DISCIPLINE OF STUDENTS WHO MAKE THREATS OF VIOLENCE OR CAUSE INCIDENTS OF VIOLENCE

Discipline Policy

Discipline is designed to promote behavior that will enable students to learn and successfully participate in their educational and social environments. The district discipline policy for students who make a threat of violence or commit an act of violence is developed to help students understand their obligations to others in the school setting, secure the safety of all students, staff and the community, and to correct student behavior if a violation occurs (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 1).

Students will conduct themselves in a manner fitting their age, grade level, and maturity, and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district. Consequences for the misconduct will be fair and tailored to the age, grade level and maturity of the student.

Discipline and other responses to threats or incidents of violence by a student with a disability, including removal from a class, placement in a therapeutic classroom, suspensions, and expulsions, will comply with the provisions of applicable federal and state laws including, but not limited to, the IDEA, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 3).

District Response to a Threat or Incident of Violence by a Student

Reporting a Threat of Violence or Incidence of Violence

In the case of any threat of violence or incident of violence that results in injury, property damage or assault by a student, the teacher will report to the school principal or lead administrator within 24 hours of the incident.

The principal or lead administrator will notify the parent or guardian of the student(s) who threatened or perpetrated an act of violence and the student(s) who the threatened or perpetrated act of violence was made against within 24 hours after receipt of the teacher's report and complete an investigation of the incident as soon as possible. The classroom teacher may also notify the parent or guardian of the student who made the threat or caused the incident, and the parent or guardian of the student against whom the threat or incident was directed (2023 Iowa Acts, chapter 96 (House File 604), sec. 4).

An investigation will be initiated by the principal or lead administrator upon learning of an incident of violence or threat of violence through any credible means. If the principal or lead administrator finds that an incident of violence or threat of violence did occur, the administrator will determine the level of threat or incident by considering all aspects of the situation, including the student's intent and knowledge of the impact of their actions, their developmental level and context of the incident. The resolution will focus on identifying the cause behind the behavior and appropriate corrective action (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsections 1 and 4).

A student who makes a threat of violence, causes an incident of violence that results in injury or property damage, or who commits an assault, will be subject to escalating levels of discipline for each occurrence. When appropriate, referrals will be made to local law enforcement. The district retains the authority to assign the level of disciplinary measures appropriate to the severity of the threat of violence or incident of violence (2023 Iowa Acts, chapter 96 (House File 604), sec. 7, new section 279.79, subsection 5).

Threat of Violence
Threat of violence means a written, verbal, electronic or behavioral message that either explicitly or implicitly expresses an intention to inflict emotional or physical injury, property damage, or assault.

Incident of Violence
Incident of violence means the intentional use of physical force or power against oneself, another person, a group or community or property resulting in injury, property damage or assault.

Injury
Injury means "physical pain, illness or any impairment of physical condition." State v. McKee, 312 N.W.2d 907, 913 (Iowa 1981).

Property Damage
Property damage means any destruction, damage, impairment or alteration of property to which the individual does not have a right to take such an action. Property means real property, which includes any real estate, building, or fixture attached to a building or structure, and personal property, which includes intangible property (Iowa Code section 4.1(21)).

Assault
Assault means when, without justification, a student does any of the following:

an act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting or offensive, coupled with the apparent ability to execute the act; or intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another.

The act is not an assault when the person doing any of the above and the other person are voluntary participants in a sport, social or other activity, not in itself criminal, when the act is a reasonably foreseeable incident of such sport or activity, and does not create an unreasonable risk of serious injury or breach of the peace (Following Iowa Code section 708.1).

Legal Reference:

Cross Reference:

Adopted: 10/02/23
Modified:
Reviewed: 10/02/23

Escalating Responses by Grade Band

Grades PK-2

Level	Escalating Response
Level 1	● Requires parent or guardian notification. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses may include any of the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class. ● Unless the first offense is unusually serious, the administrator will avoid permanent removal from a class.
Level 2	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to the incident may include the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.
Level 3	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to an incident may include the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s). ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or ○ Recommendation for expulsion.

Escalating Responses by Grade Band

Grades 3-5

Level	Escalating Response
Level 1	● Requires parent or guardian notification. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to an incident may include the following: ○ Parent or guardian conference that may include the student, when appropriate; ○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class. ● Unless the first offense is unusually serious, the administrator will avoid permanent removal from a class.
Level 2	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Response to an incident may include, but are not limited to, the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate, with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.
Level 3	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Response to an incident may include the following: ○ Parent or guardian conference that may include the student, when appropriate; ○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or ○ Recommendation for expulsion.

Escalating Responses by Grade Band

Grades 6-8

Level	Escalating Response
Level 1	● Requires parent or guardian notification. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to an incident may include the following: ○ Parent or guardian conference that may include the student, when appropriate; ○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class.
Level 2	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to an incident may include, but are not limited to, the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.
Level 3	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Response to an incident may include the following: ○ Parent or guardian conference that may include the student, when appropriate; ○ When appropriate and with written parent consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or ○ Recommendation for expulsion.

Escalating Responses by Grade Band

Grades 9-12

Level	Escalating Response
Level 1	● Requires parent or guardian notification. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Responses to an incident may include, but are not limited to, the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary removal from extracurricular activities; ○ Temporary removal from class; ○ In-school suspension; and/or ○ Suspension of transportation, if misconduct occurred in a school vehicle.
Level 2	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Response to an incident may include the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; and/or ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate.
Level 3	● Requires parent or guardian notification. ● Review of response to prior offense, if applicable, to inform increased level of response. ● Requires individualized educational program (IEP) meeting, if the student has an IEP. ● Response to an incident may include the following: ○ Parent or guardian conference that includes the student, when appropriate; ○ When appropriate and with written parent/guardian consent, counseling, and/or mental health counseling subject to available resources of the district; ○ Behavior intervention student agreement coupled with another response(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; ○ Temporary or permanent removal from extracurricular activities; ○ Temporary or permanent removal from class; ○ In-school suspension; ○ Out-of-school suspension; ○ Suspension of transportation privileges, if misconduct occurred in a school vehicle; ○ Placement in an alternative learning environment, including a therapeutic classroom, when appropriate; and/or

Escalating Responses by Grade Band

Grades 9-12

	○ Recommendation for expulsion.

Definitions (consistent with the Department's Data Dictionary 2022-23)

Detention means the student's presence is required during non-school hours for disciplinary purposes. The student can be required to appear prior to the beginning of the school day, after school has been dismissed for the day or on a non-school day. Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee or the building principal disciplining the student.

Expulsion means an action by the board to remove a student from the school environment, which includes, but is not limited to, classes and activities, for a period of time set by the board.

In-school suspension means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten consecutive school days.

Out-of-school suspension means the student is removed from the school environment, which includes school classes and activities. An out-of-school suspension will not exceed ten consecutive school days unless due process is provided as required by federal and state law. A restriction from school activities means a student will attend school and classes and practice but will not participate in school activities.

Placement in an alternate learning environment means placement of a student in an environment established apart from the regular educational program that includes rules, staff and resources designed to accommodate student needs and to provide a comprehensive education consistent with the student learning goals and content standards established by the school district.

Removal from the classroom means a student is sent to the building principal's office. It is within the discretion of the person in charge of the classroom to remove the student.