate behavior, opportunities to practice new skills in the natural setting, and frequent feedback. Tier 3 is designed to reduce the intensity, frequency, and/or complexity of problem behaviors by providing individualized behavior supports. Tier 3 interventions are utilized for students that demonstrate the highest need, based on lack of responsiveness to Tier 1 and 2



supports.

Students who are struggling with inappropriate behavior will be monitored frequently through the use of a Restorative Resolution Plan (RRP). Since each child has a different social and emotional needs, it is vital that the RRP be unique to those needs. It is also important to collaborate with parents, teachers, and staff members in order for students to learn more about their own behavior and to work and support each other as a community of learners. SSAES students are expected to show respect for themselves and others. Each classroom has a climate in which optimal learning can take place. Students are expected to behave in ways that are acceptable to classmates and conducive to learning. Misbehavior on the part of students can be generally corrected when parents and teachers work together.

These expectations apply to:

- All students
- Anyone who is on the school property
- Anyone who is in attendance at school or any school-sponsored activity
- Anyone whose conduct at any time or in any place has a direct and immediate effect on maintaining order and discipline in the school

  Strong Start Academy Elementary School Behavior Matrix   					
Norms	Classroom Expectations	Hallway Expectations	Restroom Expectations	Lunch Expectations	Playground/Recess
Be Safe Be Safe by making good decisions/choices	-Walk -Keep your hands and feet to yourself -Stay in assigned area	-Walk -Keep your hands and feet to yourself	-Walk -Wash your hands before you leave -Stay in your own stall	-Walk to your seat -Keep your hands and feet to yourself	-Walk (no running) -Use equipment appropriately/for its intended purpose -Stay in designated areas -Keep your hands and feet to yourself
Be Kind Be Kind by being respectful/using respectful language	-Be respectful to yourself others and property -Be happy for others -Use good manners -Work collaboratively -Accept differences	-Greet people positively -Help those in need -Respect environment	-Clean up after yourself -Report any messes or problems to an adult	-Use school appropriate language -Include peers in your conversations	-Invite peers to participate -Encourage Classmates
Be Responsible Be Responsible by working hard to solve problems	-Use voice level 0-3 -Appropriate use of school materials -Use school appropriate language -Engage in learning -Be prepared and organized -Ask for help when needed -Respect others' property -Accept feedback	-Use voice level 0-1 -Report Inappropriate Behavior -Help keep environment clean	-Use voice level 0-1 -Return back to class in a timely manner -Use restroom appropriately (No Playing) -Report Inappropriate Behavior	-Use voice level 0-2 -Throw away your trash -Finish eating during your lunch time -Report Inappropriate Behavior	-Use voice level 0-4 -Use school appropriate language -Promptly transition from outside to inside -Play fair by game rules -Report Inappropriate Behavior -Accept Feedback

Tier I	Restorative Practices
Prevent inappropriate behaviors by introducing school wide support	• Establish and reinforce school-wide expectations, initiatives, and systems • Cultivate healthy, positive, and professional relationships with students • Emphasize a sense of school community • Engage students personally before addressing any



	behavioral issue, whenever possible
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Tier II	Restorative Practices
Identify students who are developing chronic inappropriate behaviors Focused on behavior data and documentation	• Continue Tier 1 Restorative Practices • Temporary/alternative student environment - teacher to teacher, teacher to staff member, teacher to penalty box, etc. • Meet with the Counselor or Safe Schools Professional • Self-Reflection • Students required to self-disclose inappropriate behavior to a parent via student initiated contact from the school site. • Informal parent/family contact via phone call, e-mail message, text message • Peer circles • Apology letters
Tier III	Restorative Practices
Resolve chronic inappropriate behaviors with individualized interventions	• Continue Tier 1 & 2 Restorative Practices • Meet with the Counselor or Safe Schools Professional • Introduction to the Executive Director • Formal parent/family contact • Social contracts • Create a Restorative Resolution Plan (RRP) - Collaborate with students, parents, and all to create a plan that is realistic to accomplish.

