



## DISCIPLINE POLICY

### PRINCIPLES:

- Prevent problems by developing positive relationships with others.
- Be responsible.
- Treat others as people, not objects.
- Respect self and others
- Control impulses
- Show compassion (empathy)
- Strive for equity (fairness)

These principles will be integrated throughout the curriculum, the counseling services, the staff development, and the entire normative structure of the school.

The law charges every teacher and administrator with maintaining order and discipline among students and provides that students who do not comply with reasonable rules may be recommended for disciplinary action.

Actions taken to control and correct undesirable student behavior will take individual circumstances into account. Concern for the safety and educational welfare of all students is the priority.

Students receiving, and students who have been identified as qualifying for special education and/or 504 services, shall be disciplined in accordance with provisions of Part B of the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act.

### SCHOOL RULES/POLICIES

***What to Bring to School:*** Items required for school work; lunch; all other items require special approval from your advisor. Inappropriate/Nuisance/Unapproved items may be confiscated by an advisor or administration. Confiscated items must be picked up by a parent/guardian. A student may not reclaim confiscated items.

***Lunch:*** We do not provide a school lunch program; however, daily catering through local vendors is available. **Refrigerators and microwaves are not available for student use.**

***Closed Campus/Leaving School Property:*** No students will be released to walk home or go to another destination during the school day unless they are picked up in person by an adult who is listed on their emergency card. This includes students who are 18 years old or older. Adults coming to pick up students will be asked to provide identification before signing for the release of the student.

***Transportation:*** EKA does not provide transportation to/from the school.

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**Visitors:** Parents are welcome to visit the school and their child's classes. However, all visitors are to report to the office immediately upon entering the building and must have prior approval from the student's advisor or administration. Visitors will be given a visitor's pass, after providing personal identification, to clearly identify them as they move about the campus. Students are not permitted to bring visitors to school including visiting relatives or friends from other schools that are not currently in session. Please see EKA's Visitors Policy for additional information.

**No Smoking:** Explore Knowledge Academy recognizes the health problems related to both active smoking and exposure to secondary smoke. In order to protect the air quality, health, peace, safety, and general welfare of individuals at school or at any school activity, the using, smoking, or carrying lit tobacco products, "vapor" or "e-cigarettes," tobacco devices, or smokeless tobacco products is prohibited at any time on school property and at any school event per NRS 202.249(5).

**Use of Telephone/parent Messages for Students:** The office telephone is a business phone. During the school day, the office phone can be used only in emergency situations as determined by a school administrator.

Students will not be called out of class or given a direct message unless it is an emergency as determined by a school administrator.

**Electronic Device/Cell Phone Policy:** Students are allowed to carry cell phones but are required to keep them silent/vibrate during school hours. They may request to use them from their advisor, advisor assistant, or administrator, but must have approval before engaging in a conversation or texting with anyone. Possession of a cellular phone or other electronic communication device (ECD) by a student is a privilege, which may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege. Violations of this policy may result in disciplinary action against the student which may result in confiscation of the cellular phone or ECD. Confiscated items must be picked up by a parent/guardian. A student may not reclaim confiscated items. The student who possesses a cellular phone or ECD shall assume responsibility for its care. At no time shall EKA be responsible for preventing or reimbursing the owner due to theft, loss, or damage to cell phones or ECD's brought onto its property.

**Care of School Provided Items:** Our school furnishes materials of instruction such as technology, library books and textbooks. It is necessary that students take good care of all school provided items. Students who lose or damage school provided items must pay the replacement cost of that item.

**Backpacks with Rolling Wheels:** Backpacks that have wheels may not be used with the wheels while in the school buildings to prevent a tripping hazard to other students and staff. They must be carried like a standard backpack.

**Wheels at School:** All bicycles/scooters are to be parked in a designated area. Bicycles are to be ridden in a controlled and safe manner while traveling to and from school. All bikes on the grounds should be locked and not be left overnight. EKA, nor its employees, will be held responsible for damage to or theft of bicycles/scooters etc. Students are not allowed to bring shoes with wheels to school unless they are for a school sponsored activity. There will be no riding of bicycles, scooters, roller blades, skateboards or shoes with wheels on the school grounds.

**Animals in School:** Due to the unpredictable behavior of animals in unfamiliar environments/situations, the school discourages bringing animals and pets to school or having

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them on school property. No animals should be brought to school without prior approval from the child's advisor and administrator. Animals may only receive approval if it is for a project presentation or class presentation. Approval will depend mainly upon the type of animal, reason for bringing the animal, how the animal is going to be transported and where the animal will be kept if it is to stay in school. Poisonous animals will not be permitted on school grounds. Bugs and other small creatures should be brought in coffee cans or plastic containers. Please do not send glass jars to school with children. A Parent or Guardian must remain with the animal at all times.

**Public Display of Affection:** Students should remember that the school campus is a public environment and a public facility. Students and staff members are offended when exposed to certain behaviors.

Students are to refrain from any public display of affection that would offend others. The following actions are unacceptable:

- Kissing
- Licking
- Sitting on another's lap
- Hugging/Holding

Public Display of Affection are not limited to the above list and will be under the discretion of administration. Consequences may range from a parent contact to suspension.

**Harassment/Bullying:** It is the policy of Explore Knowledge Academy to maintain a learning and working environment that is free from harassment or violence. Per NRS 388.122 – 388.125, NRS 388.129, and NRS 388.132 – NRS.388.135, Bullying, Cyber-Bullying, Harassment and Intimidation are prohibited in public schools. This includes but is not limited to those of a religious, racial, or sexual nature. Harassment is any action that makes another person uncomfortable or creates an intimidating, hostile, or offensive school atmosphere, and can be verbal, visual, cyber, electronic, written, pictorial or physical. Common types of conduct, but not limited to, that may show evidence of harassment are: unwanted touching, blocking a person's normal movements, threats, slurs, epithets, verbal abuse, derogatory comments, profanity, drawings, pictures, or gestures, unwelcome jokes, teasing or propositions, graphic comments about an individual's body, spreading rumors about a person, displaying sexually suggestive objects, or any act of retaliation against an individual who reports a violation of the school's policy or who participates in the investigation of a sexual harassment complaint. Cyber-bullying means bullying through the use of electronic communication with the use of electronic device, including, without limitation, a telephone, a cellular phone, a computer, or any similar means of communication.

Retaliatory behavior against any complainant or participant in the complaint process is prohibited and is considered to be a type of harassment itself. Harassment, whether it is by students, staff, or third parties in the community, is strictly prohibited and will subject the perpetrator to disciplinary action. Harassment, regardless of its basis, is strictly prohibited.

The school will act to investigate all complaints, formal or informal, verbal or written, of harassment and will discipline any student or staff member who harasses a student or staff member. The student or staff member will be warned to discontinue behaviors that cause discomfort for others; if they choose to continue they may face suspension. Intentional or vagrant harassment may result in immediate suspension, pending expulsion or loss of employment.

### **Bullying and Cyberbullying is Prohibited In Public Schools**

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**NRS 388.121 Definitions.** As used in NRS 388.121 to 388.1395, inclusive, unless the context otherwise requires, the words and terms defined in NRS 388.122, 388.123 and 388.124 have the meanings ascribed to them in those sections.

(Added to NRS by 2001, 1928; A 2005, 705; 2009, 687; 2011, 2244; 2013, 1654, 2137; 2015, 411)

**NRS 388.122 “Bullying” defined.**

1. “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, and:

(a) Have the effect of:

(1) Physically harming a person or damaging the property of a person; or

(2) Placing a person in reasonable fear of physical harm to the person or damage to the property of the person;

(b) Interfere with the rights of a person by:

(1) Creating an intimidating or hostile educational environment for the person; or

(2) Substantially interfering with the academic performance of a pupil or the ability of the person to participate in or benefit from services, activities or privileges provided by a school; or

(c) Are acts or conduct described in paragraph (a) or (b) and are based upon the:

(1) Actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person; or

(2) Association of a person with another person having one or more of those actual or perceived characteristics.

