

**Somerset Academy of Las Vegas  
Disciplinary Procedures  
2018-2019**

Somerset Academy of Las Vegas 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 (HDP) 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 been suspended for initiating at least two fights on school property, at an activity sponsored by a public school, on a school bus or, if the fight occurs within 1 hour of the beginning or end of a school day, on the pupil's way to or from school;  
or
3. Has a record of five suspensions for any reason.

Before a school deems a pupil a habitual disciplinary problem and suspends or expels the pupil, the school may develop, in consultation with the pupil and the parent or legal guardian of the pupil, a plan of behavior for the pupil. Such a plan must be designed to prevent the pupil from being deemed a habitual disciplinary problem and may include, without limitation, any agreement listed under NRS 392.4655(6). If the pupil violates the conditions of the plan or commits the same act after he or she enters into a plan of behavior, the pupil shall be deemed a habitual disciplinary problem. 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 Somerset Academy of Las Vegas 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 school's AB 521 Committee.

### **PROCEDURES FOR CRITERIA # 1**

Somerset Academy of Las Vegas 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. Somerset Academy of Las Vegas 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 or any other act that qualifies him/her as an HDP 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 each suspension, Somerset Academy of Las Vegas 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.

## **BEHAVIOR PLAN PRIOR TO DECLARATION FOR CRITERIA #3**

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 attending another Somerset school;
- 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 Executive Director of Somerset Academy of Las Vegas.

If a student has been recommended for expulsion by a referring principal, and the student has been suspended for less than 11 days, the student may appeal the principal's recommendation for expulsion to a committee consisting of the executive director and two Somerset Academy of Las Vegas principals (the "Committee"). The Committee shall consist of one elementary

leader, one middle school leader, and one high school leader, with the executive director serving as one of the aforementioned leaders on the Committee. If the referring principal is one of the members of the Committee, an alternate member of the Committee will be chosen from the then-serving Somerset Academy of Las Vegas principals. The Committee shall conduct a hearing on the matter and, following the hearing shall, by majority vote, determine whether the referring principal's recommendation for expulsion should be upheld, or, alternatively, whether the referring principal's recommendation for expulsion should be modified in any manner. In the event the Committee determines to uphold the referring principal's recommendation for expulsion, the student may appeal such decision to the Somerset Academy of Las Vegas Board of Directors (the "Board"). If the Committee determines that the referring principal's recommendation should be modified, the referring principal may appeal such decision to the Board. If the referring principal does not appeal a decision of the Committee to modify his or her recommendation for expulsion, the executive director, acting as superintendent under NRS 392.466, may modify the expulsion in accordance with the decision of the Committee.

**DUE PROCESS NOTIFICATION**—Somerset Academy of Las Vegas 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. Referral to an administrator 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 Somerset Academy of Las Vegas 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, and administrator's referral. If a student is removed by teacher, the administrator will explain to the student the reason for the removal and the student will have an opportunity to respond. The administrator will contact the parent within 24 hours. A temporary, alternative placement will be given to the student unless the student is suspended or expelled for disciplinary action.

A 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 (another Somerset Academy of Las Vegas 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 Members 2018-2019**

**SITE BASED**

- Principal or His/Her Designee
- Teacher 1 (Selected by teaching staff)
- Teacher 2 (Selected by teaching staff)

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 Somerset Academy of Las Vegas board of directors 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.

**Minor Classroom Disruption**

Sample minor infractions may include but are not limited to:

**Major Classroom Disruption**

Sample major infractions may include but are not limited to:

Annoying fellow students  
 Being rude  
 Cell phone (Inappropriate use/not following school expectations)  
 Chewing gum  
 Disrespectful behavior  
 Dress code  
 Eating or drinking in class  
 Forgery  
 Horse playing  
 Inappropriate Language  
 Insubordination  
 Making derogatory comments  
 Not following teacher directions  
 Not paying attention  
 Not prepared for class  
 Off task  
 Opt Out of Assessments  
 Out of seat  
 Possession of a nuisance item  
 Public display of affection  
 Refusing to participate in State assessment  
 Running/playing around  
 Talking back  
 Talking loudly  
 Talking out of turn

Alcohol use or possession  
 Arson  
 Assault or battery  
 Computer misconduct  
 Controlled substance  
 Defiance of school personnel  
 Disorderly conduct  
 Electronic threats to others  
 Explosive devices  
 Fighting  
 Forgery  
 Gambling  
 Gang activity  
 Gross Insubordination  
 Harassment  
 Incitement  
 Profanity  
 Public Display of Affection  
 Robbery or extortion  
 Sexual Acts  
 Threats to Somerset personnel or student(s)  
 Theft  
 Tobacco  
 Vandalism/Destruction of property  
 Verbal abuse  
 Weapons

