



District of Columbia  
Office of the State Superintendent of Education

# LEA Discipline Data Collection Guidance 2022-23 School Year

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<b>UPDATES FOR THE 2022-23 SCHOOL YEAR</b>	<b>3</b>
<b>MULTIPLE DISCIPLINE &amp; ATTENDANCE CERTIFICATIONS</b>	<b>3</b>
<b>COLLECTING RESTORATIVE JUSTICE DATA</b>	<b>3</b>
<b>OTHER CHANGES</b>	<b>4</b>
<b>INTRODUCTION</b>	<b>4</b>
<b>LEA RESPONSIBILITIES</b>	<b>4</b>
<b>OSSE RESPONSIBILITIES</b>	<b>5</b>
<b>SUMMARY OF KEY LOCAL AND FEDERAL REPORTING REQUIREMENTS</b>	<b>5</b>
(1) STUDENT FAIR ACCESS TO SCHOOL AMENDMENT OF 2018 (“THE FAIR ACCESS ACT”)	5
(2) DC SCHOOL REPORT CARD	7
(3) DATA REQUIRED FOR FEDERAL REPORTING	7
<b>REQUIRED DATA</b>	<b>8</b>
<b>STUDENT POPULATION</b>	<b>8</b>
<b>DISCIPLINARY INCIDENTS AND ACTIONS</b>	<b>8</b>
<b>DATA COLLECTION</b>	<b>10</b>
<b>SUBMISSION &amp; CERTIFICATION TIMELINES</b>	<b>10</b>
<b>SUBMISSION PROCESS</b>	<b>10</b>
CHARTER LEAs REPORT TO OSSE	10
TEMPLATE	10
NAVIGATING THE IDS TOOL	10
<b>DISCIPLINE UNIFIED DATA ERROR (UDE) REPORT</b>	<b>12</b>
CONFLICTS BETWEEN DISCIPLINE RECORDS AND STAGE FIVE ENROLLMENTS OR ATTENDANCE DATA	13
REPORTING SCENARIOS	14
CERTIFICATION OF NO INCIDENTS	15
<b>OSSE DISCIPLINE DATA COLLECTION TEMPLATE</b>	<b>13</b>
<b>OVERVIEW</b>	<b>15</b>
<b>LEA AND COLLECTION INFORMATION</b>	<b>16</b>
<b>DEMOGRAPHIC INFORMATION</b>	<b>16</b>
<b>INCIDENT INFORMATION</b>	<b>16</b>
<b>DISCIPLINARY ACTION INFORMATION</b>	<b>18</b>
NEW DISCIPLINARY ACTION TYPE: RESTORATIVE JUSTICE	18
EXPANDING EDUCATION SERVICES	19
<b>ALTERNATIVE EDUCATION SETTING INFORMATION</b>	<b>21</b>
<b>STUDENTS WITH DISABILITIES</b>	<b>21</b>
BACKGROUND ON IDEA DISCIPLINE REGULATIONS	22
<b>SUPPLEMENTAL INFORMATION</b>	<b>26</b>
<b>RESTORATIVE JUSTICE</b>	<b>26</b>
NEW DATA ELEMENTS	27
<b>FINAL CHECKS</b>	<b>30</b>

<b>APPENDIX A: DISCIPLINARY REASON DEFINITIONS</b>	<b>31</b>
<b>APPENDIX B: DISCIPLINARY ACTION TYPE DEFINITIONS</b>	<b>36</b>
<b>APPENDIX C: OTHER DISCIPLINARY TERM DEFINITIONS</b>	<b>37</b>
<b>APPENDIX D: INJURY TYPE DEFINITIONS</b>	<b>38</b>
<b>APPENDIX E: WEAPON TYPE DEFINITIONS</b>	<b>39</b>
<b>APPENDIX F: RESTRICTIONS ON DISCIPLINARY ACTIONS</b>	<b>41</b>
<b>APPENDIX G: REQUIRED DATA ELEMENTS</b>	<b>42</b>
<b>APPENDIX H: RESTORATIVE JUSTICE PRACTICE TYPES</b>	<b>44</b>

# 2022-23 School Year Local Education Agency (LEA) Discipline Data Collection Guidance

## Updates for the 2022-23 School Year

This document details business rules for the Office of the State Superintendent of Education's (OSSE's) 2022-23 school year discipline collection guidance. As outlined below, updates include:

- Changing from a single discipline and attendance certification at the end of the year to three certifications throughout the year;
- Beginning data collection on restorative justice practices;
- Gathering additional data on how suspended students are receiving educational services; and
- Including an option to report zero incidents in the integrated data submission tool.