2. The term includes, without limitation:

(a) Repeated or pervasive taunting, name-calling, belittling, mocking or use of put-downs or demeaning humor regarding the actual or perceived race, color, national origin, ancestry, religion, gender identity or expression, sexual orientation, physical or mental disability of a person, sex or any other distinguishing characteristic or background of a person;

(b) Behavior that is intended to harm another person by damaging or manipulating his or her relationships with others by conduct that includes, without limitation, spreading false rumors;

(c) Repeated or pervasive nonverbal threats or intimidation such as the use of aggressive, menacing or disrespectful gestures;

(d) Threats of harm to a person, to his or her possessions or to other persons, whether such threats are transmitted verbally, electronically or in writing;

(e) Blackmail, extortion or demands for protection money or involuntary loans or donations;

(f) Blocking access to any property or facility of a school;

(g) Stalking; and

(h) Physically harmful contact with or injury to another person or his or her property.

(Added to NRS by 2009, 687; A 2011, 2245; 2013, 1655, 2138; 2015, 411)

**NRS 388.123 “Cyber-bullying” defined.** “Cyber-bullying” means bullying through the use of electronic communication. The term includes the use of electronic communication to transmit or distribute a sexual image of a minor. As used in this section, “sexual image” has the meaning ascribed to it in NRS 200.737.

(Added to NRS by 2009, 687; A 2011, 1062)

**NRS 388.124 “Electronic communication” defined.** “Electronic communication” means the communication of any written, verbal or pictorial information through the use of an electronic device, including, without limitation, a telephone, a cellular phone, a computer or any similar means of communication.

(Added to NRS by 2009, 687)

**NRS 388.132 Legislative declaration concerning safe and respectful learning environment.** The Legislature declares that:

1. Pupils are the most vital resource to the future of this State;

2. A learning environment that is safe and respectful is essential for the pupils enrolled in the public schools in this State and is necessary for those pupils to achieve academic success and meet this State’s high academic standards;

3. Every classroom, hallway, locker room, cafeteria, restroom, gymnasium, playground, athletic field, school bus, parking lot and other areas on the premises of a public school in this State must be maintained as a safe and

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respectful learning environment, and no form of bullying or cyber-bullying will be tolerated within the system of public education in this State;

4. Any form of bullying or cyber-bullying seriously interferes with the ability of teachers to teach in the classroom and the ability of pupils to learn;

5. The use of the Internet by pupils in a manner that is ethical, safe and secure is essential to a safe and respectful learning environment and is essential for the successful use of technology;

6. It will ensure that:

(a) The public schools in this State provide a safe and respectful learning environment in which persons of differing beliefs, races, colors, national origins, ancestries, religions, gender identities or expressions, sexual orientations, physical or mental disabilities, sexes or any other distinguishing characteristics or backgrounds can realize their full academic and personal potential;

(b) All administrators, principals, teachers and other personnel of the school districts and public schools in this State demonstrate appropriate and professional behavior on the premises of any public school by treating other persons, including, without limitation, pupils, with civility and respect, by refusing to tolerate bullying and cyber-bullying, and by taking immediate action to protect a victim or target of bullying or cyber-bullying when witnessing, overhearing or being notified that bullying or cyber-bullying is occurring or has occurred;

(c) The quality of instruction is not negatively impacted by poor attitudes or interactions among administrators, principals, teachers, coaches or other personnel of a school district;

(d) All persons in public schools are entitled to maintain their own beliefs and to respectfully disagree without resorting to bullying, cyber-bullying or violence; and

(e) Any teacher, administrator, principal, coach or other staff member or pupil who tolerates or engages in an act of bullying or cyber-bullying or violates a provision of NRS 388.121 to 388.1395, inclusive, regarding a response to bullying or cyber-bullying will be held accountable; and

7. By declaring this mandate that the public schools in this State provide a safe and respectful learning environment, the Legislature is not advocating or requiring the acceptance of differing beliefs in a manner that would inhibit the freedom of expression, but is requiring that pupils be free from physical, emotional or mental abuse while in the care of the State and that pupils be provided with an environment that allows them to learn.

(Added to NRS by 2001, 1929; A 2005, 705; 2009, 687; 2013, 1655; 2015, 412, 881)

## **NRS 388.1321 Legislative declaration concerning duty of board of trustees, administrators and teachers to create and provide safe and respectful learning environment; authority of parent or guardian of pupil to petition court to compel performance of duty; remedy not exclusive.**

1. The Legislature hereby declares that the members of a board of trustees and all administrators and teachers of a school district have a duty to create and provide a safe and respectful learning environment for all pupils that is free of bullying and cyber-bullying.

2. A parent or guardian of a pupil of the public school system of this State may petition a court of competent jurisdiction for a writ of mandamus to compel the performance of any duty imposed by the provisions of NRS 388.121 to 388.1395, inclusive.

3. Nothing in this section shall be deemed to preclude a parent or guardian of a pupil of the public school system of this State from seeking any remedy available at law or in equity.

(Added to NRS by 2015, 410)

## **NRS 388.1323 Office for a Safe and Respectful Learning Environment: Creation; appointment and duties of Director.**

1. The Office for a Safe and Respectful Learning Environment is hereby created within the Department.

2. The Superintendent of Public Instruction shall appoint a Director of the Office, who shall serve at the pleasure of the Superintendent.

3. The Director of the Office shall ensure that the Office:

(a) Maintains a 24-hour, toll-free statewide hotline and Internet website by which any person can report a violation of the provisions of NRS 388.121 to 388.1395, inclusive, and obtain information about anti-bullying efforts and organizations; and

(b) Provides outreach and anti-bullying education and training for pupils, parents and guardians, teachers, administrators, principals, coaches and other staff members and the members of a board of trustees of a school district. The outreach and training must include, without limitation:

(1) Training regarding methods, procedures and practice for recognizing bullying and cyber-bullying behaviors;

(2) Training regarding effective intervention and remediation strategies regarding bullying and cyber-bullying;

(3) Training regarding methods for reporting violations of NRS 388.135; and

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(4) Information on and referral to available resources regarding suicide prevention and the relationship between bullying or cyber-bullying and suicide.

4. The Director of the Office shall establish procedures by which the Office may receive reports of bullying and cyber-bullying and complaints regarding violations of the provisions of NRS 388.121 to 388.1395, inclusive.

5. The Director of the Office or his or her designee shall investigate any complaint that a teacher, administrator, principal, coach or other staff member or member of a board of trustees of a school district has violated a provision of NRS 388.121 to 388.1395, inclusive. If a complaint alleges criminal conduct or an investigation leads the Director of the Office or his or her designee to suspect criminal conduct, the Director of the Office may request assistance from the Investigation Division of the Department of Public Safety.

(Added to NRS by 2015, 410)

## **NRS 388.1325 Bullying Prevention Account: Creation; acceptance of gifts and grants; credit of interest and income; authorized uses by school district that receives grant.**

1. The Bullying Prevention Account is hereby created in the State General Fund, to be administered by the Director of the Office for a Safe and Respectful Learning Environment appointed pursuant to NRS 388.1323. The Director of the Office may accept gifts and grants from any source for deposit into the Account. The interest and income earned on the money in the Account must be credited to the Account.

2. In accordance with the regulations adopted by the State Board pursuant to NRS 388.1327, a school district that applies for and receives a grant of money from the Bullying Prevention Account shall use the money for one or more of the following purposes:

(a) The establishment of programs to create a school environment that is free from bullying and cyber-bullying;

(b) The provision of training on the policies adopted by the school district pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.1395, inclusive; or

(c) The development and implementation of procedures by which the public schools of the school district and the pupils enrolled in those schools can discuss the policies adopted pursuant to NRS 388.134 and the provisions of NRS 388.121 to 388.1395, inclusive.