To ensure the effective implementation of restorative justice practices and equitable student discipline, Strong Start Academy Elementary School regularly reviews discipline data to inform decision-making and identify opportunities for continuous improvement. In accordance with NRS 392.462, the school collects and analyzes cumulative quarterly data related to student discipline, progressive discipline practices, suspensions, expulsions, and removals from school. This information is compiled in the school's **AB 285 Student Discipline and Progressive Discipline Data Report**, submitted to the State Public Charter School Authority (SPCSA), and published on the school's website in accordance with state reporting requirements.

As part of its continuous improvement process, the school conducts ongoing reviews of disciplinary decisions to identify patterns, trends, and potential disparities in disciplinary outcomes. Particular attention is given to determining whether suspensions, expulsions, or



removals from school disproportionately impact any group of pupils identified in NRS 385A.250(2). When data indicate potential disproportionality or areas of concern, school leadership conducts additional data drill-down analyses to identify contributing factors and determine appropriate corrective actions.

Behavior data are reviewed during monthly behavior team meetings, where administrators and relevant staff analyze school-wide discipline trends, the effectiveness of restorative and progressive discipline interventions, and student outcomes. Findings from these meetings inform targeted supports, staff professional learning, adjustments to school-wide behavioral practices, and individualized interventions as appropriate. Additional data review meetings are convened as needed to further examine identified concerns and ensure that disciplinary practices remain equitable, consistent, and aligned with the school's restorative justice philosophy, PBIS framework, and Multi-Tiered System of Supports (MTSS).

In an effort to optimize equitable application of disciplinary consequences for students, it is important to differentiate and define different types of disciplinary incidents.

MINOR BEHAVIOR INCIDENTS

Minor Behavior Incidents are staff-managed behavior incidents that are addressed by school personnel such as a classroom teacher, when applicable. Minor Behavior Incidents violate school or classroom rules or procedures.

Restorative Steps For Minor Behavior

- Respectfully address student
- Describe inappropriate behavior
- Describe expected behavior
- Teach/Model Roleplay expected behavior
- Link to expectation on Matrix
- Redirect back to appropriate behavior modeling

MAJOR BEHAVIOR INCIDENTS

Major Behavior Incidents are office-managed behavior incidents that are addressed by office staff and/or administration. They are severe in nature or are habitually repeated. Major Behavior Incidents that violate SSAES Rules or Policies, impact student or staff safety, or cause property damage may be subject to law enforcement involvement. Major Behavior Incidents include discretionary expellable offenses.

Restorative Steps for Major Behavior

- Administrator assesses, problem solves
- Objective: Teach, learn, return to academic instruction as quickly as possible
- Strategies:
 - Practice behavior expectations



- Re-Teach in setting
- Ask the following Restorative Questions
 - What happened?
 - What were you thinking of at the time?
 - What have you thought about since?
 - Who has been affected by what you have done?
 - In what way have they been affected?
 - What do you think you need to do to make things right?
- Restorative Justice Team
 - Safe School Professional
 - Teacher
 - Administrator
- Conference with families (Student Restorative Resolution Plan is completed)

For all offenses, common sense and good judgment will prevail. Strong Start 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 all progressive consequences. Restorative action is also commensurate with the severity of the offense.

Administration will make the final decision on disciplinary actions. If the administration determines that a Restorative Resolution Plan would not be practicable, the following discipline measures may be imposed: **RPC, Suspension, or Expulsion.**

If the student continues to exhibit disruptive, dangerous, defiant, or otherwise undesired behavior and/or the student violates their Restorative Resolution Plan (RRP), parents must come to campus and attend a Required Parent Conference (RPC). The RPC may include members of the Restorative Justice Team, the parent(s)/guardian(s), and the student. It may be necessary to determine interventions or a revision of the student's Restorative Resolution Plan.

Pursuant to NRS 392.467 a student may be expelled, suspended, or removed if they have been charged with a crime, subject to certain age limitations, if:

- a. The school conducted its own documented investigation.
- b. The school gives notice of the charges brought against the student.

Summary of Progressive Restorative Discipline Structure

Students are disciplined in a restorative, progressive manner. It is not an individual



disciplinary event(s) that is/are consequential; students will be given an opportunity to correct their wrongdoings and to learn from their mistakes through restorative practices (AB 168). Continued disregard for school rules is a key factor for disciplinary consequences. Disciplinary action is also commensurate with the severity of the offense.

