

Regulation 503.08-R(1): Discipline of Students Who Make Threats of Violence or Cause Incidents of Violence - Student Threats of violence and Incidents of Violence

Status: ADOPTED

Original Adopted Date: 12/11/2023 | **Last Reviewed Date:** | **Last Revised:**

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:

A Level 1 behavior incident is characterized by a minor infraction or a minor breach of established rules and guidelines that may be outlined in the building handbooks. These incidents typically involve non-threatening, non-disruptive behaviors that are easily managed and do not pose a significant risk to the safety or well-being of students or community members.

Level 2 Defined:

A Level 2 behavior incident refers to an event or situation in which a student's actions or conduct exhibit behavior that is moderately disruptive, potentially harmful, or in violation of established rules and guidelines outlined in the handbook. Level 2 incidents typically fall between minor disturbances (Level 1) and major infractions (Level 3) in terms of severity. These incidents may require a more significant response or intervention than Level 1 incidents but generally not as severe as Level 3 incidents.

Level 3 Defined:

A Level 3 behavior incident refers to a specific category of disruptive or problematic behavior that is typically assessed or categorized in a three-tiered behavioral management system used in an educational setting. This level of incident is characterized by behaviors that are more serious and challenging than Level 1 or Level 2 incidents. Level 3 incidents may include actions that significantly disrupt the learning environment, pose a potential threat to the safety of the student's involved, or require immediate intervention and specialized strategies to address.

Timeframe for Determining Repeated Incidents

The District will consider all incidents occurring within the school year as sufficiently close in proximity between incidents to establish that a repeated incident has occurred. The rationale for establishing this timeframe is to ensure students understand the necessity of an orderly academic

environment. 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 following factors in determining the maturity of the student:

Age, Emotional Development, Cognitive Development, Social Skills, Responsibility and Independence, Communication Skills, Decision-Making Skills, Motivation, Interest, Physical Development, Special Needs and Abilities, Cultural and Family Background, past Academic Performance, Guidance, Counseling, and Developmental Milestones.

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

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