(Added to NRS by 2011, 2242; A 2013, 1655, 2755; 2015, 413)

## **NRS 388.1327 Regulations.** The State Board shall adopt regulations:

1. Establishing the process whereby school districts may apply to the State Board for a grant of money from the Bullying Prevention Account pursuant to NRS 388.1325.

2. As are necessary to carry out the provisions of NRS 388.121 to 388.1395, inclusive.

(Added to NRS by 2011, 2244; A 2013, 2755; 2015, 413)

## **Policies; Informational Pamphlet; Program of Training**

### **NRS 388.133 Policy by Department concerning safe and respectful learning environment.**

1. The Department shall, in consultation with the boards of trustees of school districts, educational personnel, local associations and organizations of parents whose children are enrolled in public schools throughout this State, and individual parents and legal guardians whose children are enrolled in public schools throughout this State, prescribe by regulation a policy for all school districts and public schools to provide a safe and respectful learning environment that is free of bullying and cyber-bullying.

2. The policy must include, without limitation:

(a) Requirements and methods for reporting violations of NRS 388.135, including, without limitation, violations among teachers and violations between teachers and administrators, principals, coaches and other personnel of a school district; and

(b) A policy for use by school districts to train members of the board of trustees and all administrators, principals, teachers and all other personnel employed by the board of trustees of a school district. The policy must include, without limitation:

(1) Training in the appropriate methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying so that pupils may realize their full academic and personal potential;

(2) Training in methods to prevent, identify and report incidents of bullying and cyber-bullying;

(3) Methods to promote a positive learning environment;

(4) Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

(5) Methods to teach skills to pupils so that the pupils are able to replace inappropriate behavior with positive behavior.

(Added to NRS by 2005, 704; A 2009, 687; 2013, 1656, 2138; 2015, 881)

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**NRS 388.134 Policy by school districts for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to board of trustees and school personnel; posting of policies on Internet website; annual review and update of policies.** The board of trustees of each school district shall:

1. Adopt the policy prescribed pursuant to NRS 388.133 and the policy prescribed pursuant to subsection 2 of NRS 389.520. The board of trustees may adopt an expanded policy for one or both of the policies if each expanded policy complies with the policy prescribed pursuant to NRS 388.133 or pursuant to subsection 2 of NRS 389.520, as applicable.

2. Provide for the appropriate training of members of the board of trustees and all administrators, principals, teachers and all other personnel employed by the board of trustees in accordance with the policies prescribed pursuant to NRS 388.133 and pursuant to subsection 2 of NRS 389.520. For members of the board of trustees who have not previously been elected or appointed to the board of trustees or for employees of the school district who have not previously been employed by the district, the training required by this subsection must be provided within 180 days after the member begins his or her term of office or after the employee begins his or her employment, as applicable.

3. Post the policies adopted pursuant to subsection 1 on the Internet website maintained by the school district.

4. Ensure that the parents and legal guardians of pupils enrolled in the school district have sufficient information concerning the availability of the policies, including, without limitation, information that describes how to access the policies on the Internet website maintained by the school district. Upon the request of a parent or legal guardian, the school district shall provide the parent or legal guardian with a written copy of the policies.

5. Review the policies adopted pursuant to subsection 1 on an annual basis and update the policies if necessary. If the board of trustees of a school district updates the policies, the board of trustees must submit a copy of the updated policies to the Department within 30 days after the update.

(Added to NRS by 2005, 705; A 2009, 688; 2011, 2245; 2013, 2138)

**NRS 388.1341 Development of informational pamphlet by Department; annual review and update; posting on Internet website; development of tutorial.**

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall, to the extent money is available, develop an informational pamphlet to assist pupils and the parents or legal guardians of pupils enrolled in the public schools in this State in resolving incidents of bullying or cyber-bullying. If developed, the pamphlet must include, without limitation:

(a) A summary of the policy prescribed by the Department pursuant to NRS 388.133 and the provisions of NRS 388.121 to 388.1395, inclusive;

(b) A description of practices which have proven effective in preventing and resolving violations of NRS 388.135 in schools, which must include, without limitation, methods to identify and assist pupils who are at risk for bullying and cyber-bullying; and

(c) An explanation that the parent or legal guardian of a pupil who is involved in a reported violation of NRS 388.135 may request an appeal of a disciplinary decision made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district.

2. If the Department develops a pamphlet pursuant to subsection 1, the Department shall review the pamphlet on an annual basis and make such revisions to the pamphlet as the Department determines are necessary to ensure the pamphlet contains current information.

3. If the Department develops a pamphlet pursuant to subsection 1, the Department shall post a copy of the pamphlet on the Internet website maintained by the Department.

4. To the extent the money is available, the Department shall develop a tutorial which must be made available on the Internet website maintained by the Department that includes, without limitation, the information contained in the pamphlet developed pursuant to subsection 1, if such a pamphlet is developed by the Department.

(Added to NRS by 2011, 2241; A 2013, 1656; 2015, 414)

**NRS 388.1342 Establishment of programs of training by Department; completion of program by members of State Board of Education and boards of trustees; completion of program by administrators in prevention of and appropriate responses to violence and suicide; annual review and update.**

1. The Department, in consultation with persons who possess knowledge and expertise in bullying and cyber-bullying, shall:

(a) Establish a program of training on methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the State Board.

(b) Establish a program of training on methods to prevent, identify and report incidents of bullying and cyber-bullying for members of the boards of trustees of school districts.

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(c) Establish a program of training for school district and charter school personnel to assist those persons with carrying out their powers and duties pursuant to NRS 388.121 to 388.1395, inclusive.

(d) Establish a program of training for administrators in the prevention of violence and suicide associated with bullying and cyber-bullying and appropriate methods to respond to incidents of violence or suicide.

2. Each member of the State Board shall, within 1 year after the member is elected or appointed to the State Board, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (a) of subsection 1 and undergo the training at least one additional time while the person is a member of the State Board.

3. Except as otherwise provided in NRS 388.134, each member of a board of trustees of a school district shall, within 1 year after the member is elected or appointed to the board of trustees, complete the program of training on bullying and cyber-bullying established pursuant to paragraph (b) of subsection 1 and undergo the training at least one additional time while the person is a member of the board of trustees.

4. Each administrator of a public school shall complete the program of training established pursuant to paragraph (d) of subsection 1:

(a) Within 90 days after becoming an administrator;

(b) Except as otherwise provided in paragraph (c), at least once every 3 years thereafter; and

(c) At least once during any school year within which the program of training is revised or updated.

5. Each program of training established pursuant to subsection 1 must, to the extent money is available, be made available on the Internet website maintained by the Department or through another provider on the Internet.

6. The board of trustees of a school district may allow school district personnel to attend the program established pursuant to paragraph (c) or (d) of subsection 1 during regular school hours.

7. The Department shall review each program of training established pursuant to subsection 1 on an annual basis to ensure that the program contains current information.

(Added to NRS by 2011, 2242; A 2013, 1657, 2139; 2015, 414)

## School Safety Team

**NRS 388.1343 Establishment by principal of each school; duties of principal.** The principal of each public school or his or her designee shall:

1. Establish a school safety team to develop, foster and maintain a school environment which is free from bullying and cyber-bullying;

2. Conduct investigations of violations of NRS 388.135 occurring at the school; and

3. Collaborate with the board of trustees of the school district and the school safety team to prevent, identify and address reported violations of NRS 388.135 at the school.

(Added to NRS by 2011, 2243; A 2013, 1658)

## **NRS 388.1344 Membership; chair; duties.**

1. Each school safety team established pursuant to NRS 388.1343 must consist of the principal or his or her designee and the following persons appointed by the principal:

(a) A school counselor;

(b) At least one teacher who teaches at the school;

(c) At least one parent or legal guardian of a pupil enrolled in the school; and

(d) Any other persons appointed by the principal.