## Multiple Discipline & Attendance Certifications

Introducing multiple certifications is an important step toward enhancing the quality of OSSE's data and equipping policymakers, LEAs and other stakeholders with a more accurate picture of discipline and attendance data. Discipline and attendance data are interconnected, as demonstrated in the additional checks OSSE performs for LEAs in the [Unified Data Error \(UDE\) report](#). With this change, school and LEA leaders will be able to use attendance and discipline data throughout the school year to drive decision making.

Beginning in the 2022-23 school year, **OSSE will have LEAs validate both discipline and attendance data three times each school year**, thereby ensuring stakeholders will have access to authoritative data multiple times a year, rather than once at the end of each school year.

LEAs should consult the [2022-23 Data Validation Deadline](#) Policy for submission timelines and certification dates.

## Collecting Restorative Justice Data

Beginning in the 2022-23 school year, OSSE will start collecting data on the use of restorative justice practices (RJP)<sup>1</sup> via the Discipline Data Collection. This change to the way OSSE collects discipline data will:

- Ensure that District policymakers have accurate information on RJP in the District
- Align the District's discipline data collection with that of other large urban school districts
- Build a foundation for evaluation and research on RJP in the District

OSSE offered and led stakeholder engagement sessions in June 2022 with LEA data managers, heads of schools and school discipline managers to learn more about how/if LEAs currently collect data on RJP, their concerns about adding additional data elements, and how to ensure the data elements are collected accurately. The valuable feedback from these stakeholders informed the three data elements OSSE will collect:

- [Restorative Justice Disciplinary Action Type](#)
- [Restorative Justice Practice Type Field](#)

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<sup>1</sup> There is debate about whether to refer to the approach as "restorative justice" or "restorative practice" (Song & Swearer, 2016, p. 316). The Office of Research, Analysis, and Reporting (ORAR) at OSSE confirmed with SchoolTalk that *RestorativeDC* uses the combined term "restorative justice practices."

- [Restorative Justice Open Text Field](#)

## Other Changes

- OSSE is changing the [permitted values](#) for the field “Were educational services received for the duration of the disciplinary action?” to identify whether educational services are being provided synchronously or asynchronously.
- LEAs can indicate that they have no incidents [by using the Integrated Data Submission \(IDS\) tool](#), rather than emailing an OSSE contact or submitting a form.

## Introduction

OSSE collects discipline data from LEAs each year for the annual [Discipline Report](#). LEAs submit their data by completing the OSSE Discipline Data Collection Template and submitting it via the IDS tool. The data elements included in this annual collection fulfill the following local and federal reporting requirements:

- Reporting pursuant to Section 209 of the Students Fair Access to School Act Amendment of 2018, effective Aug. 25, 2018 (DC Law 22-157; DC Official Code § 38-236.09) (the Fair Access Act);
- Reporting pursuant to Section 202 of the Pre-K Student Discipline Amendment Act of 2015, effective June 23, 2015 (DC Law 21-12; DC Official Code § 38-236.09);
- DC School Report Card;
- ED Facts Federal Reports; and
- Annual Performance Report pursuant to the Individuals with Disabilities Education Act (IDEA).

OSSE and LEAs have distinct responsibilities to meet the above reporting requirements accurately and on time. Pursuant to DC Official Code § 38-236.09(c)(1), LEAs must provide statutorily mandated discipline data set forth in DC Official Code § 38-236.09(b) in the form and manner prescribed by OSSE. The data will be collected on a rolling basis and validated three times each year. OSSE requires LEAs to provide comprehensive data on all disciplinary incidents and actions that occur within the designated reporting period in the IDS tool.

## LEA Responsibilities

To comply with all federal and local requirements, **LEAs must do the following:**

- **September 2022:** Attend LEA data managers’ meetings to learn about changes to the discipline collection, read all relevant documentation, seek support for any necessary clarification. *Note: Questions can be submitted via a ticket in the [OSSE Support Tool](#), and they will be directed to the appropriate person.*
- **Oct. 1, 2022:** Publish the LEA’s discipline policy on their public website. OSSE will check that each LEA’s discipline policy is easily accessible to the public and seek corrective action if it is not.
- **Submit data by the close of each data submission period.** In compliance with DC Code § 38-236.09(c)(1), LEAs must submit:
  - (1) A **complete and accurate** discipline data collection submission file via the IDS tool (see [Data Collection](#) & [Data Collection Template](#) sections) for each data submission period; and
  - (2) Summaries of all written justifications provided to students and parents in instances where students received out-of-school suspensions totaling greater than 20 days.

