Nevada Department
of Education

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OFFICE FOR A SAFE AND RESPECTFUL LEARNING ENVIRONMENT (OSRLE)

Restorative Practices Guide for Creating a District Restorative Discipline Plan

Background
In accordance with NRS 392.4644, and passage of the School Safety omnibus bills, Senate Bill 89 and Assembly Bill 168, during the 2019 Session of the Nevada Legislature, each school district shall complete Restorative Discipline Plans, formally known as Progressive Discipline Plans.

Restorative Practices (RP) is an alternative to exclusionary disciplinary practices which removed students from the academic environment; instead, restorative justice seeks to repair the harm done when a standard of conduct is violated. NDE has provided guidance on student discipline plans, a white paper on implementation, and this guide is specifically for the requirement that districts provide NDE with their district restorative discipline plan. Additional information on RP in Nevada can be found at: NDE Restorative Practices Webpage

District Restorative Discipline Plans (formerly Site Progressive Discipline Plans)
As required by NRS 392.4644 (which was amended by AB 168 and SB 89 in 2019):

Per AB 168 (2019), the requirement for establishment of a plan to provide for the restorative discipline of students and on-site review of disciplinary decisions is now at the district Board of Trustees level rather than at the principal level, as it had been previously. The plan must:
- Be developed with input and participation of teachers, school administrators, and other educational and support personnel, and the parents/guardians of students enrolled in schools within the district; and
- Include provisions designed to address the specific disciplinary needs and concerns of each school within the district.

Additions to the District Restorative Discipline Plan per AB 168 and SB 89:
- The plan must provide for placement at a different school in accordance with NRS 392.466 (including all new changes/additions resulting from AB 168 and SB 89).
- Per SB 89, the plan *may* allow for assignment to a temporary alternative placement rather than require it.
- Provide restorative disciplinary practices which include, without limitation:
(1) Holding a pupil accountable for his or her behavior;
(2) Restoration or remedies related to the behavior of the pupil;

(3) Relief for any victim of the pupil; and
(4) Changing the behavior of the pupil.

Principal review and distribution of the District Restorative Discipline Plan:
- Each principal must review the District Restorative Discipline Plan in consultation with recommendations of teachers, school administrators, other educational and support personnel, parents/guardians, and students who are enrolled in the school; and
- On or before September 15th of each year, make recommendations for revisions to the district Board of Trustees; and
- Post the plan on the school's website; and
- Distribute a copy of the plan (written or electronic) to each teacher, school administrator, and all educational and support personnel who are employed at or assigned to the school.

NOTE: *The requirement for a District Restorative Discipline Plan (formerly "Progressive Discipline Plan") pursuant to NRS 392.4644 is an entirely separate requirement from the "plan of action based on restorative justice" that must be provided in certain circumstances before removing a student from school.*

Dates and Deadlines for Districts and Schools
On or before **September 15** of each year: The principal of each school must review the district's Restorative Discipline Plan and, in consultation with teachers, school administrators, other educational and support personnel, parents/guardians, and students who are enrolled in the school, make recommendations for revisions to the district Board of Trustees

On or before **November 15** of each year: Each district Board of Trustees shall submit a written report to the Superintendent of Public Instruction that describes the progress made by each school in the district with respect to complying with the requirements of AB 168. The progress report must also be posted on the district's website.

Each quarter of each year (AB 490, 2019): The principal of each school must report data related to student discipline to the district Board of Trustees which must include, without limitation: the number of expulsions and suspensions of pupils and the number of placements of pupils in another school. Such data must be disaggregated into subgroups of students and types of offense.

Evidence Based Recommendations for Moving from a School Based Progressive Discipline Plan to a District Wide Restorative Discipline Plan

Restorative Practices Policy
A policy for RP can be helpful for districts and schools in establishing their intent and can serve as a guidance tool.

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Restorative Practices Policy Sample Courtesy of Washoe County School District

> With few exceptions, our objective is to ensure that students are educated in their neighborhood or zoned school while ensuring a safe and healthy learning environment for all. Further, every effort should be made to limit student exclusion from core instructional practice. Toward this end, sound classroom management including engaging instructional practice, part and parcel of a classroom and school climate that fosters social and emotional well-being, is a pre-requisite. Every attempt should be made to prevent poor behavioral decisions through positive classroom management strategies including, but not limited to, restorative practices and Social Emotional Learning (SEL) strategies designed to promote trusting relationships and a sense of shared community. Additionally, careful documentation of student behavior and planned interventions and remedies, informal and formal, should take place to ensure that students are receiving proper intervention as early as possible to minimize the loss of instructional time and disruption of instruction impacting them, and their classmates.

Multi-Tiered System of Supports (MTSS) Alignment (please see RP Support document attached)

By implementing a Multi-tiered System of Supports (MTSS) framework, districts and schools can integrate RP through a system-wide approach for all students using a three-tiered model.