2. The principal or his or her designee shall serve as the chair of the school safety team.

3. The school safety team shall:

(a) Meet at least two times each year;

(b) Identify and address patterns of bullying or cyber-bullying;

(c) Review and strengthen school policies to prevent and address bullying or cyber-bullying;

(d) Provide information to school personnel, pupils enrolled in the school and parents and legal guardians of pupils enrolled in the school on methods to address bullying and cyber-bullying; and

(e) To the extent money is available, participate in any training conducted by the school district regarding bullying and cyber-bullying.

(Added to NRS by 2011, 2243; A 2013, 1658)

## Prohibition of Bullying and Cyber-Bullying; Reporting and Investigation of Violations

**NRS 388.135 Bullying and cyber-bullying prohibited.** A member of the board of trustees of a school district, any employee of the board of trustees, including, without limitation, an administrator, principal, teacher or other staff member, a member of a club or organization which uses the facilities of any public school, regardless of whether the club or organization has any connection to the school, or any pupil shall not engage in bullying or



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cyber-bullying on the premises of any public school, at an activity sponsored by a public school or on any school bus.

(Added to NRS by 2001, 1929; A 2009, 688; 2013, 1658)

**NRS 388.1351 Staff member required to report violation to principal; required actions and investigation; notification to parent or guardian; written report of findings and conclusions of investigation; follow-up with victim; list of resources to be provided to parent or guardian; appeal of disciplinary action.**

1. A teacher, administrator, principal, coach or other staff member who witnesses a violation of NRS 388.135 or receives information that a violation of NRS 388.135 has occurred shall report the violation to the principal or his or her designee as soon as practicable, but not later than a time during the same day on which the teacher, administrator, principal, coach or other staff member witnessed the violation or received information regarding the occurrence of a violation.

2. Upon receiving a report required by subsection 1, the principal or designee shall immediately take any necessary action to stop the bullying or cyber-bullying and ensure the safety and well-being of the reported victim or victims of the bullying or cyber-bullying and shall begin an investigation into the report. The investigation must include, without limitation:

(a) Except as otherwise provided in subsection 3, notification provided by telephone, electronic mail or other electronic means or provided in person, of the parents or guardians of all pupils directly involved in the reported bullying or cyber-bullying, as applicable, either as a reported aggressor or a reported victim of the bullying or cyber-bullying. The notification must be provided not later than:

(1) If the bullying or cyber-bullying is reported before the end of school hours on a school day, 6 p.m. on the day on which the bullying or cyber-bullying is reported; or

(2) If the bullying or cyber-bullying was reported on a day that is not a school day, or after school hours on a school day, 6 p.m. on the school day following the day on which the bullying or cyber-bullying is reported.

(b) Interviews with all pupils whose parents or guardians must be notified pursuant to paragraph (a) and with all such parents and guardians.

3. If the contact information for the parent or guardian of a pupil in the records of the school is not correct, a good faith effort to notify the parent or guardian shall be deemed sufficient to meet the requirement for notification pursuant to paragraph (a) of subsection 2.

4. Except as otherwise provided in this subsection, an investigation required by this section must be completed not later than 2 school days after the principal or designee receives a report required by subsection 1. If the principal or designee is not able to complete the interviews required by paragraph (b) of subsection 2 within 2 school days after making a good faith effort because any of the persons to be interviewed is not available, 1 additional school day may be used to complete the investigation.

5. A principal or designee who conducts an investigation required by this section shall complete a written report of the findings and conclusions of the investigation. If a violation is found to have occurred, the report must include recommendations concerning the imposition of disciplinary action or other measures to be imposed as a result of the violation, in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district. Subject to the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, the report must be made available, not later than 24 hours after the completion of the written report, to all parents or guardians who must be notified pursuant to paragraph (a) of subsection 2 as part of the investigation.

6. Not later than 10 school days after receiving a report required by subsection 1, the principal or designee shall meet with each reported victim of the bullying or cyber-bullying to inquire about the well-being of the reported victim and to ensure that the reported bullying or cyber-bullying, as applicable, is not continuing.

7. To the extent that information is available, the principal or his or her designee shall provide a list of any resources that may be available in the community to assist a pupil to each parent or guardian of a pupil to whom notice was provided pursuant to this section as soon as practicable. Such a list may include, without limitation, resources available at no charge or at a reduced cost. If such a list is provided, the principal, his or her designee, or any employee of the school or the school district is not responsible for providing such resources to the pupil or ensuring the pupil receives such resources.

8. The parent or guardian of a pupil involved in the reported violation of NRS 388.135 may appeal a disciplinary decision of the principal or his or her designee, made against the pupil as a result of the violation, in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district. Not later than 30 days after receiving a response provided in accordance with such a policy, the parent or guardian may submit a complaint to the Department. The Department shall consider and respond to the complaint pursuant to procedures and standards prescribed in regulations adopted by the Department.

(Added to NRS by 2011, 2244; A 2013, 2140; 2015, 415, 2069)

# DISCIPLINE POLICY

**NRS 388.1352 Establishment of policy by school districts for employees to report violations to law enforcement.** The board of trustees of each school district, in conjunction with the school police officers of the school district, if any, and the local law enforcement agencies that have jurisdiction over the school district, shall establish a policy for the procedures which must be followed by an employee of the school district when reporting a violation of NRS 388.135 to a school police officer or local law enforcement agency.

(Added to NRS by 2011, 2244)

**NRS 388.1354 Disciplinary action against administrator or principal or designee thereof who fails to comply with certain provisions.** If an administrator, principal or the designee of an administrator or principal of a school knowingly and willfully fails to comply with the provisions of NRS 388.1351, the superintendent of the school district:

1. Shall take disciplinary action against the employee by written admonishment, demotion, suspension, dismissal or refusal to reemploy; and

2. If the employee is the holder of a license issued pursuant to chapter 391 of NRS, may recommend to the board of trustees of the school district that the board submit a recommendation to the State Board for the suspension or revocation of the license.

(Added to NRS by 2015, 410)

**NRS 388.136 School officials prohibited from interfering with disclosure of violations.**

1. A school official shall not directly or indirectly interfere with or prevent the disclosure of information concerning a violation of NRS 388.135.

2. As used in this section, “school official” means:

(a) A member of the board of trustees of a school district; or

(b) A licensed or unlicensed employee of a school district.

(Added to NRS by 2005, 705)

**NRS 388.137 Immunity for reporting of violations; exceptions; recommendation for disciplinary action if person who made report acted with malice, intentional misconduct, gross negligence or violation of law.**

1. No cause of action may be brought against a pupil or an employee or volunteer of a school who reports a violation of NRS 388.135 unless the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law.

2. If a principal determines that a report of a violation of NRS 388.135 is false and that the person who made the report acted with malice, intentional misconduct, gross negligence, or intentional or knowing violation of the law, the principal may recommend the imposition of disciplinary action or other measures against the person in accordance with the policy governing disciplinary action adopted by the board of trustees of the school district.

(Added to NRS by 2005, 705; A 2013, 2140)

## Rules of Behavior; Week of Respect

**NRS 388.139 Text of certain provisions required to be included in rules of behavior.** Each school district shall include the text of the provisions of NRS 388.121 to 388.1395, inclusive, and the policies adopted by the board of trustees of the school district pursuant to NRS 388.134 under the heading “Bullying and Cyber-Bullying Is Prohibited in Public Schools,” within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.

