



Exceptional Student Services Operations Unit

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Discipline Data Collection Manual

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Walkthrough

The ESS Discipline Data Collection (DDC) is an initiative to improve the collection, use, and reporting of safety and discipline incident data for use in IDEA data reporting. Discipline data is extracted to provide discipline data for the Exceptional Student Services (ESS) Annual Data application and for testing in significant disproportionality under the IDEA.

The application currently allows for manual submissions of incidents and is in the final development of allowing a flat-file submission option. Incident submissions require some basic components to ensure valid information can support an action taken as a result of a student breaking the law or defying expectations of the public education agency (PEA).

Basic Terminology

Incident

An incident is an event that occurs on school grounds or at a school-sponsored event that disrupts the orderly functioning of a school or classroom. Incidents range from minor problem behaviors to criminal acts and typically result in referral for disciplinary assessment. An incident is described by the violation(s) that occurred, and the date, time and location of the occurrence along with the action taken by the PEA as a result of a particular special education student. An incident can also be described as being bias/hate-related or gang-related or having resulted in serious injury.

Violations

A violation is a crime or infringement of the law, policy, right, or expectation. The DDC includes a comprehensive list of violation terms and definitions. The list ranges from very serious crimes that can potentially occur on campuses but rarely do (e.g., homicide and kidnapping) to minor policy violations that commonly occur on campuses (e.g., dress code violation and inappropriate language). Violations are organized into general categories with some having sub-categories to specify specific information about a general violation.

Actions

Actions that can be taken in response to an incident are organized into two general groups: Actions within Due Process and Removals. PEAs should select the specific removal that was determined for the student.

Submitting an Incident

The number of required data elements in DDC has reduced significantly. Incident submissions require a state student ID, the location of the incident (which school), the date of the incident, along with who referred the incident and when the referral was provided. Some data fields will prepopulate to provide existing information from AzEDS, such as the student name and basic enrollment information about the student. Users are allowed to select multiple schools in case the child attends multiple campuses.

After the basic incident information has been provided, the user must select the appropriate violation applicable to the student. Users should select the general violation and a corresponding sub-category as relevant. If desired, the user can submit comments as internal notes for the PEA.

Finally, users must select the action taken for the student, the date range of the action as it applies to the student, and the total hours of a given removal for that specific student. Comments are also allowed for users to document internal notes for their PEA.

After this information has been filled out, a user can click the submit button. If there are any errors, the application will alert the user to which specific data fields have errors and what has to be fixed in order for the submission to be completed.

Additional Functionality

Users are able to also search all submitted incidents, modify them, and pull basic reports as part of the application. PEAs should be aware that the application allows permissions to be assigned at a PEA level and a school level. If a user only has permissions has the school level, they will be limited to information only at that school site.

Technical Information

The DDC application has the following data fields within the system in an incident submission. Data fields that are bold are required information from the user, data fields that are in italics are auto-populated by the system, all other data fields are optional for the user to provide information. This can be a reference for any users trying to extract information from systems for eventual consumption into the application.

- **Incident Date**
- **Offender State Student ID**
- *Student Name*
- *DOR Name*
- *DOB*
- *Gender*
- **School Entity ID**
- *Date Enrolled*
- *Grade*
- **Referral Date**
- **Referred By**
 - **First Name**
 - **Last Name**
 - Phone #
- **Violation**
 - **Sub-Category Violation**
 - Violation Comments
- **Action Taken**
- **Start Date**
- **End Date**
- **Total Hours Removed**
- Action Taken Comments

The violations and action taken section do have some dynamic items that will appear when certain menu options are selected.

Incident Date

The date the incident occurred which led to the removal of the student with a disability.

Offender State Student ID

The student ID for the student with a disability, typing in this number will prepopulate the following fields as informational for the end-user:

- Student Name
- District of Residence Name
- Date of Birth
- Gender

School Entity ID

This field will populate from every school association the student has. This is to accommodate students who have switched school sites throughout the year and recognize tuitioned-out sites. The user should pick the site the incident took place at. The system will prepopulate the following fields as information for the end-user:

- Date Enrolled (for the school)
- Grade

Referral Date

The date the referral was made to the administrative office.