1. Tier 1: A universal approach designed and implemented for all students. This ensures time and resources are allocated to students that are truly in need of advanced tier supports.
2. Tier 2: Targeted interventions for students needing further support.
3. Tier 3: Highest level of intervention
4. Resource: [Continuum of Restorative and PBIS Practices](#)

MTSS Sample: Courtesy of Elko Institute for Academic Achievement

> The exemplar plan below demonstrates the how districts and schools can align RP using an MTSS framework by giving specific examples of each tier and interventions associated with each.
>
> Plan
> Individual plans, accountability, and action steps will be determined and aligned with student needs and the specific situation. Students can move up and down the progression by tier, or jump to another tier, depending on the severity of the situation/behavior.
>
> Tier 1
> School Wide Focuses on what all students receive in order to be successful academically, behaviorally, and socially/emotionally, including but not limited to developing a:

RESTORATIVE SCHOOL CLIMATE: A restorative school climate focuses on building a strong sense of community and positive relationships among all stakeholders. In a restorative environment, all community members feel safe and welcome, and adults support students in developing social and emotional skills.

PRACTICES THAT SUPPORT TIER 1:
● Restorative Mindsets
● Restorative Language
● Talking Circles
● Restorative Conversations

Tier 2
Additional Support and Practice as Needed Provides small-group strategic intervention to students who need more support in order to be successful academically, behaviorally, and socially/emotionally, including but not limited to:

RESTORATIVE DISCIPLINE After harm or conflict, restorative responses address the root cause of the problem, promote healing, and ensure that students are held accountable and take ownership over the process of repairing harm.

PRACTICES THAT SUPPORT TIER 2:
● Restorative Conversations
● Peer Conference/Peer Mediation/Peace Circles
● Skill-Building Alternatives to Suspension

Tier 3
Individualized Practice and Support as Needed Includes intensive intervention for students who need individualized support in order to be successful academically, behaviorally, and socially/emotionally

RE-ENTRY AND RESTORATIVE HEALING
In the most serious incidents of harm or conflict, restorative practices ensure that students who have been removed from the classroom/school are welcomed back to the community. Reintegration into the community is accompanied by thoughtful, and strategic planning in conjunction with action steps. When needed, intensive one-on-one interventions will be used to promote healing.

PRACTICES THAT SUPPORT TIER 3:
● Re-entry Procedures
● Restorative Conferencing
● Individualized academic, behavior, or social emotional plans

Washoe County School District provides another exemplar of RP fully integrated with MTSS through their polices, procedures and district behavior matrix. In addition, an example event is included for your reference.

Clear, explicit, and agreed upon behavioral expectations and supports in both the school and classroom are essential factors in creating optimal conditions for learning. Students should be held accountable for their behavior and it is the responsibility of the school staff, together with parents and/or guardians, to teach and reteach the agreed upon expectations. School-wide behavioral expectations should be agreed upon by all stakeholders and posted. Classroom behavioral expectations should be posted and directly connected to the school-wide expectations and matrices. There should be a high degree of alignment and consistency between classroom and schoolwide expectations.

The Washoe County School District ("District") recognizes the inter-dependency between academic outcomes, attendance, and student behavior. Understanding this, it employs Multi-Tiered System of Supports (MTSS) as a preventative, supportive, consistent instructional problem solving framework to support positive student behavior and academic achievement. If student behavior falls below expectations, school administrators will use the following behavioral guidelines to determine appropriate consequences and/or interventions for student behavior violations. In all instances, these guidelines may be modified contingent upon the level of severity of the incident and aligned with age, developmental level and other extenuating circumstances.

To support schools in this effort, the Division of Behavior Hearings and Placements has created, and regularly updates, a District Behavior Matrix (WCSD Student Behavior – Administrative Procedures Manual). The matrix provides descriptions of behavioral events, suggested consequences associated with the events, and strategies to support students to be successful. The manual does provide for consistency in disciplinary practice across the District; however, it is not an exhaustive list of behaviors. Thus, schools have latitude on a case by case basis regarding consequences and supports. The District also provides a Behavioral Management Tool within Infinite Campus that must be used to document behavioral incidences as well as consequences. An associated MTSS tab and/or counseling tab must be used to document supports for students.

As part of our District's comprehensive MTSS process, a school can reach out to our MTSS-SEL Department or to the Division of Behavioral Hearings and Placements and request support in working with a child. In most instances, children in this circumstance should have already been part of the schools MTSS process and are receiving Tier II or III behavioral interventions (see the Appendix for typical Tier II & III interventions.) With parent permission, and with District support a student's behavioral patterns may be evaluated with the intent of building an intervention plan. The District has determined that a Functional Behavioral Assessment (FBA)

process tool is to be used to evaluate Page 9 of 55 behavioral patterns and to formulate a plan of support (see the Appendix for more information regarding the FBA/PTR process.) When considering students with disabilities, additional measures may apply.

If an individual case may require a variety of District supports and support from external agencies, support will be coordinated through our District Intervention Assistance Team (DIAT). DIAT is a central office structure that mimics school-based Intervention Assistance Teams (IAT). Our general philosophy is as follows. Once a school, through use of its IAT, has determined that it has exhausted all of its available supports and interventions to assist a child, the school should refer the child to the DIAT. For example, before a student would be deemed to have a Habitual Discipline Problem, they ought to have been referred to the DIAT. It is strongly recommended that for students with disabilities, behavioral support be sought through the Office of School Leadership (OSL) and more specifically through the schools assigned Instructional Coordinator. However, students with disabilities can and should be referred to DIAT and, if so, the DIAT team will coordinate closely with the Office of School Leadership and external agencies for ongoing support.