(Added to NRS by 2001, 1929; A 2005, 706; 2009, 688; 2011, 2246; 2013, 1659; 2015, 417)

**NRS 388.1395 Requirements for delivery of information during annual “Week of Respect.”** The board of trustees of each school district and the governing body of each charter school shall determine the most effective manner for the delivery of information to the pupils of each public school during the “Week of Respect” proclaimed by the Governor each year pursuant to NRS 236.073. The information delivered during the “Week of Respect” must focus on:

1. Methods to prevent, identify and report incidents of bullying and cyber-bullying;

2. Methods to improve the school environment in a manner that will facilitate positive human relations among pupils; and

3. Methods to facilitate positive human relations among pupils by eliminating the use of bullying and cyber-bullying.

***Nondiscrimination and Accessibility Notice*** - Explore Knowledge Academy does not knowingly discriminate against any person on the basis of race, creed/religion, color, national or

## DISCIPLINE POLICY

ethnic origin, sex, gender identity or expression, sexual orientation, disability, marital status or age, in admission or access to, treatment or employment in, or participation in its programs and activities pursuant to federal and state laws including, but not limited to, Title VI and VII of the Civil Rights Act, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act.

Students, parents, and other program participants who feel discriminated against may initiate a complaint by contacting the principal of the school. Explore Knowledge Academy is committed to nondiscrimination in its programs, activities and services, and to providing facility accessibility. If parents or members of the public have additional concerns or complaints after contacting the principal, they also may initiate a formal review by completing a Public Concern Form which can be obtained at any school office.

**Plagiarism / Cheating:** All students must follow EKA's Code of Honor regarding plagiarism and cheating. Students believed to be in violation of this code will be disciplined on a case by case basis depending on severity, type, and frequency.

**Searching Students or Student Lockers:** Students have a limited right of use of lockers which are subject to search at any time. Searches of a student's person or possessions while at school must be reasonable.

**Violation of Rules:** Violation of the rules listed, or the commission of any act defined as dangerous or antisocial student behavior, may result in the student being suspended, or recommended for expulsion, unless otherwise provided for in this policy, or other disciplinary action when occurring:

- A. At any time on school grounds, whether or not school is in session.
- B. Off school grounds at a school activity, function, event, or on the way to and from school or a school activity, function or event.
- C. Off school grounds but within sufficient proximity to the school that the conduct may have a direct impact on the school, a school sponsored activity, function or event, or upon the health, welfare and safety of students or school employees.
- D. Off school grounds by a student who is truant and whose conduct may impact the school, a school sponsored activity, function or event, or the health, welfare, and safety of students or school employees.
- E. At any time on or off school grounds when the conduct has a direct impact on the health, welfare, and safety of students or school employees.

**Complaints:** The school takes seriously all concerns or complaints by students, staff, or other persons. If you have a concern about something or someone, please talk to an advisor or other staff member. The staff member who receives the complaint is responsible to refer it to the responsible team (advisory team, TPP, community council, administrator, business office, technology team, special education, board of trustees). Depending on the nature or seriousness of the complaint, the responsible persons will determine the nature and scope of the investigation and follow-up procedures. The responsible persons shall respond to the complaining party concerning the investigation and the follow-up, including any corrective measure taken unless it is a confidential personnel matter.

# DISCIPLINE POLICY

For a detailed copy of any of the above summarized policies, please contact the office.

## DISCIPLINE PROCEDURES

If a student is suspended or expelled from EKA, the charter school will provide equivalent instruction. Every attempt will be made to deal with inappropriate behavior or problems by student and parent conferences. However, state law requires the following procedures be taken for certain actions or behaviors by students.

Immediate removal of the student from the school, upon explanation of reasons and pending procedures, for the following situations:

- Poses a danger to persons or property
- Is an ongoing threat for the disruption of the academic process.
- Is in possession, selling or distributing any controlled substance, or alcohol.
- Is in possession of a dangerous weapon (as defined in NRS 392.466)

## STUDENT DISCIPLINE

### A. Classroom/Advisory Discipline

1. If a student requires disciplinary action in the classroom/advisory, it should, in most instances, be handled by the advisor, which may suspend a student for a period length of one day, if they deem it to be in the best interest of the student or other students. The parent will be notified within 1 business day after the conclusion of the incident investigation.
2. If the advisor is confronted with a serious situation or is confronted with a situation specified in EKA's guidelines as unacceptable behavior, the advisor should immediately notify administration.
3. A written report describing the incident or infraction must be created and submitted regardless of severity. If the advisor desires a student-advisor-administrator conference, the advisor should so indicate on the report. Every effort should be made to hold the conference in a timely fashion to determine the appropriate action.
4. Disciplinary action should be taken as soon as possible. When appropriate the student shall be returned to the classroom, or the behavior may warrant a future conference.
5. Judgment and discretion are to be used in all punishment/consequence determinations.
6. A Behavior Contract between a student, parents/guardians, advisor(s) and administration may be used to promote positive behaviors.

B. Corporal punishment is prohibited (NRS 392.465) - which is defined as the intentional infliction of physical pain or the physical restraint of a pupil for disciplinary purposes. The term does not include the use of reasonable and necessary force:

# DISCIPLINE POLICY

Exceptions:

- Attempt to quell disturbance which is threatening physical injury to any person or destruction of property;
- Attempt to obtain possession of a weapon or other dangerous object within a pupil's control;
- Self-defense or defense of others; or
- Escorting a disruptive pupil who refuses to go voluntarily with proper authorities.

## C. Detaining Students

Students are not to be deprived of 20 minutes to eat lunch, either for punishments or for special help. When it is necessary for students to make up time or receive special help, the advisor may request them to report before school in the morning or detain them after school for not more than one hour.

Anticipating the natural concerns of parents for immediate student return to home, no K-5<sup>th</sup> grade student will be detained without prior notification. All students regardless of grade level shall have the privilege of going home the first day to inform parents that they will be detained the following day or days if the student is to be detained more than 15 minutes.

## SUSPENSION OR EXPULSION (reference: NRS 392.466)

Suspension is the temporary removal of a student from school for any of the reasons outlined in EKA's discipline policy. When circumstances permit, students who must be removed from an advisory or playground should be kept at school to participate in as much of the program as possible. The primary purpose of suspension is to give the student, the student's parent(s), and the school the time needed for resolving a problem. The parent must be notified in writing of each suspension. Reasonable effort will be made to contact the parent(s) before the end of the current school day. Duration and conditions of suspensions are as follows:

- A. Since the time and actions needed to resolve problems depend on individual circumstances, the duration of suspension shall in all cases be related to a course of action designed to resolve the problem. The duration shall be specified in advance only when known factors preclude immediate resolution. The student shall be readmitted as soon as the school has reasonable assurance that the problem has been resolved or significantly improved.
- B. The school may impose appropriate requirements relating to parental contacts, the student's future behavior at a school, and school work to be done during suspension.
- C. A letter of suspension is to be used by the administrator or administrative designee in cases of a more serious nature or when circumstances may warrant further action, such as an expulsion recommendation or removal. Within three (3) school days of suspension, a conference with the student, parent or guardian, advisor and/or other appropriate personnel is to be held. No student is to be on suspension more than ten (10) school days before a decision or recommendation is made. If a recommendation for expulsion is made, the suspension will remain in effect until the final disposition of the expulsion recommendation.
- D. Students suspended for assault or battery to a school employee using, selling or attempting to sell alcohol or a controlled substance, arson, possession of a weapon as prohibited by NRS 392.466 or Gun Free Schools Act, or immoral conduct as it pertains

## DISCIPLINE POLICY

to sexual behavior between individuals, are not allowed on a school campus or at any school sponsored activity for any reason without the express prior permission of the administrator.

*Request for Parent Conference* – A request for Parent Conference letter is to be used when the desired results may be obtained without the loss of school time and when a Parent Conference is desired but not required to resolve an issue.

*Notice of Required Parent Conference/Temporary Removal From School*- A notice of required parent conference/temporary removal from school letter is to be used when a student parent conference or the temporary removal of a student is necessary. There will be no loss of school days unless the student is temporarily removed. Such removal may not exceed two days from and including the date of infraction. Such days will count toward the maximum allowable days for exclusion for students with disabilities.