In addition, LEAs are to continue adhering to the submission guidelines and process for the US Department of Education (USED) Office of Civil Rights Civil Rights Data Collection.

## OSSE Responsibilities

To comply with all federal and local requirements, **OSSE must do the following:**

- **August 2022:** Release the OSSE Discipline Data Collection Template and Discipline Data Collection Guidance.
- **September 2022:** Provide appropriate training and documentation to LEAs on discipline data.
- **Start of School - July 2023:** Validate each data submission provided by LEAs by checking against other data sources, such as Special Education Data Systems (SEDS) and Student Information Systems (SIS) (which provide enrollment and attendance data). If applicable, LEAs will indicate via the IDS tool if they do not have any incidents to report for a given reporting period.
- **August - December 2023:** Complete all federal and local reporting. (See *the Fair Access Act, Pre-K Discipline Amendment Act of 2015, DC School Report Card, ED Facts Reporting, Annual Performance Reporting for Students with Disabilities.*)

## Summary of Key Local and Federal Reporting Requirements

### (1) Student Fair Access to School Amendment of 2018 (“The Fair Access Act”)

The Fair Access Act amended the Pre-K Student Discipline Amendment Act of 2015 and expanded reporting requirements. The Act requires OSSE to annually report: school-based interventions, in-school suspensions, involuntary dismissals, out-of-school suspensions, emergency removals, disciplinary unenrollment (expulsions, modified expulsions and involuntary transfers), voluntary withdrawals, voluntary transfers, referrals to law enforcement and school-related arrests resulting from disciplinary

#### *Data Elements Required*

The data elements mandated under the Fair Access Act (DC Official Code § 38-236.09(b)):

- Student demographic data
- Disciplinary actions taken by schools including school-based interventions, in-school suspensions, involuntary dismissals, out-of-school suspensions, emergency removals, disciplinary unenrollment (expulsions, modified expulsions, and involuntary transfers), referrals to law enforcement, and school-based arrests and, for students with disabilities, change in placement -- including frequency and duration of the disciplinary action
- Descriptions of the misconduct or reasoning behind each disciplinary action
- Special education services data, including whether the student received during the school year a functional behavioral assessment, an updated behavior improvement plan or a manifestation determination review – including the number of suspension days that triggered the review, whether the suspension days were cumulative, and the outcome of the review
- Incidents resulting in a referral to an alternative education setting for the course of a suspension and associated attendance
- Incidents resulting in school-based intervention rather than an in-school suspension, and a description of the school-based intervention
- Voluntary and involuntary transfers and withdrawals

incidents. For students with disabilities, information on changes in placement resulting from a disciplinary incident is also required. Per this Act, LEAs must submit disciplinary data to OSSE by Aug. 15 of each year in “a form and manner prescribed by the Office of the State Superintendent of Education.”<sup>2</sup>

#### *Written Justification*

Starting in the 2018-19 school year, time limits were imposed on the duration of out-of-school suspensions according to student age and grade. If a student receives more than 20 cumulative days of out-of-school suspension during an academic year, the head of the LEA must provide a written justification to the student and parent describing why exceeding the 20-day limit is a more appropriate disciplinary action than alternative responses, or in the instance that the student’s conduct necessitated emergency removal, written justification for the emergency removal.<sup>3</sup> LEAs will be required to submit to OSSE a **summary** of each written justification provided for students who either receive out-of-school suspensions that exceed 20 days or a student who receives an emergency removal at the time of submission of discipline data for the school year.

#### *Out-of-School Suspensions and Disciplinary Unenrollment*

Students in kindergarten through grade 8 may only be subject to out-of-school suspension or disciplinary unenrollment in instances where a school administrator determines that the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.<sup>4</sup> Additionally, students in grades 9-12 may not be subject to out-of-school suspension or disciplinary unenrollment for dress code violations, willful defiance, or behavior that happens off school grounds and not as part of a school-sponsored activity, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.<sup>5</sup> Please see [Appendix F: Restrictions on Disciplinary Actions](#) to reference the relevant DC Official Code language.

#### *Restorative Justice*

The Fair Access Act requires that OSSE provide services and training to LEAs on “restorative practices and other evidence-based or promising behavioral interventions” to adopt trauma-informed disciplinary practices across the District.<sup>6</sup> OSSE has coordinated and funded the provision of these services through [RestorativeDC](#) – a project led by [SchoolTalk](#) for the past five years:

*“SchoolTalk’s RestorativeDC has introduced and supported restorative practices in schools in the District of Columbia and beyond. SchoolTalk’s RestorativeDC provides technical assistance, coaching, and training services to individuals and schools. These services respond to schools’ unique contexts, priorities, and needs. RestorativeDC’s services focus on growing the individual capacity of youth-serving professionals and enhancing the organizational capacity of schools and supporting organizations.”<sup>7</sup>*

Beginning in the 2022-23 school year, OSSE will collect data on the use of RJPs across the District. Collecting this data will allow LEAs to highlight their promising behavioral interventions and allow OSSE to track and evaluate the effectiveness of these practices.