Sample Event: BULLYING / CYBER BULLYING
Action has effect on victim: Harm or threat of harm to a person or their property, generally with an imbalance of power and/or protected class; action is unwelcome; action is severe, persistent or pervasive.
Bullying and/or harassment using social media such as e-mail, Instant messaging, chat rooms, cell phones, or other forms of information technology to deliberately harass, threaten, impersonate, misrepresent intimidate or spread harmful information about someone.
There are 1st, 2nd and 3rd Incident Resolution steps and:
Tier 1 Strategies: Parent conference, School Counselor Support, restorative practices.
Tier 2 Strategies: Psychologist support- Threat Assessment and Student Safety Supervision Plan (as applicable), Referral to Community Resources, Re-teaching Expectations, Bullying Intervention Group or Counseling for Target Strategies.

Equity & Discipline Disproportionality
According to Green et al. (2015):

> Despite a documented history of inequality and disparate student outcomes, rates of discipline disproportionality have continued to increase over time, primarily for African American students. In 2012, African American students were over 3.5 times more likely to be suspended than their white peers, with disparities beginning at the preschool level (U.S. Department of Education Office for Civil Rights, 2014, March). Racial differences in exclusionary discipline are seen even when controlling for socioeconomic status (Anyon et al., 2014). Furthermore, some policies, such as zero-tolerance, are intended to be race-neutral but can exacerbate disparities (American Psychological Association, 2008). (p. 2)

> It is important for districts and schools to be aware of explicit bias and implicit bias and how

biases may affect discipline decisions. Explicit racial bias is a conscious form of discrimination against other groups in ways that continue inequities. Explicit bias should be addressed through policy. Implicit bias is a form of unconscious and unintended discrimination that includes an overreliance of stereotypes to make decisions. A way to reduce its effects is to identify situations where biased decisions are more likely to happen and teach equity strategies. (p.2)

Districts and schools can look at seven key elements for equity policies:
1. Make a specific commitment to **equity** by including equity in mission statements, using specific words such as racial, cultural, and ability, and hiring preferences for equitable outcomes.
2. Include **family partnerships** in policy development by regularly seeking input from a range of families, recruiting family leaders and including them in district and school decisions, and regular evaluations of effectiveness of family engagement programs.
3. Focus on implementing **positive behavior support practices** by adopting a behavior prevention multi-tiered system of supports (MTSS) framework, defining and regular teaching of positive behaviors for students and staff, and creating support structures for effective implementation.
4. Establish **clear, objective discipline procedures** where the rights and responsibilities for adults and students are defined, **prosocial behaviors and problem behaviors are operationally defined,** and there are clear delineations of between major and minor behavior incidents.
5. **Remove or reduce exclusionary practices** by clearly communicating that suspension or expulsion is limited to behavior incidents that pose a serious and credible threat to the safety of students or staff and describe alternatives to suspension.
6. Use **graduated discipline systems** with instructional alternatives to exclusion by using a process to determine appropriate responses to behavior incidents.
7. Use procedures with **accountability for equitable student outcomes** through ongoing disaggregated data collection, data analysis through regular team meetings, data-based decision making, action planning, and sharing data with stakeholders.
   Sources:
   PBIS: Key Elements of Policies to Address Discipline Disproportionality: A Guide for District and School Teams
   PBIS: Using Discipline Data within SWPBIS to Identify and Address Disproportionality: A Guide for School Teams

Equity & Discipline Disproportionality Sample: Courtesy of Clark County School District

In the exemplar below, Clark County School District provides a specific vision, expectations and plan on how RP and equity will be addressed. This includes bi-monthly reviews of data by student group, professional learning and training, and district support.

With regard to consequences intended to change behavior, the range of options for each offense code within Infinite Campus were narrowed purposefully. In addition, in order to

ensure equitable application of discipline, CCSD leadership reviews offense codes disaggregated by resolution, by student group, on a bi-monthly basis to ensure schools are administering consequences aligned with the approved K-12 Code of Conduct and equitably for all student groups.

In order to fully support our schools as they utilize restorative practices, we have established a Restorative Justice Team that provides professional learning to schools to provide an overview of restorative practices in general and then more focused professional learning to schools that would like to implement a particular restorative practice. The team also supports schools as they implement restorative practices. We have trained all of our social workers and other mental health professionals to ensure that we are using the same framework, definitions, and context around restorative practices. Finally, we provided intensive professional learning to all school administrators on all legislative updates, including AB 168 and the requirement of the student Restorative Plan of Action for all students contemplated for expulsion as identified in NRS 388.466.

In addition to the type of behavior incidents, educators use a criteria to determine the level of consequence being considered for individual students which may vary in range from Minor to Major. Urgent discipline resolutions are standardized because of Nevada Revised Statutes or Clark County School District Policies and Regulations. The criteria include sections and considerations for Minor Behavior Incidents, Minor to Major Behavior Incidents, and Major Behavior Incidents. The application of these criteria are useful for all incidents contained in the Behavior Incident Index located on page 10 (CCSD Code of Conduct). Educators will analyze the criteria in connection to an individual Behavior Incident to ensure safety, optimize equitable application related to Behavior Incident Resolutions, and limit exclusionary discipline practices that cause missed school opportunities for students.