- A. A Notice of Required Parent Conference may not be used in lieu of a suspension.
- B. If the parent does not communicate with school administration to schedule a conference by the next school day, the administration will make reasonable efforts to contact the parent(s) or legal guardian(s) and document the attempts.
- C. Conferences may be held by phone when appropriate or when requested by the parent or guardian as a result of hardship.
- D. Students may not be suspended for failure of the parent to schedule or participate in a required conference.
- E. If a parent or guardian does not participate in a required conference, the administration shall determine if it is necessary that the student remain out of school. If the administrator determines that it is necessary that the student be kept out of school, the administrator shall suspend the student in accordance with the provisions of this regulation.

Any student **must** be expelled for at least **one semester** who:

- Assault or battery **on a** school employee; or
- Immoral Conduct – as it pertains to sexual behavior between individuals; or
- Arson; or
- Drugs, Alcoholic Beverages, Use or Possession, as follows:
  - Any sale, distribution or possession with intent to distribute, any form or amount of drugs or alcoholic beverages.
  - Any possession of drugs or use on campus.
- Is found to be in possession of a dangerous weapon including a weapon defined by the Gun-Free Schools Act as set forth below, or a Dangerous Weapon, which includes, without limitation, a blackjack, slingshot, billy, sand-club, sandbag, metal knuckles, dirk or dagger, a nunchaku, switchblade knife or trefoil, a butterfly knife or any other knife described in NRS 202.350, or any other object which is used, or threatened to be used, in such a manner and under such circumstances as to pose a threat of, or cause, bodily injury to a person. Administration may, in their discretion, take appropriate disciplinary action other than recommending expulsion for possession of prohibited weapons, except those listed above, such as pen-knives which are not used under dangerous circumstances or in a threatening manner.

Any student **must** be expelled for at least **one year** who:

## DISCIPLINE POLICY

Is found in possession of a firearm. In accordance with the Federal Gun-Free Act of 1994, if an expulsion recommendation results from a student's possession of a firearm (any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other propellant as defined by the Act, the frame or receiver of any such weapon, or any firearm muffler or firearm silencer) or destructive device, explosive, incendiary, or poison gas, said expulsion from a regular school program shall be for a period of not less than one year.

The Federal Gun-Free Schools Act of 1994 does not affect the requirement that discipline of students with disabilities, who violate school regulations or policies regarding firearms or destructive devices, must still comply with Part B of the Individuals with Disabilities Act (IDEA) and Section 504 of the Rehabilitation Act.

- Assault or Battery on a School Employee- A student shall not threaten or intentionally cause or attempt to cause physical injury or intentionally behave in such a way, as could reasonably cause physical injury to a school employee, which would cause a reasonable person to feel apprehension of immediate bodily harm.

These occurrences can take place at any of the following locations:

- At any time on school grounds, whether or not school is in session, at the student's assigned school.
- At any time on school grounds, other than the student's assigned school, whether or not school is in session or upon the charter school controlled properties.
- Off school grounds at a school sponsored activity, function, event, or on the way to and from school or a school activity, function, or event.
- Off school grounds but within sufficient proximity to school property that the conduct may have a direct impact on a school campus, a school sponsored activity, function or event, or upon the health, welfare, and safety of students or school employees.
- Off school grounds by a student who is truant and whose conduct may impact a school campus, a school sponsored activity, function or event, or the health, welfare, and safety of students or school employees.
- At any time on or off the school grounds when the conduct has a direct impact on the health, welfare, and safety of students or school employees.

For a second occurrence, a student must:

- Be permanently expelled: and
- Receive equivalent instruction per NRS 392.070

A student may be permanently expelled only by the charter school's Board of Trustees.

Suspension or expulsion may be exercised for any of the following student behaviors:

- Verbal Abuse or Intimidation- A student shall not direct harassing, vulgar, or derogatory remarks toward any person. As student shall not willfully or maliciously engage in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated or harassed.
- Racial or Sexual Harassment – A student shall not willfully or maliciously engage in either verbal or physical conduct that would cause a reasonable person to feel racially or sexually harassed. Any hostile or offensive action against people because of their skin color, gender, sexual orientation, cultural or religious background or ethnic origin is prohibited.
- Physical Abuse on Any Person- A student shall not intentionally cause physical injury to any person, nor intentionally behave in such a way, as could reasonable cause physical injury to any person. Neither reasonable self-defense, nor action undertaken on the

## DISCIPLINE POLICY

reasonable belief that it was necessary to protect some other person, is to be considered an intentional act under this rule.

- Violations of Authority and Behavioral Guidelines- A student shall not fail to comply with directions of advisors, student advisors, substitute advisors, advisor aides, hall monitors, administrative personnel or other authorized school personnel during any period of time when the student is properly under the authority of school personnel. Students shall comply with the behavioral guidelines that are adopted by EKA in conjunction with the spirit and intent of this regulation. These guidelines must be adhered to on any EKA campus, not limited to bathrooms, field, playground, ect., for any event before or after school, or at any school sponsored event. Employees shall ensure that directions given are reasonable.
- Bullying, cyber-bullying, harassment and intimidation –Students shall not commit an act of bullying, cyber-bullying, harassment and/or intimidation against another student. This is any negative action which is not authorized by law and which exposes a person to negative actions which are highly offensive to a reasonable person and is intended to cause harm, serious emotional distress, and/or fear, and creates an environment which is hostile, thus interfering with the education of the student.
- Immoral Conduct- Any student who commits or attempts to induce another student to commit an act or acts of immoral conduct shall be suspended until an investigation is conducted. Immoral conduct includes inappropriate, suggestive, or explicit sexual behavior; conduct inconsistent with rectitude, or indicative of corruption, indecency, depravity, dissoluteness; or as willful, flagrant, or shameless conduct showing moral indifference to the opinions of respectable members of the community. If it appears that the law may have been violated, the student shall be referred to the proper law enforcement agency.
- Theft, Loss, or Destruction of School and/or Private Property- A student shall not intentionally cause or attempt to cause, or intentionally commit any act that may reasonably be foreseen to cause substantial damage, in any manner, to school property or to private property located on school property, or take or attempt to take the property of another. The school is not responsible for student's personal property that they have brought with them to school. The school is limited in its ability to search for missing items.  
Parents and students are responsible for instructional supplies and materials loaned to students. Students and their parents shall be held responsible for damage to school property.  
Students responsible for damages may be required by the administration to reimburse the school for the loss.
- Arson- A student shall not intentionally set fire, or attempt to set fire, or intentionally engage in conduct which may reasonably be foreseen to set fire to school property, nor the property of another, nor shall a student participate in or encourage another person to participate in such conduct.
- Weapons
  - No person may carry, use, possess, conceal or transmit a weapon, as defined herein below, on school property except a person having written permission from the administrator of the school to carry or possess the weapon.
  - Implements manufactured, used, or intended for use as weapons may not be carried, used, possessed, concealed, or transmitted at school on school property, on the way to or from school, or at or on the way to or from a school activity, function, or event. Students found in possession of a weapon shall immediately be referred to the appropriate law enforcement agency and suspended from school until a thorough investigation is conducted.
  - Weapons are defined as firearms, including but not limited to pistol, rifle, zip gun, shot gun, BB gun, pellet gun, explosive, explosive propellant, destructive



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device, or ammunition—whether operable or in operable, loaded or unloaded; knives, including, but not limited to switch blade, pen knife, pocket knife, hunting knife, and similar objects; other weapons, including but not limited to razor blades, ice picks, dirks or other sharp instruments, nunchakus, metal knuckles, pipes, Chinese stars, billy clubs, and machetes; explosive or inflammable material, including but not limited to bombs, fireworks, or firecrackers; or any other items that may cause bodily injury or death. All weapons, whether or not listed herein, are similarly prohibited. The use of any normally non-dangerous implement such as a stone, table fork, board, stick, or baseball bat as a weapon, shall come under the provisions of this section.