Battery of a School Employee

Any student who commits a battery against a school employee while on school grounds, a school bus, or at a school sponsored activity, may be suspended, expelled or permanently expelled, subject to certain age limitations. In the event of disciplinary action, the student and their parents/legal guardian(s) must meet with the school and the school must provide a progressive discipline plan based on restorative justice to the parent or legal guardian of the student.

Any student who commits battery with the intent to cause bodily injury against a school employee must be suspended, expelled, or permanently expelled, subject to certain age limitations.

Discipline Limits for Special Education Students

- Age 11+ Discipline is limited to suspensions of not more than 10 days per occurrence or permanent expulsion. The statute does not provide authority for nonpermanent expulsion. (Cumulative suspensions greater than 10 days require hearing.)
- Age 11+ limit for all four categories of misconduct (no exception for possession of a firearm or dangerous weapon)
- Students with an IEP under age 11 must not be permanently expelled except under extraordinary circumstances.
- If a student with an IEP of any age is removed from school premises, suspended, expelled or permanently expelled for any behavior for more than 10 cumulative days, the school must make available to the student a free appropriate public education in compliance with IDEA. Schools must also comply with this and other provisions of IDEA with respect to notice, determining whether a removal constitutes a change of placement, conducting a manifestation determination and other requirements in connection with any disciplinary removal of a pupil with a disability.

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

Suspension or Expulsion

- A student with an IEP who is at least 11 years old may be removed from a school, suspended, or expelled only after the Board of Directors has reviewed the circumstances and determined that the action is in compliance with the Individuals with Disabilities Education Act (IDEA) (NRS 392.466.10; NRS 392.467.6), except in the case of possession of a firearm or dangerous weapon by a student, which is described below.



- Suspension of a student with an IEP is limited to 1-5 days for each occurrence of misconduct (NRS 392.466.10; NRS 392.467.6).
- As with general education students, a student with an IEP who is younger than 11 years old must not be permanently expelled except under extraordinary circumstances, in which case a school may request an exception to this prohibition from the Board of Directors (NRS 392.466.9, NRS 392.467.1)

Strong Start Academy Appeals Policy

Restorative Justice Team (RJT)

Strong Start recognizes the right of parent(s)/legal guardian(s) to appeal a suspension or expulsion decision in a student-discipline case. Prior to being suspended, a student must be told what they are being accused of and given the opportunity to share his/her side of the story. The student must be put on a Required Parent Conference (RPC) to bring in the parent/legal guardian and share the findings with the parent. The parent has the right to share any additional information. Following this process, the school's leadership (in minor situations) and/or the School's Restorative Justice Team (in major situations) has the right to make any initial discipline determination on the basis of each specific case and can determine if suspension is the appropriate course of action. The School's Restorative Justice Team is made-up of various school staff members (Executive Director, Safe School Professional, teacher(s), and support staff) who will be selected before the start of each school year (but may be adjusted from time to time depending on workloads, recusals for conflicts of interest, and other factors). If suspension is recommended, it must be progressive and fit the infraction. Under NRS 392.4671, a student who is less than 11 years of age must not be permanently expelled from school, unless an exception is approved in extraordinary circumstances. The School's Restorative Justice Team will act in good faith and fairness to protect all persons at the school, school property, and general school safety.

Board Safety Committee (BSC)

The Restorative Justice Team has the authority to make a determination on its own, but at times, may ask the Board Safety Committee for support and input. The BSC is made up of board members.

During investigations of serious acts and/or when the Restorative Justice Team thinks an out-of-school suspension or expulsion is possible, the Restorative Justice Team may contact the Board Safety Committee and ask that committee to handle some or all of this process. In such situations, after an investigation is conducted and evidence is collected by the school's leadership or the Restorative Justice Team, the matter will be brought to the Board Safety Committee.