Sample Discipline Policy Statement: Courtesy of Lyon County School District

In Lyon County School District's example below, there are several key elements for equity policies including positive behavior supports, prosocial behaviors and use of a graduated discipline system.

At Lyon County School District (LCSD), we are committed to providing our students with the best possible learning environment. Our mission is to provide relevant learning opportunities that develop adaptable, persistent, and self-directed learners capable of creativity, collaboration, communication, and critical thinking necessary to overcome complex challenges. We, at LCSD, have some fundamental beliefs which guide our thinking and shape our policies. All LCSD students have the right to:

- A positive, safe and respectful learning environment.
- Highly qualified staff who offer their best every day.
- Our patience and nonjudgmental guidance as they learn to navigate this confusing world.
- Make mistakes, understand why it was a mistake and the opportunity to learn from those

mistakes.
- Motivating adults who believe in their individual dreams and are committed to helping them fulfill those dreams.
- Caring adults who support and respect them for who they are individually.
- An equitable and diverse education with the appropriate resources to be successful.
- Engage as inclusive members of their school and community.
- Be heard and have a voice in all aspects of their education.
- Understand existing rules, the purposes of those rules and the opportunity to express concerns with perceived inequities.
- Be open, honest and express themselves in a respectful manner.
- Authentic, real world learning opportunities that will prepare them for their future.

Our approach to discipline includes the value of teaching and re-teaching expectations to students. Discipline should only be applied with the additional support of restorative practices in conjunction with both behavior and academic supports as needed.

RP and Social Emotional Learning (SEL)
In 2017, the Nevada Department of Education (NDE) **adopted five social-emotional competencies,** originally created from the Collaborative of Academic, Social, and Emotional Learning (CASEL), demonstrated to support increases in campus safety, academic achievement, and whole-person success.
According to CASEL, they are defined as:
1. **Self-awareness:** The ability to accurately recognize one's emotions and thoughts and their influence on behavior. This includes accurately assessing one's strengths and limitations and possessing a well-grounded sense of confidence and optimism.
2. **Self-management:** The ability to regulate one's emotions, thoughts, and behaviors effectively in different situations. This includes managing stress, controlling impulses, motivating oneself, and setting and working toward achieving personal and academic goals.
3. **Social awareness:** The ability to take the perspective of and empathize with others from diverse backgrounds and cultures, to understand social and ethical norms for behavior, and to recognize family, school, and community resources and supports.
4. **Relationship skills:** The ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups. This includes communicating clearly, listening actively, cooperating, resisting inappropriate social pressure, negotiating conflict constructively, and seeking and offering help when needed.
5. **Responsible decision-making:** The ability to make constructive and respectful choices about personal behavior and social interactions based on consideration of ethical standards, safety concerns, social norms, the realistic evaluation of consequences of various actions, and the well-being of self and others.

Social emotional learning (SEL) is critical to the success of all students. Districts and schools have the responsibility to prepare our students to be college, career and life ready by having

students learn and demonstrate the five SEL competencies adopted by Nevada. SEL skills are also instrumental in building relationships, which are critical to RP implementation and continued success (Chicago Public Schools, 2017, p. 10). According to Chicago Public Schools (2017):

> **Restorative Practices** provide a way for schools to strengthen community, build relationships among students and between students and staff, and increase the safety and productivity of the learning environment. Restorative Practices:
> - **Improve school and classroom climates** by focusing on community, relationships, and responsibility.
> - **Promote social and emotional skill development** by teaching students self-awareness, empathy, communication skills, responsible decision-making, relationship building, and conflict resolution.
> - **Increase safety and order in school buildings** by decreasing conflict, de-escalating volatile situations, and promoting a sense of collective responsibility.
> - **Decrease disciplinary issues and disruptions**; and serve as an alternative to harmful exclusionary practices such as suspension and expulsion.
> - **Promote student engagement** (p.10)

Best Practices
1. **Gain commitment:** Administrators, teachers and school staff learn about the core elements of RP.
   - Meet with school leaders and identify champions/potential champions for RP.
   - Compile baseline data from sources such as discipline data, SWIS, school climate survey etc.).
   - Involve school and community stakeholders and give information on RP and ask for feedback.
2. **Create ownership:** Identify a team and RP leaders. This step may come before or after establishing administrative support and introducing RP to staff.
   - Establish a team: Utilize and expand a team that may already be in place such as a school climate team, MTSS team, or PBIS team that includes a variety of staff members. Teams could include school staff from several areas and it is important to include family/community/student voice.
   - Establish RP leaders who can help train and demonstrate RP concepts and attend ongoing professional development.
3. **Create buy-in:** Discuss norms, values and vision and how RP fits in with these.
   - Together, develop a set of shared agreements among staff and students to represent how to interact with each other, work together, and resolve conflict.
   - Post these agreements for all staff and students.
   - Districts and schools can access ongoing professional development and a list of NDE providers can be found at: [NDE Evidence Based Intervention (EBI) Provider List](#)
5. **Develop systems as practices:** Relationship building among the staff and students is

critical. Educate staff on fostering a restorative school culture and climate by:

- Using the five social emotional competencies and shared vision/agreements, hold Talking Circles (Building Community With Restorative Circles) that allow students and staff to build a school community.
- Use posters, bulletin boards, lanyards, and written communications with staff, students, and families about the vision and values that students and have staff have agreed to.
- Work with all staff and students to use restorative language ("I" statements, empathetic listening) to express their feelings and reflect on other's feelings. (Quick Start Guide to Restorative Approaches in the Classroom for Teachers). Work with staff on behavior de-escalation techniques and ways to promote reflection and responsibility.
- Establish and focus on a RP discipline system, where relationships take center stage in repairing harm, taking responsibility and addressing the cause of the behavior.
- Use RP interventions such as: Restorative Conversations (Restorative Conversations & Language), Peace Circles (Restorative Justice Training: Peace Circles), Peer Conference (Peer Conferencing), and/or Alternatives to Suspension (Alternatives To Suspension).
- Establish written RP procedures (Restorative Practice Resource Project), including a clear referral process, procedures for assigning students to restorative interventions, restorative circles and/or peer conferences, and for tracking and following up. (Circle Agreements, along with Circle Guidelines, are Also Cornerstones of Trust)
- Develop two-way communication protocols where outcomes are given back to staff who refer students and re-integrating students who are removed from the classroom or school community.
- Develop a method for staff, students, or families to request Restorative Practices.

6. **Continuously improve**: RP data should be collected, analyzed and monitored to improve upon practices and track effectiveness.
   - Assess implementation and fidelity of RP (Restorative Communities Vision & Implementation Rubric)
   - Use School Climate Data (NV Data Tool) and School Climate Survey (NV-SCSEL Survey School Reports)
   - Discipline Data or SWIS
   - Training Data: Training and professional development; presentations to stakeholders
   - RP agreements: Develop tracking system to follow up on agreements made by participants during restorative interventions.
   - Observation and survey data: Both formal and informal observations and any additional survey data (Chicago Public Schools, 2017, p. 6-8).

RP Best Practices Sample: Courtesy of Lyon County School District

This example from Lyon County School District provides descriptions of best practices outlined above including gaining commitment, creating ownership, developing systems as practices and data analysis.

- Clearly define / post the behavioral expectations.
- Implement procedures for all class routines - entering the room, handing in assignments, sharpening the pencil, welcoming a guest, etc.
- TEACH and ROLE-PLAY the behavioral expectations, classroom procedures, use of materials, etc. Demonstrate what the expected behavior "looks like" (positive example) as well as what it "does not look like" (non-example).
- Pre-correct - Prior to directing students to perform a task, provide a description of what the expected behavior will look like. "Lunch will be in two minutes. At that time, everyone will put away all materials, push in all chairs and line up."
- Cue / Prompt / Remind - Provide a pre-arranged / previously taught cue to remind specific students to engage in the appropriate behavior.
- Acknowledge students who appropriately demonstrate the expected behavior.
- Specifically explain HOW the behavior did not meet the stated / taught expectation. "It is disrespectful to other students when you _____."
- Provide a warning - "Respect a school rule. All students are expected to talk respectfully to staff and students here at ABC School. This is your official warning."
- Check for student understanding of the behavioral expectations - "Please summarize what we discussed so I ensure there is no confusion."
- Evaluate the student's skill repertoire. Determining if the student is capable of demonstrating the behavioral expectation. Evaluate behavior & academic domains.
- Determine the FUNCTION of the misbehavior. All behaviors serve a purpose (function). Determine what the student is gaining or avoiding by misbehaving?
- Provide a structured choice - clearly offer a choice between two alternatives and state the consequence for each. "You can work quietly on your assignment now and leave with the class or work with me during lunch."
- Evaluate ENVIRONMENTAL factors within the classroom which may be contributing to the misbehavior: Space, Time, Materials, Interactions.
- Collaborate with colleagues to identify behavior patterns and trends (class to class, year to year, etc.).
- Use a variety of consequences: Positive Reinforcement, Negative Reinforcement, Penalties and Punishments. Remember, punishment is the least effective consequence for students with anti-social behaviors.
- Evaluate the effectiveness of consequences. Ineffective consequences must be analyzed and modified. Seek assistance for "out of the box" ideas.
- Involve a problem-solving team (See Student Intervention Flow Chart). SBCUSD Progressive Discipline Matrix)

RP & Virtual/Distance Education

Several strategies for RP can be adapted and used in a virtual or distance education environment. (See *Elko Institute for Academic Achievement* Restorative Justice Plan for more information on RP core component descriptions)

- ☐ **"Virtual Circles"** are circles that grow directly out of the concept of restorative justice—a framework for community-building and responding to harm, that is aimed at bringing the people directly affected by a problem to the center of the solution. *Source:* Restorative Justice, COVID-19 and 'Virtual Circles'
  - **Virtual Circles - ALL Formats**
    https://docs.google.com/presentation/d/17kiNj5-eTPXLusW9QuvAOVtnds0Hf6rTYmyoP5_G274/copy
  - **Virtual Circles - with Arrows**
    https://docs.google.com/presentation/d/1M-Jn66SjyEmW2fV1IjGaLgZ6NDBSFbzwTrv6lq35544/copy
  - **Virtual Circles - with Question Boxes**
    https://docs.google.com/presentation/d/1tmTrBxYc-_jsYJtrWoahkEdOWSDWrIEOACOdYCFy8eM/copy
  - **Virtual Circles - with Arrows and Question Boxes**
    https://docs.google.com/presentation/d/1_mUhCrgGxyruzDNpExKEn3MC3U4Df6lhchXU_HEnFX4/copy
  - **Virtual Circles - Elementary Graphics**
    https://docs.google.com/presentation/d/1kAjwUXtcNtMGcDcazEZQgfMWK6_1cSQqyE3sCVgcqws/copy
- ☐ Educators can hold virtual class meetings, teach **"I" statements** and **empathetic listening**, use **Talking Circles**, hold **restorative conversations or "chats,"** and provide opportunities for **reflection**