Referred By (3 fields)

- First Name
- Last Name
- Phone Number (optional)

The person who referred the incident to the administrative office.

Violation

The violation the student did that led to their removal from their educational environment.

- Sub-Category Violation
Depending upon which violation was selected, users may have to pick a sub-category violation which goes into further detail to a specific violation type.
- Violation Comments (optional)
A section that allows users to provide internal notes related to a violation for a student.

Action Taken

The action that was taken as a result of a violation for a student, if a student was removed without services provided, reassigned or removed via a hearing officer or interim setting, the user must indicate whether Special Education services were declined by the parent/legal guardian.

- Start Date
The start date of the action taken as a result of a violation for a student

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- **End Date**
The start date of the action taken as a result of a violation for a student
 - **Total Hours Removed**
The total hours the student was removed from their normal educational environment through the action taken. This should never be zero if suspension or expulsion is picked. This field may also have to be calculated to the approximate time within a normal calendar day against a school schedule.

Example:

Student has been suspended for two days and each day has 6 hours of scheduled class time, as such they would be removed for 12 hours.

- **Special Education Services Declined by Parent/Legal Guardian**
This checkbox appears for any removal that was indicated without services being provided for a student with a disability or the student was removed to a different educational environment as a result of the disciplinary action
 - **Action Taken Comments (optional)**
A section that allows users to provide internal notes related to an action taken as a result of a violation for a student.
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Violations Reference

This section provides references and general definitions related to the types of violations that can be reported in the application. Some of these definitions may defer to your PEA's policies and PEAs may be referred to their legal counsel in cases where more definition is required.

Category List of Violations ESS is still working to update this section and the original reference document is still available on the ESS Discipline Data Collection webpage for detailed explanations. Below is a master list of all the categorized violations and their sub-categories for reference:

- Arson
 - Arson of an Occupied Structure
 - Arson of Structure or Property
 - Attendance Policy Violation
 - Leaving School Grounds Without Permission
 - Other Attendance Violation
 - Tardy
 - Truancy
 - Unexcused Absence
 - Theft
 - Armed Robbery
 - Burglary (First Degree)
 - Burglary or Breaking and Entering (Second or Third Degree)
 - Extortion
 - Petty Theft
 - Robbery
 - Theft - Non-School Property
 - Theft - School Property
 - Harassment, Threat and Intimidation
 - Bullying
 - Harassment, nonsexual
 - Hazing
 - Threat or Intimidation
 - Aggression
 - Aggravated Assault
 - Assault
 - Disorderly Conduct
 - Endangerment
 - Fighting
 - Minor Aggressive Act
 - Other Aggression
 - Recklessness
 - Verbal Provocation
 - School Threat
 - Bomb Threat
 - Chemical or Biological Threat
 - Fire Alarm Misuse
 - Other School Threat
 - Sexual Offenses
 - Harassment, Sexual
 - Harassment, Sexual with Contact
 - Indecent Exposure or Public Sexual Indecency
 - Pornography
 - Sexual Abuse or Sexual Conduct with a Minor or Child Molestation
 - Sexual Assault or Rape
 - Vandalism or Criminal Damage
 - Graffiti or tagging
 - Vandalism of personal property
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- Vandalism of school property
 - Trespassing
 - Trespassing
 - Weapons and Dangerous Items
 - Air Soft Gun
 - B.B. Gun
 - Billy Club
 - Brass Knuckles
 - Knife with a blade at least 2.5 inches
 - Laser Pointer
 - Letter Opener
 - Mace/Pepper Spray
 - Nunchakus
 - Paintball Gun
 - Pellet Gun
 - Razorblade/box cutter
 - Simulated Knife
 - Taser or Stun Gun
 - Tear Gas
 - Lying, Cheating, Forgery or Plagiarism
 - Cheating
 - Forgery
 - Lying
 - Plagiarism
 - Technology, Improper Use Of
 - Computer
 - Network Infraction
 - Other Technology
 - Telecommunication Device
 - Other Violations of School Policies
 - Combustible
 - Defiance or Disrespect Towards Authority
 - Disruption
 - Dress Code Violation
 - Gambling
 - Language, Inappropriate
 - Negative Group Affiliation
 - Other Violation of School Policies
 - Parking Lot Violation
 - Possession of Contraband
 - Public Display of Affection
 - Kidnapping
 - Kidnapping
 - Homicide
 - Homicide
 - Other Items
 - Knife with a blade length of fewer than 2.5 inches
 - Simulated Firearm
 - Drug Violation*
 - Alcohol
 - Drug Paraphernalia
 - Illicit Drug
 - Inhalants
 - Over the Counter Drugs (Inappropriate Use of)
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- Prescription Drugs (Inappropriate use of)
 - Smoking/Tobacco
 - A substance represented as illicit drug
 - Unknown Drug
 - Firearms/Bomb
 - Destructive Devices e.g. Bomb or Grenade
 - Handgun or Pistol
 - Other Firearm or Destructive Device
 - Shotgun or Rifle
 - Starter Gun or Pistol
 - Serious Bodily Injury
 - Serious Bodily Injury