- Simulated Weapons
  - No person may carry, use, possess, conceal or transmit a simulated weapon on school property unless they have received written permission from a school administrator, or designee, to carry or possess such a simulated weapon.
  - Simulated weapons include, but are not limited to, any “toy” or nonfunctional implement which bears a substantial visual resemblance to any item defined by this regulation as a weapon.
- Drugs, Alcoholic Beverages, Use or Possession
  - Any student, who is found in possession, is under the influence on school property, has sold or has in any way encouraged the possession, use, sale by another of any controlled substance including narcotic drugs, prescription or over the counter drugs, drug paraphernalia, or alcoholic beverage shall be suspended until an investigation is conducted.
  - If it is believed that an illegal act has been committed, the student shall be referred to the proper law enforcement agency.
  - The suspension shall be in effect until it has been determined whether the student is believed to have committed any of the acts listed above.
  - Students who possess, use on campus, sell or encourage others to possess, use or sell drugs or alcoholic beverages are considered a threat to the safety and welfare of other students.
- Smoking – EKA prohibits the student use or possession of the following items on campus (inside or outside) and at off-campus, school-sponsored events:
  - tobacco products and tobacco-related devices,
  - imitation tobacco products,
  - smokeless tobacco products
  - oral smoking devices
  - lighters, and
  - vapor or electronic cigarettes “e-cigarettes”
- Robbery/Extortion- A student shall not take or obtain property of another person by means or reason of violence, force, threat of force, coercion, intimidation, fear, passive resistance, or any other conduct.
- Disruption of School-
  - A student shall not, by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct, intentionally cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school.
  - Neither shall a student engage in, nor urge, other students to engage in such conduct for the purpose of causing the substantial and material disruption or obstruction of any lawful mission, process or function of the school if such a disruption or obstruction is reasonably certain to result from the student’s actions.

## DISCIPLINE POLICY

- While this list is not intended to be all inclusive, the following acts, when done for the purpose of causing a substantial and material disruption or obstruction of any lawful mission, process, or function of the school or when such result is a foreseeable consequence of said conduct, illustrate the kinds of offenses encompassed here:
  - Occupying any school building, school property, or part thereof with intent to deprive others of its use.
  - Blocking the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of, the building or corridor or room.
  - Setting fire to or substantially damaging any school building or property.
  - Firing, displaying, or threatening use of firearms, explosives, or other weapons, or simulated weapons on the school premises, at a school activity, function or event, or on the way to or from school or a school activity, function, or event.
  - Preventing or attempting to prevent by physical act the convening or continued functioning of any school, class, or activity of any lawful meeting or assembly on school property.
  - Preventing students from attending a class or school activity.
  - Except under the direct instruction of the administrator, blocking normal pedestrian or vehicular traffic on school property.
  - Continuously and intentionally making noise or acting in any manner so as to interfere seriously with the advisor's ability to conduct class.

- Activities of Criminal Gangs - Students are prohibited from wearing any clothing or carrying any symbol on school property that denotes membership in or an affiliation with a criminal gang.

Students are prohibited from engaging in any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang.

For purposes of this regulation, a criminal gang is defined as any combination of persons, organized formally or informally, so constructed that the organization will continue its operation even if individual members enter or leave the organization, which; (a) has a common or identifying symbol; (b) has particular conduct, status and customs indicative of it; and (c) has any one of its common activities engaging in criminal activity punishable as a felony.

- Violation of Law- Violation of any state or federal law in school buildings or on school property, at a school sponsored activity, function or event, or on the way to or from school or a school activity, function or event, whether or not a criminal citation, arrest, prosecution or conviction results from the violation.

Concurrent penalties imposed by both the school and the appropriate law enforcement agency could result from the violation of this item or any listed above.

### **HABITUAL DISCIPLINARY PROBLEM (NRS 392.4655)**

The school administrator shall deem a pupil a habitual disciplinary problem if a school has written evidence that in one school year a pupil has:

- Been suspended for initiating two or more fights, on school property, at an activity sponsored by the school, or on his/her way home from school (within one hour of beginning or ending of school day)
- A record of five suspensions from school for any reason.

The administrator must provide written notice of this action to the parents or guardians, which includes an explanation or reason for action. A student determined to be a habitual disciplinary problem will be suspended pending recommendation for expulsion to the Board of Trustees.

## **DISCIPLINE POLICY**

### INELIGIBILITY TO ATTEND PUBLIC SCHOOL AND LIMITATIONS ON ELIGIBILITY FOR ALTERNATIVE INSTRUCTION (NRS 392.4675)

1. A pupil who is suspended or expelled from any public school is ineligible to attend any other public school in the state during the time of the suspension or expulsion.
2. A pupil who is ineligible to attend a public school may enroll in an alternative education program or any program of instruction pursuant to NRS 388.550.
3. Authorization for enrollment is not allowed for a pupil who is deemed to be a habitual disciplinary problem or for a pupil's second occurrence of:
  - Committing battery resulting in bodily injury of school employee;
  - Selling or distributing a controlled substance; or
  - Having been found to be in possession of a dangerous weapon.

COMMIT THESE CRIMES AND YOU WILL BE SUBJECT TO

# **EXPULSION**

## **ARSON**

The willful burning of property.

## **ASSAULT AND/OR BATTERY ON A SCHOOL EMPLOYEE**

Physical abuse and/or threats of physical abuse directed at a school employee.

## **DRUGS /CONTROLLED SUBSTANCES**

Use, possession and/or distribution of a controlled and/or illicit substance or any substance represented to be such.

## **IMMORAL CONDUCT**

Contact as it pertains to sexual behavior between individuals.

## **WEAPONS**

Possession, use, transmittal, or concealment of ANY operable or inoperable weapon. Weapons are defined as firearms, knives, explosives, inflammable materials, or other items that may cause bodily injury or death. BB and pellet guns, pocket knives, and fireworks are weapons. The Gun Free Schools Act and NRS 392.466 specify expulsion requirements based on type of weapon, and/or circumstances surrounding the infraction.