If the decision by the school's leadership or the Restorative Justice Team is a recommendation for expulsion, the student has the right to a due process hearing in front of the Board Safety Committee. At the hearing, the Board Safety Committee members will be provided with the discipline history and background information from the Behavior tab in Infinite Campus, prior to the hearing. The hearing will be a closed hearing and members of the public may not attend. The hearing will be noticed only as "Student Hearing- Closed Meeting." At the hearing, the school's leadership or Restorative Justice Team representative will outline the incident, provide proof of a thorough and unbiased investigation and findings, as well as the recommendation and the reasoning for the harsh recommendation. The student and/or the student's parent(s) or legal guardian(s) will then have the same opportunity to share his/her perspective, additional information, other factors or



considerations, etc. The student or the student's parent or legal guardian will provide the BSC members with his/her own recommendation for resolution. The BSC members may ask questions of either the school's leadership or RJT members or the student or the parent/legal guardian. The school's leadership or the RJT representative will be allowed to make a closing statement, then the student or parent/legal guardian may make a closing statement. Following the information, the Board Safety Committee can make a decision by consensus immediately at the conclusion of the hearing or may take up to three days to render a decision and notify the parent/legal guardian by telephone of the final decision.

If the Board Safety Committee will be hearing a disciplinary matter, then that shall be included in a notice to the student and parents/legal guardians. In the written notice, the school will (i) state the charges against the student; and (ii) provide a brief summary of the evidence. (Due process does not require that the description of the evidence be exhaustive, nor that it identifies witnesses or other participants by name.) Also, when a parent/legal guardian is notified that a student will be suspended or is recommended for expulsion, the parent/legal guardian will be told that they can appeal and will be given a copy of this policy. If the parent/legal guardian requests it, or the committee decides it's appropriate, the committee will hold a hearing. The hearing will generally follow the same rules and procedures described in the appellate process below (with appropriate modifications—e.g., evidence will be presented by the school's leadership and/or Restorative Justice Team, but the school will typically carry the burden of proof and no standard of review is applicable). The Board Safety Committee then meets together to make a determination in the case—e.g., a suspension (and what kind), no suspension, a recommendation for expulsion, and/or other stipulations tied to the Board Safety Committee's judgment (e.g. adoption of a restorative justice plan, detention or other sanctions, etc.). Any recommendation by the Board Safety Committee for an out-of-school suspension or expulsion will be alerted to the Board and parent/legal guardian as soon as is reasonably practicable.

Appeal Notice & Timeline

The following provisions speak about the parent/legal guardian's rights and/or options. If a student is suspended or expelled from Strong Start Academy, the school will 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. The parent/legal guardian has five (5) school days to appeal a suspension or expulsion decision. A parent/legal guardian must notify school leadership in writing (e.g., by letter, fax, or email) of his/her request for an appeal. The school will liberally interpret a request to be an appeal, even if the word "appeal" (or similar terminology) is not used, but the request may not be done orally (e.g., by telephone). If 5 days have passed without a request for an appeal, the school may treat the discipline decision as final.

Interim Education

If the parent(s)/legal guardian(s) chooses to appeal a suspension, the student will be allowed to attend school until the appeal is heard, unless the student poses a danger and/or applicable law permits his/her exclusion (in which case the following paragraph applies). If the student attends school, Strong Start Academy reserves the right to place the student in a somewhat restrictive environment (e.g., in a classroom removed from his/her peers), in part to protect everyone's safety and avoid disrupting other students' educations. If the parent(s)/legal guardian(s) chooses to appeal a recommendation for expulsion, the student will work from home while receiving instruction until the appeal is heard. The student and teacher(s) will communicate at least once a day and follow other customary distance-learning protocols (similar to what quarantining students would experience).



No Contacts

Whether or not a family appeals, in all cases, the student may not directly or indirectly interact with any witnesses, victims, or co-conspirators involved in the case. Any violation of this prohibition will be independent grounds for consequences (e.g., as a bullying charge), as well as deemed an aggravating factor during the disciplinary appeal. This rule will be strictly enforced. A social media post may be considered a violation.

Board of Directors; Appellate Process

If the family appeals, the Board will do its utmost to schedule and conduct a hearing as soon as reasonably practicable (or on a timeframe otherwise agreed to by the family). In the hearing:

- School leadership, the Restorative Justice Team, and/or a member of the Board Safety Committee will present the facts and evidence of the case. Strong Start Academy may present any statements from the victim(s) of the incident and should identify any other aggravating or mitigating circumstances. The school may ask its legal counsel to present arguments and address questions of law.
- The Executive Director and/or members of the Restorative Justice Team.
- The parent(s)/legal guardian(s) may state their case for appeal. Fundamental procedural due process (i.e., an “opportunity to be heard”) will be afforded.