Considerations for Designing a Comprehensive District/Charter Restorative Discipline Plan

Moving from a primarily progressive approach to a restorative approach when designing a district-wide discipline plan can set the occasion for identifying previous barriers and transforming them into innovative opportunities for refining student discipline (Green, 2009).

The purpose of this section is to emphasize systems change by shifting from primarily consequence-based actions to processes that are proactive, seek to teach, prompt, heal, and restore. **This section is organized through leveraging a Multi-Tiered System of Supports (MTSS) framework.**

Organization Planning Table

This section can be used as a tool to organize components used within the D/CRP and/or to check off when it is completed. To ensure the district/charter restorative discipline plan is comprehensive and aligns with organizational values, begin by briefly describing a common purpose and approach to discipline. Secondly, list initiatives that are implemented across the district/charter in the first column. Several are provided as examples. Identify practices across

tiers 1-3, in the second through fourth columns, that are used within each initiative to prevent and address misbehavior. The fifth column is used to ensure that each initiative and its practices align with the district/charter purpose and approach. Therefore, minimizing potential conflicting messages with an emphasis on prevention, teaching, and consequences when appropriate. For example, a district/charter that embraces restorative practices, but lists the first or second offense consequences as suspension rather than repairing harm.

Possible Initiatives	Tier 1 Practices (prevention)	Tier 2 Practices (targeted)	Tier 3 practices (individual)	Align with common approach to discipline?	Identified in D/CRDP?
PBIS				Yes No	Yes Pg(s). _____ No
Social Emotional Learning				Yes No	Yes Pg(s). _____ No s
Restorative Practices				Yes No	Yes Pg(s). _____ No
Trauma informed Practices				Yes No	Yes Pg(s). _____ No
School Mental Health				Yes No	Yes Pg(s). _____ No
Culturally Responsive Practices				Yes No	Yes Pg(s). _____ No
Other:				Yes No	Yes Pg(s). _____ No
Other:				Yes No	Yes Pg(s). _____ No

Other:				Yes No	Yes Pg(s). _____ No

Considerations for Structure of Plan

STAGE 1: Provide the Foundations (include teaching, prompting, practice, and repairing harm)
- ☐ Begin with a brief description of Tiers 1, 2, and 3 as relevant to your district/charter. Use the practices identified above across initiatives to describe how students may move fluidly and dynamically through the tiers.

Sample Explanation of Tiers of Support: Courtesy of the Nevada MTSS Project

The practices of SWPBIS operate on a continuum of supports including the primary (Tier 1 all students), secondary (Tier 2 targeted group interventions) and tertiary (Tier 3 individualized support) tiers. Primary prevention, also known as Tier 1, addresses the primary, core, or universal level of supports. Tier 2 is designed to prevent the development and further escalation of problem behaviors. These function-informed interventions supplement Tier 1 and target students who are at risk for developing chronic problem behaviors. Tier 3 is a continuum designed to enhance systemic efforts in improving and providing a continuum of supports to individual students with the most serious behavior problems requiring the most intensive levels of interventions.

Sample Purpose and Common Approach to Discipline: Courtesy of Lyon County School District

Our approach to discipline includes the value of teaching and re-teaching expectations to students. Discipline should only be applied with the additional support of restorative practices in conjunction with both behavior and academic supports as needed.

- ☐ Provide a detailed breakdown for Tier 1 practices identified in the Tier 1 column across initiatives.

Sample Detailed Breakdown of Tier 1 Practices: Courtesy of Lyon County School District & Elko Institute for Academic Achievement:

Clearly define/post behavioral expectations
Implement procedures for all class routines
Teach and role-play behavioral expectations across locations and classroom procedures and routines
Pre-correct: prior to directing students to perform task, provide a description of what the expected behavior will look like.
Cue/Prompt/Remind: provide a pre-arranged/previously taught cue to remind specific students to engage in appropriate behavior.

Provide a warning
Check for understanding of behavioral expectations
Restorative mindsets
Restorative language
Talking/Community circles
Restorative conversations
Acknowledge prosocial behavior

☐ Provide a systemic approach for when it is appropriate consequences for misbehavior are determined by level of intensity. For example, using minor vs. major incidents with a flowchart for identifying appropriate interventions for each incident of the same behavior. This should explain how the practices are used in the *prevention of misconduct.* It is important to note that the progressive responses should match the level of intensity of the misbehavior. To ensure common language and understanding when following restorative discipline plans, it is important to have a procedure for "what" behaviors to intervene upon and at what intensity to intervene. This can be accomplished through distinguishing between minor and major incidents. Minor incidents include offenses that are able to be intervened upon immediately by staff, which are lower level occurrences. Major incidents include offenses that are handled by office administration and often higher-level occurrences (e.g., Refer to *Clark County, Washoe, and Lyon County School Districts* for examples).