*Drug Violation also requires the user to indicate more specificity to how the drug was used which is categorized for a user to select one or more options:

- Sale, Distribution, or Intent to Sell or Distribute
 - Use
 - Possession
 - Share
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Actions Taken Reference

Below is a reference guide providing more details on the types of actions taken for students who violated a rule or standard expected by the PEA. It is separated into two primary categories:

- Actions within Due Process
 - Removal
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Actions within Due Process

The right to due process in disciplinary proceedings is applicable in all instances where the behavior of the student is being evaluated for possible suspension or expulsion. The student must always be treated with fundamental fairness, has a right to be fully informed about his/her alleged breach of behavior and must be provided with an opportunity to respond to such charges.

- **Appeal Review**

When an appeal under Sec 615(k)(3) has been requested by either the parent or the PEA, the state or PEA shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing.

IDEA 2004 [615(k)(4)(B)]

- **Disciplinary Hearing**

An official meeting that is held to gather facts about a disciplinary action imposed on a student. This hearing is often done with a designated disciplinary hearing committee, one or more hearing officers, or school board

- **Individualized Education Program (IEP) Team Meeting**

The IDEA federal regulations mandate that certain disciplinary actions by schools trigger the need for an IEP team meeting when:

- A student is suspended for ten consecutive days in a school year;
- A student is considered for expulsion.

The IDEA regulations are not fully included here, but in brief, they require that IEP team meetings held to address disciplinary issues must perform these tasks:

- Review the child's IEP to determine if it contains all of the required parts.
- Determine if the IEP is appropriate, given the child's behavioral needs.
- If the IEP is not appropriate, the team must develop appropriate goals, objectives, behavior intervention plans, and support services such as counseling, referral to area mental health services, or other appropriate services to address any deficient areas on the plan.
- Determine if the educational setting is appropriate for the child.

Does the child need a more structured environment, an alternative program, day treatment, or other programs? If the setting is not appropriate, the team must provide an appropriate placement.

- Determine if the child's behavior is related to his disability. If the child's behavior is related to his disability, schools are not to continue suspending or expelling the student without providing special education services that are required by the IEP. Instead, they must focus on providing an appropriate program to accommodate the disability. Schools are required to provide a full continuum of educational placements to meet a broad range of needs. (About.com: Learning Disabilities)

Schools must ensure that regardless of suspensions or expulsions:

- Special education students receive the same services that regular education students receive during suspension or expulsion;
- Special education services receive services required by the IEP; and
- Services are provided in appropriate settings.