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<sup>2</sup> D.C. Code § 38-236.09(c)(1).

<sup>3</sup> Student Fair Access to School Amendment Act of 2018, D.C. Code § 38-236.04(a)(2) (2022).

<sup>4</sup> Student Fair Access to School Clarification Amendment Act of 2019, D.C. Code § 38-236.04(a)(1) (2022).

<sup>5</sup> Student Fair Access to School Amendment Act of 2018, D.C. Code § 38-236.04(a)(2) (2022).

<sup>6</sup> Student Fair Access to School Amendment Act of 2018, D.C. Code § 38-236.06(d) (2022).

<sup>7</sup> SCHOOLTALK, <https://schooltalkdc.org/> (last visited Aug. 12, 2022).

## (2) DC School Report Card

All state education agencies (SEAs) are required by the Every Student Succeeds Act (ESSA) to publish statewide school report cards for the public.<sup>8</sup> The DC School Report Card meets all federal reporting requirements and reports several measures of student discipline that are aggregated at the state, LEA and school levels for all students as well as by student groups.<sup>9</sup> Each discipline metric shows the relevant total count and rate of incidents for the most recently completed school year. See the 2021 DC School Report Card and STAR Framework Technical Guide for more information on the specific measures of student discipline included on the DC School Report Card.<sup>10</sup>

## (3) Data Required for Federal Reporting

OSSE is required to submit *EDFacts* reports to USED. *EDFacts* is the USED initiative to collect, analyze, report on and promote the use of high-quality, kindergarten through grade 12 (K–12) performance data for use in education planning, policymaking and management and budget decision making to improve outcomes for students.<sup>11</sup> These reports require OSSE to collect and report incident-level discipline data. There are seven *EDFacts* reports that utilize discipline data from the preceding school year<sup>12</sup>. As part of the District of Columbia’s Part B Annual Performance Report (APR), which is required by IDEA,

### *Data Elements Required*

Data elements required for federal reporting include, but are not limited to:

- The length and quantity of in-school suspensions, out-of-school suspensions, and expulsions
- The reason a student was disciplined
- Detailed information on incidents involving firearms, including the type of weapon involved
- Whether or not disciplined students with disabilities continued to receive educational services
- Removals to an interim alternative education setting by type and reason for students with disabilities

20 U.S.C. §§ 1400 *et seq.*, OSSE reports on the percentage of LEAs that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for students with disabilities.<sup>13</sup> OSSE is also required to identify LEAs that have a significant disproportionality in different discipline categories, including suspensions and expulsions of greater than 10 days in a school year for students with disabilities by race and ethnicity.<sup>14</sup>

<sup>8</sup> Every Student Succeeds Act, 20 U.S.C. § 6311 (2022).

<sup>9</sup> Every Student Succeeds Act, 20 U.S.C. § 6311 (2022).

<sup>10</sup> *2021 DC School Report Card & STAR Framework Technical Guide*, OFF. OF THE ST. SUPERINTENDENT OF EDUC. (Aug. 2021), <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2021%20Report%20Card%20and%20STAR%20Framework%20Technical%20Guide%20%2810.26.21%29.pdf>.

<sup>11</sup> *The EdFacts Initiative*, USED, [www2.ed.gov/about/inits/ed/edfacts/index.html](http://www2.ed.gov/about/inits/ed/edfacts/index.html) (last visited Aug. 12, 2022).

<sup>12</sup> The following *EdFacts* reports are usually (with some exceptions for COVID-19) required to be submitted to USED by OSSE:

FS005 – Children with Disabilities (IDEA) Removal to Interim Alternative Education Setting

FS006 – Children with Disabilities (IDEA) Suspensions/Expulsions

FS007 – Children with Disabilities (IDEA) Reasons for Unilateral Removal

FS086 – Students involved with Firearms

FS088 – Children with Disabilities (IDEA) Disciplinary Removals

FS143 – Children with Disabilities (IDEA) Total Disciplinary Removals

FS144 – Education Services During Expulsion

<sup>13</sup> See 20 U.S.C. § 1412(a)(22).

<sup>14</sup> See 20 U.S.C. § 1418(d) and 34 CFR §§ 300.646-647. For more information about upcoming changes around significant disproportionality, see: [osse.dc.gov/page/significant-disproportionality](https://osse.dc.gov/page/significant-disproportionality).