Sample Systemic Approach to Addressing Misbehavior

Minor behaviors which are identified based on what is managed and intervened upon by staff. Examples may include:
  Disruption: interruption to the classroom/learning environment.
  Defiance: Failure to respond to adult requests and/or directives.
  Physical contact: inappropriate touching (e.g., horseplay)
  Disrespect: student delivers low-intensity, socially rude or dismissive messages to adults or students
Major behaviors which are identified based on what is managed by administrative staff. Examples may include:
  Disruption: Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, screaming; noise with materials.
  Physical Aggression: Student engages in actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.)

Sample Systemic Approach to Addressing Misbehavior: Courtesy of Clark County School District

Discipline Resolution Criteria

In addition to the type of behavior incidents, educators use a criteria to determine the level of consequence being considered for individual students which may vary in range from Minor to Major. Urgent discipline resolutions are standardized because of Nevada Revised Statutes or Clark County School District Policies and Regulations. The criteria include sections and considerations for Minor Behavior Incidents, Minor to Major Behavior Incidents, and Major Behavior Incidents. The application of these criteria are useful for all incidents contained in the Behavior Incident Index located on page 10. Educators will analyze the criteria in connection to an individual Behavior Incident to ensure safety, optimize equitable application related to Behavior Incident Resolutions, and limit exclusionary discipline practices that cause missed school opportunities for students. The discipline resolution criteria are below:

Minor

The behavior incident resolution determinations within the Minor Recommended Resolutions involves an analysis of repeated incidents or violations of the K-12 Student Code of Conduct in the classroom or school. Multiple Minor Recommended Resolutions may be required to address student behavior incident violations in a proactive manner.

Questions to consider prior to the issuance of Recommended Resolutions in the Minor Category: Is the incident isolated to the classroom and easily managed by staff through redirection methods and intervention? Can student reflection be promoted to ensure future behavior incidents do not occur? Will the behavior incident create a "teachable moment" between educators and students? Can the re-engagement of the student to learning happen in the classroom with immediate education professional intervention?

Minor - Major

The behavior incident resolution determinations within the Minor to Major Recommended Resolutions involves an analysis of repeated incidents or violations of the K-12 Student Code of Conduct that may create safety issues for other students, employees, or the individual student initiating the behavior incident.

Questions to consider prior to the issuance of Recommended Resolutions in the Minor or Minor to Major Category: Is the educational professional working with the student able to clearly identify, recognize, and prevent unacceptable behavior occurring in the classroom? Can the /educational professional working closest with the student promote self-discipline of the individual student while redirecting the minor infraction to ensure that classroom instruction for all students continues? Has a counselor or other school professional attempted to determine the antecedent of the behavior(s) creating a violation of the K-12 Student Code of Conduct? How did the student react to positive redirection when violation(s) of the K-12 Student Code of Conduct occurred? Have parent(s) or legal guardian(s) been informed of previous Minor Behavior Incidents? What evidence exists regarding telephone call logs to parent(s) or legal guardian(s), meetings, and electronic or written communication to the student's parent(s) or legal guardian(s)? Has reasonable effort occurred to contact parent(s) or legal guardian(s)? Were any non-exclusionary disciplinary techniques provided to the student(s) to ensure compliance with the K-12 Student Code of Conduct prior to a Major Discipline Resolution? Was an educational professional able to distinguish between Minor and Major

offenses, as well as accounting for first time versus repeated offenses? Can the individual student accept responsibility with a lesser consequence and articulate the harm caused by a behavior incident violation? After reviewing the discipline referral, is there a better solution to serve this student and retract the discipline referral?

Major

The consequence level within the Major Recommended Resolutions involves frequency of occurrence related to disciplinary incident(s); and behavior incident severity determinations being made after an analysis of historical school counseling and other proactive efforts, offered wraparound interventions provided to the student at the school.

Questions to consider prior to the issuance of Recommended Resolutions in the Major Category: Could a less punitive discipline resolution within the Major discipline resolution change the student's behavior in a positive way? Are community service efforts on the school campus available for the student to learn from violations of the K-12 Student Code of Conduct (i.e., school cleanup)? Has parent(s) or legal guardian(s) contact been ongoing in relationship to previous violations of the K-12 Student Code of Conduct? What documentation exists showing the ongoing communication efforts with parent(s) or legal guardian(s)? Has reasonable effort occurred to contact parent(s) or legal guardian(s)? Did the behavior incident create a substantial disruption on the campus and did the incident jeopardize the safety/well-being of others or the individual student involved in creating the behavior incident? Based on the behavior incident violation, does the discipline determination impact the culture and climate of the school related to adherence to school rules and expectations?

