

503.08R1 DISCIPLINE OF STUDENTS WHO MAKE THREATS OF VIOLENCE OR CAUSE INCIDENTS OF VIOLENCE - STUDENT THREATS OF VIOLENCE AND INCIDENTS OF VIOLENCE - Regulation

Effective student discipline policies serve the needs of the District in maintaining the order of the education environment while safeguarding the education interests of all students. For this reason, it is crucial to engage many perspectives in crafting sound policies related to discipline. The board, in conjunction with teachers and administrators in the District, have assigned further meaning to concepts listed in this policy.

Incident Levels Defined

Incident levels must escalate, with Level 1 being less severe than Level 3 incidents. However, the District maintains discretion in applying the level of discipline appropriate for an incident. In making this determination, the administration will consider the following definitions of incident levels. Because no definition could encompass all possible threats or incidents, the administration has discretion in determining which level to assign the incident after looking at the nature of the incident as well as the age, grade level, and maturity of the student.

Level 1 Defined: An incident that presents low level risk to the individual or others and warrants discipline consistent with that outlined for Level 1 in the accompanying policy and guidance provided by the Department of Education.

Level 2 Defined: An incident that presents moderate level risk to the individual or others and warrants discipline consistent with that outlined for Level 2 in the accompanying policy and guidance provided by the Department of Education.

Level 3 Defined: An incident that presents high level risk to the individual or others and warrants discipline consistent with that outlined for Level 3 in the accompanying policy and guidance provided by the Department of Education.

Timeframe for Determining Repeated Incidents:

The District will consider all incidents occurring within the school year or as otherwise appropriate as sufficiently close in proximity. The administration will have discretion to alter this timeframe when appropriate under the circumstances, depending on the nature of the incident as well as the age grade level and maturity of the student.

Considerations for Determining the Maturity of the Student

The District believes that gauging the maturity of a student is subject to interpretation and best left to the licensed employees who interact most closely with the student on a regular basis. Assessing a student's maturity level is based on individual characteristics unique to each student. Therefore, in making a determination about the maturity of a student, the administration may consult with the student's classroom teacher and other relevant licensed staff. The administration will consider the student's age; physical, mental, emotional, social, and intellectual maturity; and other information as appropriate in determining the maturity of the student.

Considerations for Determining Whether the Off-Campus Threat of Violence or Incident of Violence Will Directly Affect the Good Order, Efficient Management and Welfare of the School District

The District recognizes that students maintain First Amendment rights to free expression both within school and outside. However, free speech protections are not absolute and do not extend to true threats of violence toward an individual or a group of individuals. In considering whether a threat or incident of violence will directly affect the good order, efficient management and welfare of the school district necessitating the need for investigation, the administration will consider, among other things, the following factors:

- The specificity of the threat for time, location or individual(s) targeted
- The reasonable likelihood of the student's ability to carry out the threat
- The reasonable likelihood that the threat will interfere with the operation of the educational environment

Grades PK-2

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> ● Requires parent or guardian notification. ● Requires individualized educational program (IEP) meeting, if the student has an IEP ● Responses may include any of the following: <ul style="list-style-type: none"> ○ 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 responses(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class. ● Unless the first offense is usually serious, the administrator will avoid permanent removal from a class.
Level 2	<ul style="list-style-type: none"> ● 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 any of the following: <ul style="list-style-type: none"> ○ 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 responses(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	<ul style="list-style-type: none"> ● 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 any of the following: <ul style="list-style-type: none"> ○ 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 responses(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

Grades 3-4

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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 responses(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class. • Unless the first offense is usually serious, the administrator will avoid permanent removal from a class.
Level 2	<ul style="list-style-type: none"> • 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 not limited to the following: <ul style="list-style-type: none"> ○ 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 responses(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	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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 responses(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; and/or ○ Recommendation for expulsion

Grades 5-8

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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 responses(s); ○ Restitution or opportunities to repair relationships coupled with another response(s); ○ Detention; and/or ○ Temporary removal from class.
Level 2	<ul style="list-style-type: none"> • 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 not limited to the following: <ul style="list-style-type: none"> ○ 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 responses(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	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ 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 responses(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; and/or ○ Recommendation for expulsion

Grades 9-12

Level	Escalating Response
Level 1	<ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ 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 responses(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 school vehicle.
Level 2	<ul style="list-style-type: none"> ● 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 not limited to the following: <ul style="list-style-type: none"> ○ 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 responses(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	<ul style="list-style-type: none"> ● 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: <ul style="list-style-type: none"> ○ 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 responses(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; and/or ○ Recommendation for expulsion

In addition to the notification requirements in policy, the administration will apprise the parents or guardians of any student who suffered violence or a threat of violence, of the rights to file complaints under any other relevant board policies including but not limited to anti-bullying/anti-harassment and Title IX.

NOTE: Iowa law requires school boards to collaborate with teachers and administrators in adopting a policy related to threats of violence and incidents of violence. This accompanying regulation is designed to supplement the framework provided by the Department of Education in policy 503.8 and be edited and completed by boards through a collaborative process involving relevant stakeholders for the district.

Legal Reference: Iowa Code §279.79

Approved: 02/12/2024 Reviewed: _____ Revised: _____