**DISCIPLINE POLICY**

**STUDENTS FOUND IN VIOLATION OF THE  
ABOVE WILL BE REFERRED FOR  
PROSECUTION TO THE FULLEST EXTENT OF  
THE LAW**

# DISCIPLINE POLICY

INFRACTION	LEVEL 1	LEVEL 2	LEVEL 3
ARSON (Involve Law Enforcement [LE])	SC/PC Suspension Pending Expulsion		
ASSAULT: Threat of bodily harm on any school personnel. (May involve LE)	SC/PC Suspension Pending Expulsion		
ASSAULT: Threat of bodily harm on any student. (May involve LE)	SC/PC Possible Suspension	SC/PC Suspension Pending Expulsion	
BATTERY: Physical assault on any school personnel. (May involve LE)	SC/PC Suspension Pending Expulsion		
BATTERY: Physical assault on any student. (May involve LE)	SC/PC Possible Suspension	SC/PC Suspension Pending Expulsion	
BULLYING/CYBER-BULLYING: Unwanted written, verbal, pictorial, electronic or physical act(s) which are offensive to another person.	SC/PC Possible Suspension	SC/PC Suspension	SC/PC Suspension
CAMPUS DISRUPTION (May Involve LE)	SC/PC Suspension	PC/ Suspension	SC/PC Suspension Pending Expulsion
CHRONIC ABSENTEEISM – See attendance policy	School Notification	SC/PC – Ineligible activities	RPC – Ineligible activities
CLASSROOM DISRUPTION (Minor) See next page for samples.	SC/3 or more minor Possible Suspension	SC/PC Possible Suspension	SC/PC Suspension
COMPUTER MISCONDUCT (Minor) See list of infractions for levels	SC, Possible Level 1 electronic device Restrictions	SC/PC Level 1 or 2 electronic device Restrictions	SC/PC, Suspension Level 2 or 3 electronic device Restrictions
COMPUTER MISCONDUCT (Major) See list of infractions for levels	SC/PC Suspension, Level 2 or 3 electronic device Restrictions	SC/PC Suspension, Level 3 electronic device Restrictions or Loss of electronic device	SC/PC Suspension Pending Expulsion
COMPUTER MISCONDUCT (Severe) See list of infractions for levels	SC/PC Suspension Pending Expulsion	SC/PC Suspension Pending Expulsion	SC/PC Suspension Pending Expulsion
CONTROLLED SUBSTANCE DRUGS/ALCOHOL (Possession of Paraphernalia)	SC/PC Suspension	SC/PC Suspension	SC/PC Suspension
ALCOHOL (Use, Possession)	SC/PC Suspension	SC/PC Suspension/Pending Expulsion	
ALCOHOL (Sale and/or Distribution) (May involve LE)	SC/PC Suspension Pending Expulsion		
CONTROLLED SUBSTANCE DRUGS (Use, Possession, Sale and/or Distribution) (May involve LE)	SC/PC Suspension Pending Expulsion		
DISREGARD RULES/REGULATIONS	SC	SC/PC Possible Suspension	SC/PC Suspension
DEFIANCE OF SCHOOL PERSONNEL INSUBORDINATION	SC – Possible Suspension	SC/PC Suspension	SC/PC Suspension
DRESS CODE	SC: School provided attire may be required or Parent to Provide appropriate attire	SC/PC: School provided attire may be required or Parent to Provide appropriate attire	SC/PC Possible Suspension
ELECTRONIC COMMUNICATION DEVICES AND CELL PHONE ABUSE	SC, Device confiscated. Parent pick up device from office or advisor	SC/PC Device confiscated. Parent pick up device from office or advisor	SC/PC Suspension
EXPLOSIVE DEVICES/FIREARMS (Involve LE)	Confiscate Items, PC/Suspension Pending Expulsion		

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EXTORTION	SC/PC Suspension Pending Expulsion		
FIGHTING: Physical Altercation (May involve LE)	SC/PC, Suspension	SC/PC Suspension, Counselor Referral	SC/PC Suspension Pending Expulsion
<b>INFRACTION</b>	<b>LEVEL 1</b>	<b>LEVEL 2</b>	<b>LEVEL 3</b>
FORGERY (May involve LE)	SC/PC	SC/PC Suspension	SC/PC Suspension, Possible Suspension Pending Expulsion
GAMBLING	SC/PC Possible Suspension	SC/PC Possible Suspension	SC/PC Suspension
GANG ACTIVITY	SC/PC Suspension Pending Expulsion		
HARASSMENT/INTIMIDATION (May involve LE)	SC/PC Suspension	SC/PC Suspension	SC/PC Suspension Pending Expulsion
HITTING	SC/PC Suspension	SC/PC Suspension	SC/PC Suspension Pending Expulsion
IMMORAL CONDUCT	SC/PC Suspension Pending Expulsion		
NO SHOW DETENTIONS	Missing first detention, receives 2 detentions	SC/PC Suspension	SC/PC Suspension
PUBLIC DISPLAY OF AFFECTION	SC	SC/PC	SC/PC Suspension
PROFANITY (Non-directed)	SC	SC/PC	SC/PC Suspension
PROFANITY towards employee or student	SC/PC Possible Suspension	SC/PC Suspension	SC/PC Suspension
ROBBERY/EXTORTION (May involve LE)	SC/PC Suspension	SC/PC Suspension pending Expulsion	
SMOKING (Use, Possession, Distribution, or Paraphernalia) (May involve LE)	SC/PC Suspension	SC/PC Suspension	SC/PC Suspension
SPRAYING PROPELLENTS	SC/PC Suspension	SC/PC Suspension	Pending Expulsion
TARDIES (K-5 <sup>th</sup> Grade)	School Notification	SC/PC – Ineligible activities	RPC – Ineligible activities
TARDIES (6 <sup>th</sup> -12 <sup>th</sup> Grade)	1 <sup>st</sup> Tardy – Verbal Warning	3 <sup>rd</sup> and each subsequent Tardy – Detention	Habitual Tardy – Parent Conference
THEFT, DESTRUCTION OF SCHOOL OR PERSONAL PROPERTY (May involve LE)	SC/PC, Suspension, Compensation	SC/PC Suspension, Compensation	SC/PC Suspension Pending Expulsion, Compensation
TRUANCY (May involve LE)	SC/PC Truancy Letter	RPC – Ineligible activities	SC/PC Truancy Letter, Referral to Truancy Officer
UNACCEPTABLE SCHOOL BEHAVIOR	SC Possible PC and Suspension	SC/PC Possible Suspension	SC/PC Suspension
VANDALISM Destruction or Defacing Property (May involve LE)	SC/PC Clean-up, Cost of Repairs, Possible Suspension	SC/PC Suspension, Clean-up, Cost of Repairs	SC/PC Suspension, Possible pending Expulsion, Clean-up Cost of Repairs
VERBAL ABUSE, ALTERCATION, INTIMIDATION, THREATS to Employees or Parents (May involve LE)	SC/PC Suspension	SC/PC Suspension, possibly pending expulsion	SC/PC Suspension Pending Expulsion
VERBAL ABUSE, ALTERCATION, INTIMIDATION, THREATS to Student (May involve LE)	SC/PC	SC/PC Suspension	SC/PC Suspension, Possible pending Expulsion

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VIOLATION OF BEHAVIORAL GUIDELINES	SC Possible PC and Suspension	SC/PC Possible Suspension	SC/PC Suspension, Possible pending Expulsion
WEAPONS DANGEROUS (NRS 202.350)	SC/PC Suspension Pending Expulsion		
WEAPONS – Non Dangerous Circumstances or Non-Threatening (Not listed under NRS 202.350)	SC/PC Suspension	SC/PC Suspension Pending Expulsion	
<b>Minor Classroom Disruptions</b>			
Sample minor infractions may include but are not limited to:			
Disrespectful Behavior Derogatory Comments Possession of a nuisance item Not following advisor directions Not prepared for class Tardiness Sleeping in class		Fake fighting Annoying students Off Task Running/Playing Around Talking Loudly Cell Phone use Refusal to complete work	

<i>Infraction</i>	<i>Category</i>
<b>Removal or altering of EKA electronic device and/or accessory</b> <b>Misplaced EKA electronic device and/or accessory</b> <b>Private browsing / deleting search history EKA electronic device and/or accessory</b> <b>Unauthorized use or possession of another student’s EKA electronic device and/or accessory</b> <b>Repeated off-task use, navigation or site access using EKA electronic device and/or accessory</b> <b>Negligent care of EKA electronic device and/or accessory</b> <b>Sending inappropriate/unwanted emails to students/staff</b>	<b><u>MINOR</u></b>
<b>Lost or Missing EKA electronic device and/or accessory</b> <b>Playing unauthorized games</b> <b>Intentional breaking of EKA electronic device and/or accessory</b> <b>Taking or sharing of photos / videos of other students</b> <b>Using social media sites</b> <b>Accessing inappropriate sites</b> <b>Password / Lock code change/alteration or creation</b> <b>Accessing an unauthorized internet or network connection</b> <b>Providing unauthorized internet or network access</b> <b>Three minor technology infractions</b> <b>Accessing other student accounts</b> <b>Sharing of passwords</b>	<b><u>MAJOR</u></b>
<b>Renaming EKA electronic device and/or accessory</b> <b>Theft, or support of the theft, of an EKA electronic device and/or accessory</b> <b>Sexting</b> <b>Viewing, sharing, or transmitting of pornography</b> <b>Using EKA electronic device and/or accessory for illegal activities</b>	<b><u>SEVERE</u></b>