**Somerset Academy of Las Vegas 2018-2019 Progressive Discipline Plan**

<b>INFRACTION</b>	<b>FIRST OFFENSE</b>	<b>SECOND OFFENSE</b>	<b>THIRD OFFENSE</b>	<b>FOURTH OFFENSE</b>
<b>Alcohol Possession/Use (Involve Police)</b>	RPC/SUS – Student encouraged to enroll in drug program	RPC-T/ SUS / Possible EXP		
<b>Arson (Involve Police)</b>	RPC / SUS / Possible EXP			
<b>Assault to Adult</b>	SUS / Possible EXP	SUS / Possible EXP		
<b>Automobile Misuse</b>	RPC	RPC / SUS	RPC / SUS / Revoke Privileges	RPC / SUS / Possible EXP
<b>Battery - Student (Involve police)</b>	RPC / SUS / Possible EXP	RPC / SUS / Possible EXP		
<b>Battery - Employee (Involve police)</b>	RPC / SUS / Possible EXP			
<b>Bullying/Cyber Bullying</b>	Follow SB504 Protocols RPC / Possible SUS / Possible EXP	Follow SB504 Protocols RPC / Possible SUS / Possible EXP	Follow SB504 Protocols SUS / Possible EXP	Follow SB504 Protocols SUS / Possible EXP
<b>Campus Disruption</b>	RPC / Possible SUS / Possible EXP / <b>(May involve police)</b>	RPC / Possible SUS / Possible EXP / <b>(May involve police)</b>	RPC / Possible SUS / Possible EXP / <b>(May Involve police)</b>	
<b>Classroom Disruption (Minor)</b>	Classroom Progressive Disc. Parent Contact - (RPC)	RPC	RPC/SUS	RPC / SUS / Possible EXP
<b>Classroom Disruption (Major)</b>	RPC / SUS / Possible EXP (See page 6 for details.)	RPC / 1-3 day SUS / Possible EXP	RPC /4-7 day / SUS / Possible EXP	RPC / SUS / Possible EXP
<b>Computer Misconduct</b>	Minor – RPC / Major-RPC / SUS / Possible EXP	RPC / SUS / Possible EXP Loss of privileges for a period	RPC / SUS Possible EXP	

<b>Controlled Substance Use or Possession (Involve police)</b>	RPC/ SUS / Possible EXP	SUS / Possible EXP		
<b>Controlled Substance Sale and/or Distribution (Involve police)</b>	RPC / SUS / Possible EXP			
<b>Controlled Substance Paraphernalia</b>	RPC / 1-3 days SUS	RPC / 1-10 days SUS / Possible EXP		
<b>Detention NO-Show</b>	RPC	RPC / 1-10 days SUS Possible EXP	RPC / 1-10 days SUS Possible EXP	RPC / 1-10 days SUS Possible EXP
<b>Disorderly Conduct student profanity/gestures towards students</b>	Student Conference Parent Contact - (RPC)	RPC / 1-10 days SUS/Possible EXP	RPC / 1-10 days SUS/Possible EXP	
<b>Distribution of Porn</b>	RPC / 1-10 days SUS / Possible EXP			
<b>Dress Code</b>	Warning/Parent contact	RPC	RPC 1-3 SUS	SUS 4-6
<b>Disregard of School Rules</b>	Parent Contact / RPC / 1-3 days SUS/Behavior Contract	RPC / 4-10 days SUS / Possible EXP	RPC / 7-10 days SUS / Possible EXP	RPC / 7-10 days SUS / Possible EXP
<b>Explosive Devices</b>	RPC / SUS / Possible Expulsion, Confiscate Items / <b>(May Involve police)</b>			
<b>Fighting Physical Altercation</b>	RPC / 1-10 days SUS / Possible EXP	RPC / 4-10 days SUS / Possible EXP		
<b>Fighting Initiating Physical Altercation</b>	RPC / 3-10 days SUS / Possible EXP	RPC / 3-10 days SUS / EXP		
<b>Fighting Verbal Altercation</b>	RPC / 1-3 day SUS	RPC / 4 - 7 days SUS	RPC / 8-10 days SUS / Possible EXP	
<b>Forgery</b>	RPC/1-3 days SUS / <b>(May Involve police)</b>	RPC / 4-7 days SUS / <b>(May Involve police)</b>	RPC / 8-10 days SUS / Possible EXP / <b>(May Involve police)</b>	