Unless otherwise required by law, the Board is not required to follow Nevada’s or any Court’s civil procedure rules, rules of evidence, or similar laws or regulations—e.g., hearsay may be ruled admissible. Similarly, the Board may freely adopt any burden(s) of proof and standard(s) of review which he/she/it deems appropriate, although in most cases, it should consider the following:

- The party appealing the existing decision will bear the burden of proof in favor of an alternative determination regarding guilt and/or consequence.
- Any factual determinations made by a prior decision maker will be reviewed for “clear error.” Any legal determinations will be reviewed de novo (i.e., with no deference to the earlier decision).

In accordance with applicable law, all meetings/hearings conducted under this Policy will be closed sessions and not subject to Nevada’s Open Meeting Law. (See NRS 388A.495(2); 392.467(4).) The school administration will nonetheless keep a general record of the proceedings, noting all major findings/conclusions in writing. The Board will make a final and binding decision on the appeal and instruct the school’s administrative staff to provide the student/parents with written notice of its determination.

Designee

Applicable law permits the Board to appoint a designee to handle disciplinary appeals. Although the school does not currently anticipate appointing a designee for that purpose, the Board: (i) reserves the right to have a designee hear and decide an appeal in extraordinary circumstances (e.g., the volunteer Board cannot assemble in a prompt fashion); and (ii) hereby empowers the Executive Director to appoint such designee under such circumstances. The designee will not be a member of



the relevant Restorative Justice Team or the Board Safety Committee. The choice of designee may be adjusted from time to time depending on workloads, recusals for conflicts of interest, and other factors. The designee may, but need not be, a member of the Board.

NRS 392.4671

NRS 392.4671 creates a requirement for the governing bodies of charter schools to adopt a process for appealing a suspension or expulsion. The statute outlines the requirements of that policy, noting that the timelines included in the policy must align with timelines that are established by the Nevada Department of Education (“NDOE”) pursuant to NRS 392.4609.

- Initial notification of right to appeal: Information on the right to appeal a suspension or expulsion and the current process for doing so must be provided to the parent or guardian of the pupil on the same day that the suspension or expulsion is issued.
- Filing of the appeal: The parent or legal guardian of the pupil, may file an appeal within five (5) days of the suspension or expulsion.
- Hearing on the appeal: The governing body of a charter school or designee of the body shall schedule a hearing on an appeal of a suspension or expulsion of a pupil within five (5) days of the appeal being filed. Note that NRS 392.4671 prohibits any increase in the length of the suspension or expulsion following an appeal (i.e., the final penalty may not be harsher than the original one).

Legal Information

- Strong Start reserves the right to amend this policy from time to time in its discretion and will endeavor to keep the school community aware of any changes.
- In developing this policy, Strong Start has endeavored to comply with its legal obligations, including those in: (i) its Charter Contract with the State Public Charter School Authority; (ii) all applicable state and federal laws and regulations (including, e.g., NRS Chapters 388A and 392); and (iii) any Constitutionally-required due process. In the event this policy conflicts with any such authority, the authority controls. That means, among other things, if there is a change in an authority (e.g., a statutory amendment) and a conflict develops, then that change shall take effect immediately and automatically, regardless of whether or not Strong Start Academy has formally updated this policy and/or provided notice to the school community of the change.
- The fundamental aim of this Policy is to outline the school’s general practices in disciplinary matters, and to ensure each student/parent has an appellate right. This policy is not intended to and shall not provide a basis on which any person or entity may assert negligence, liability, breach-of-contract, due process, or other claim. Any process or procedure described herein is only intended to describe a general set of practices, not a set of binding commitments, the technical violation of which would prevent the school from disciplining an individual. As long as the overall process provides fundamental due process and includes a reasonable right to appeal, the school reserves the right to deviate from any process or procedure described in this Policy, without notice and without creating any cause of action against the school.