Special circumstances exist when students are disciplined for weapons, assault with serious bodily injury, or drugs and different rules will apply.

- **Manifestation Determination**

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

- If the conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
- If the conduct in question was the direct result of the LEA's failure to implement the IEP. (OSEP)

- **Placement Review Committee**

A.R.S. §15-841. Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee

J. Each school shall establish a placement review committee to determine the placement of a pupil if a teacher refuses to readmit the pupil to the teacher's class and to make recommendations to the governing board regarding the readmission of expelled pupils. The process for determining the placement of a pupil in a new class or replacement in the existing class shall not exceed three business days from the date the pupil was first removed from the existing class. The principal shall not return a pupil to the classroom from which the pupil was removed without the teacher's consent unless the committee determines that the return of the pupil to that classroom is the best or only practicable alternative. The committee shall be composed of two teachers who are employed at the school and who are selected by the faculty members of the school and one administrator who is employed by the school and who is selected by the principal. The faculty members of the school shall select a third teacher to serve as an alternate member of the committee. If the teacher who refuses to readmit the pupil is a member of the committee, that teacher shall be excused from participating in the determination of the pupil's readmission and the alternate teacher member shall replace that teacher on the committee until the conclusion of all matters relating to that pupil's readmission.

- **Board Review**

School boards have the right to review student disciplinary actions imposed by a disciplinary hearing committee.

Removal

Any instance in which a child is removed from his/her educational placement for disciplinary purposes, including in-school suspension, out-of-school suspension, expulsion, removal by school personnel to an interim alternative educational setting for drug or weapon offenses or serious bodily injury, and removal by hearing officer for likely injury to self or others. (USED Office of Special Education Programs (OSEP))

Expulsion

A.R.S. §15-840. Definitions

"Expulsion" means the permanent withdrawal of the privilege of attending a school unless the governing board reinstates the privilege of attending the school.

A.R.S. §15-841. Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section 15-802. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

G. A school district or charter school shall expel from school for a period of not less than one year a pupil who is determined to have brought a firearm to a school within the jurisdiction of the school district or the charter school, except that the school district or charter school may modify this expulsion requirement for a pupil on a case by case basis. This subsection shall be construed consistently with the requirements of the individuals with disabilities education act (20 United States Code sections 1400 through 1420).

- **Expulsion with Services**
The student was expelled from and is no longer enrolled in his or her regular school setting. Arrangements made for the provision of educational services.
- **Expulsion without Services**
The student was expelled from and is no longer enrolled in his or her regular school setting. The total cessation of educational services.

Suspension

A.R.S. §15-840. Definitions

2. "Suspension" means the temporary withdrawal of the privilege of attending a school for a specified period of time.

- **In-School Suspension**
Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel is physically in the same location as students under their supervision. (OSEP)

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- **Out-of-School Suspension**
Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). (OSEP)
 - **Long Term Suspension**
Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes for a period of eleven days or more. (OSEP)
 - **Short Term Suspension**
Instances in which a child is temporarily removed from his/her regular class. This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his or her IEP. (OSEP)
 - **Suspension With Services**
Instances in which a child is suspended and receives educational services.
 - **Suspension Without Services**
Instances in which a child is suspended and does not receive educational services.

Other Removals or Reassignments

- **Removal by students IEP team to an Interim Alternative Educational Setting**
Interim Alternative Educational Setting – An appropriate setting determined by the child's IEP team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

A unilateral removal is an instance in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do NOT include decisions by the IEP team to change a student's placement. (OSEP)

- **Removal by hearing officer for likely injury to self or others**
Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that maintaining the child's current placement is substantially likely to result in injury to the child or others. The IEP

team is responsible for determining the interim alternative educational setting. (OSEP)

- Reassignment to Another School within District
The student was reassigned to another school facility or program within the district that allowed him/her to continue to participate in the general curriculum at a school setting, including students receiving prescribed special education services who continued to receive these services.
-