<b>Gambling</b>	RPC / 1-3 days SUS (\$\$ involved) Behavior Contract	RPC / 4-7 days SUS	RPC / 8-10 days SUS / Possible EXP	
<b>Gang (fighting)</b>	RPC / 1-3 Possible SUS / Possible EXP	RPC / 4-7 Possible SUS / Possible EXP	RPC / 8-10 SUS Possible EXP	
<b>Gang Activity</b>	RPC / SUS / Possible EXP / <b>(May Involve police)</b>	RPC / SUS / Possible EXP / <b>(May Involve police)</b>		
<b>Harassment</b> <b>Verbal and/or Electronic</b>	Parent Contact / RPC / 1-3 days SUS / Possible EXP	RPC / 4-6 days SUS / Possible EXP	RPC / 7-10 days SUS / Possible EXP	RPC / 7-10 days SUS / Possible EXP
<b>Immoral Conduct</b>	RPC / 1-3 days SUS / Possible EXP	RPC / 4-6 days SUS / Possible EXP	RPC / 8-10 days SUS/ Possible EXP	
<b>Incitement</b>	RPC / Possible 1-3 days SUS / Possible EXP Behavior Contract / <b>(May Involve police)</b>	RPC / 4-6 days SUS / Possible EXP / <b>(May Involve police)</b>	RPC / 8-10 days SUS / Possible EXP / <b>(May Involve police)</b>	
<b>Insubordination / Gross Insubordination</b>	Student Conference / RPC	RPC	RPC / 1-3 days SUS / Possible EXP	RPC / 4-6 days SUS / Possible EXP
<b>Leaving Campus/Class without permission</b>	Conf with student Campus -RPC-/Truancy Letter	RPC / 1-3 days SUS Truancy Letter	RPC / 4-6 days SUS Truancy Letter	RPC / 7-10 days SUS Truancy Letter
<b>Nuisance Items (Minor)</b>	Student Conference Confiscate-return parents	RPC Confiscate Item	RPC / 1-3 days SUS Confiscate Item	RPC / 4-6 days SUS Confiscate Item
<b>Nuisance Items (Major) Portable Comm. Devices</b>	Student Conference Confiscate-return parents	RPC Confiscate until end of sem.	RPC / 1-3 days SUS Confiscate Item	RPC / 4-6 days SUS Confiscate Item
<b>Possession of Stolen Property (under \$500)</b>	RPC /1-3 days SUS / Possible EXP	RPC / 4-10 days SUS / Possible EXP		
<b>Possession of a Weapon (non NRS)</b>	RPC / 1-10 days SUS / Possible EXP	SUS / Possible EXP		
<b>Profanity</b>	RPC / 1-3 days SUS Behavior Contract	RPC / 4-6 days SUS / Possible EXP	RPC / 8-10 days SUS / Possible EXP	Possible EXP
<b>Public Display of Affection</b>	Student Conference / RPC	RPC / 1-3 days SUS / Possible ESP	4-7 days SUS / Possible EXP	8-10 days SUS / Possible EXP

<b>Refusing to Participate in State Assessment</b>	Student Conference / RPC / Truancy Notifications / Loss of Extracurricular Activities	Student Conference / RPC / Truancy Notifications / Loss of Extracurricular Activities	Student Conference / RPC / Truancy Notifications / Loss of Extracurricular Activities	
<b>Robbery/Extortion (Involve Police)</b>	RPC / 1-3 days SUS / Possible EXP Compensation Behavior Contract	RPC / 4-7 days SUS / Possible EXP Compensation	RPC / 8-10 days SUS / Possible EXP Compensation	
<b>Scholastic Dishonesty</b>	Student Conference / Parent Contact / Re—Do	RPC / 1-3 days SUS	RPC / 4-6 days SUS	RPC / 7-10 days SUS
<b>Sexual Assault</b>	SUS / Possible EXP			
<b>Sexual Conduct</b>	RPC / 1-10 days SUS / Possible EXP	RPC / 1-10 days SUS / Possible EXP	RPC / 1-10 days SUS / Possible EXP	
<b>Spraying Propellants (Tear gas, pepper spray, fire extinguisher)</b>	RPC / Possible 1-3 days SUS / Possible EXP Behavior Contract	RPC / 4-10 days SUS / Possible EXP		
<b>Tardies</b>	Tardy Lock-Out/Parent Sign-In	Tardy Lock-Out/Parent Sign-In	Tardy Lock-Out/Parent Sign-In/RPC	Tardy Lock-Out / Parent Sign-In / RPC / 1-3 days SUS
<b>Threats - Student</b>	RPC / 1-3 days SUS / Possible EXP	RPC / 4-6 days SUS / Possible EXP	RPC / 7-10 days SUS / Possible EXP	RPC / 7-10 days SUS / EXP
<b>Threats - Employee</b>	RPC / 5 day SUS / Possible EXP	RPC / 10 day SUS / Possible EXP		
<b>Theft (May Involve police)</b>	RPC / 1-3 days SUS Compensation Behavior Contract	RPC / 4-7 days SUS / Possible EXP Compensation	RPC / 8-10 days SUS / Possible EXP Compensation	
<b>Tobacco (Possession and/or Use)</b>	RPC / 1-3 days SUS Confiscate	RPC / 4-6 days SUS Confiscate	RPC / 7-10 days SUS Confiscate	RPC / 7-10 days SUS Confiscate
<b>Truancy (May Involve Police)</b>	Parent Contact Truancy Letter	Parent Contact Truancy Letter	Parent Contact Truancy Letter	Citation

<b>Vandalism/Destruction or Defacing Property (May Involve Police)</b>	RPC / Possible 1-3 days SUS / Possible EXP Compensation Behavior Contract School Beautification	RPC / 4-7 days SUS / Possible EXP	RPC / 8-10 days SUS / Possible EXP	
<b>Weapons (NRS)</b>	RPC / SUS / Possible EXP <b>(May involve police)</b>			

The chart below describes step a classroom teacher may take in providing progressive steps of discipline for minor offenses within a classroom.