In relation to Major Behavior Incidents, the following parameters should be incorporated. Exclusionary Discipline Review

    First-level Required Parent Conference (RPC) is set at a one (1) day maximum. Prior to any first-level RPC previous interventions must include: Parent(s)/Legal Guardian(s) Notification

    Second-level RPC for recurring discipline is set at a two (2) day maximum. Prior to any second-level RPC previous interventions must include: Parent(s)/Legal Guardian(s) Notification; Specialized Instructional Support Personnel (SISP) Referral

    First-level suspension is set at a two (2) day maximum. Prior to any suspension previous interventions must include: Parent(s)/Legal Guardian(s) Notification; SISP Referral or Harbor Referral; RPC (two (2) day maximum)

    Subsequent suspensions or second-level suspensions are set at two (2) and/or five (5) days depending on behavior incident. Prior to any recommendation for Behavior School or Alternative Educational Placement (AEP) previous interventions must include: Parent(s)/Legal Guardian(s) Notification; SISP Referral or Harbor Referral Urgent All Urgent Behavior Incidents are mandatory expulsion recommendations with no recommended resolutions.

To review recommended resolutions, refer to page 7 of the document.

☐   Provide a description of data-decision rules for movement through the tiers, data

sources for progress monitoring, and methods for data analysis.

Sample Progress Monitoring and Data Analysis Courtesy of SBCUSD Progressive Discipline Matrix Elementary & Secondary: District-wide Multitiered Disciplinary Support Structure

Tier 1
Discipline Data: office referrals (by location, problem behavior, environmental factors, ethnicity, staff, team, time/period, top offenders, and percent, referral information, universal screeners (internalizers/externalizers)

Tier 2
Discipline Data: selected office referral reports, group/teacher nomination, screeners, SISP logs, counselor logs, progress monitoring, attendance, grades

Tier 3
Discipline Data: office referral reports, suspension data, progress monitoring, attendance, grades

STAGE 2: Sample Development of Restorative Discipline Plan (includes teaching, prompting, practice, and repairing harm within incident responses)

☐ Responses to discipline infractions are weighted according to the intensity of the behavior. For example, a minor level incident would require less intense consequences as compared to a major incident. Table 1 displays one way in which to distinguish differing levels of responses according to a minor, lower level incident, compared to a major, higher level incident.

☐ Potential conflicting messages are minimized by emphasizing prevention, teaching, and healing harm where appropriate.

Incident	1st offense	2nd offense	3rd offense
Disruption-Minor (staff handled)	Verbal warning; reteach expected behavior; restorative language; talking circle	Reteach; restorative conversation; focus on problem solving by expressing feelings or needs; peace circle; peer conference/mediation; skill building	Reteach; restorative chat; contact parent/guardian; individual behavior, academic or social emotional plan
Disruption-Major (administration	Student to student/staff mediation;	Parent conference; individual behavior, academic or social	Restorative conference with parent/guardian;

	peace circle; contact parent/guardian	emotional plan; peer conference/mediation	plan of action based on restorative justice; re-entry procedure
handled)			

Note: Table 1: Sample Restorative Discipline Plan for Major vs. Minor Behavior.

Additional Restorative Practices Resources

1. RP Action Plans
   - Sample Restorative Action Plan
   - Restorative Practices Action Plan Sample.pdf

2. RP Implementation
   - Restorative Practices Implementation, Trainers and Training An Administrator's Checklist
   - RP in Schools Implementation Checklist
   - Restorative Practices Trainer's Guide Training Activities
   - Restorative Practices
   - Restorative Practices Guide
   - School-Wide Restorative Practices: Step by Step

3. RP Curriculum
   - Building a Restorative Practice Curriculum in Middle and High Schools in the U.S.
   - Restorative Practices Lesson Plan Guide

4. RP Professional Development/Training
   - NDE Evidence Based Intervention (EBI) Provider List
   - **Communities in Schools Nevada**, Contact Alex Bybee 702-550-3799, Areas of emphasis: Equity, Family Engagement, Homeless and/or Foster Care Youth, Mentoring, Neglected and/or Delinquent Youth, Needs Assessment, Progress Monitoring, School Improvement, School Safety and Climate, Social Emotional Learning
   - **Outlook Equity Center/Outlook University Independent School**, Contact Will Killins 601-214-7118 Areas of emphasis: Equity, Family Engagement, Homeless and/or Foster Care Youth, Neglected and/or Delinquent Youth, Needs Assessment, Progress Monitoring, School Improvement, Social Emotional Learning, School Safety and Climate
   - **Relationship Building Home Visits** Gina Martinez Teddy 562-481-6565, Areas of emphasis: Equity, Family Engagement, Homeless and/or Foster Care Youth, Parent Teacher Home Visit

References

Chicago Public Schools. (2017, August). *Chicago Public Schools – Restorative Practices Guide & Toolkit.* www.cps.edu
https://blog.cps.edu/wp-content/uploads/2017/08/CPS_RP_Booklet.pdf

Clark County School District: CCSD Code of Conduct
Elko Institute for Academic Achievement: https://www.eiaanv.net/

Green, A., Nese, R., McIntosh, K., Nishioka, V., Eliason, B., & Canizal Delabra, A. (2015, September). *Key elements of policies to address discipline disproportionality: A guide for district and school teams.* OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports.
www.pbis.org

Green, J. (2009). Changing past student discipline practices to create a district-wide plan. *Education and Urban Society*, 41(4), 457-468.

Lyon County School District: LCSD Restorative Discipline Plan 19-20

McIntosh, K., Barnes, A., Eliason, B., & Morris, K. (2014). *Using discipline data within SWPBIS to identify and address disproportionality: A guide for school teams.* OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports.
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Washoe County School District: WCSD Student Behavior – Administrative Procedures Manual

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