## Required Data

### Student Population

Discipline data should be provided for each student disciplined by an LEA at any point during the school year. Unless a school is designated as an Extended School Year (ESY) school, for reporting purposes, OSSE defines the school year as spanning from July 1 through June 30; this reporting school year aligns with the federal reporting calendar for ED*Facts* and IDEA.

 Every submission should be cumulative and contain **all disciplinary incidents between the start of the data submission period and the date of the file upload**. Each file submission to the IDS tool will overwrite any previous data submissions, meaning LEAs must ensure each file uploaded is cumulative by downloading (if applicable) a previously submitted file to add additional records to. Summer incidents should be included with the reporting school year in which they occur according to this definition.

### Disciplinary Incidents and Actions

This collection includes **every disciplinary incident and action** for students served by an LEA. A disciplinary incident is an event that results in a student receiving a disciplinary action.

- **Disciplinary Incident:** student behavior or conduct that results in disciplinary action by the LEA. The definitions for all disciplinary incident behaviors can be found in [Appendix A: Disciplinary Reasons Definitions](#).
- **Disciplinary Action:** any instance in which a child is removed from their regular class schedule, or from the school in which the child is enrolled, for disciplinary reasons. Please see [Appendix B: Disciplinary Action Type Definitions](#) for detailed definitions of all disciplinary action types.

 OSSE requires that all LEAs report on **all disciplinary actions that last for half a day or longer**. The Fair Access Act requires OSSE to additionally report on all involuntary dismissals, which include the **removal of the student from school attendance for less than half of a school day for disciplinary reasons**, during which the student is not under the supervision of the school personnel and is not allowed on school grounds.

All students who were involved in a disciplinary incident and received any one of the following disciplinary actions **must be** included in this collection:

- Expulsion
- Modified expulsion
- Involuntary transfer
- School-related arrest
- Disciplinary unenrollment/withdrawal
- Change in placement
- Out-of-school suspension
- Involuntary dismissal
- Referral to law-enforcement
- In-school suspension
- School-based intervention
- Restorative justice<sup>15</sup>
- Emergency removal

Each disciplinary action for a given student should be included in the collection template as a separate row of data.

- **One student may have multiple disciplinary incidents during the same reporting year.**
  - Example: A student may get in a fight in November and vandalize school property in February. If a student has two disciplinary incidents during the reporting school year,

<sup>15</sup> Defined in [Appendix B](#) and further described in [Restorative Justice](#) section of this guidance

each should be detailed on a separate row in the OSSE Discipline Data Collection Template uploaded to OSSE; in this example, there would be two separate rows of data for the same student.

- **One incident may result in disciplinary actions for multiple students.**
  - Example: Two students engage in a fight resulting in both students receiving an in-school suspension. Each student should have a separate row for this incident in the OSSE Discipline Data Collection Template; in this example, there would be two separate rows of data for the same incident.
- **One incident may result in multiple disciplinary actions for the same student.**
  - Example: A student is involved in an incident that results in an in-school suspension, and then upon further review from school staff, the student receives a subsequent out-of-school suspension. Each disciplinary incident should be reported in a separate row in the OSSE Discipline Data Collection Template; one row should include detail on the in-school suspension, with the corresponding in-school suspension start and end dates, and an additional row should provide detail on the out-of-school suspension, with the corresponding out-of-school suspension start and end dates. It is important that both rows of data have the same incident date so that OSSE can properly report the number and type of disciplinary actions and incidents; in this example, there would be two separate rows of data for the same incident and student.
- **If a student is removed from school between the disciplinary incident and expulsion, the time between the disciplinary incident and expulsion should be captured as an out-of-school suspension because the student has been removed from school due to the disciplinary incident.** The out-of-school suspension and expulsion should be reported as two separate disciplinary actions on two rows in the Discipline Data Collection Template.
  - The LEA's behavior management system should record dates for out-of-school suspension and expulsion. The dates for the out-of-school suspension should correspond to the time between the disciplinary incident and the start date of expulsion; the end date of the out-of-school suspension should be equal to the start date of the expulsion. LEAs should ensure that attendance codes correspond to the data captured in the behavior management system.

See the [OSSE Discipline Data Collection Template overview below](#) and [Appendix G: Required Data Elements](#) for more information about required data elements.

## Data Collection

### Submission & Certification Timelines

To ensure consistent reporting, OSSE will collect all discipline data required for both federal and local reporting on a rolling basis **and will validate and certify this data (along with attendance data) three times during the school year**. LEAs should consult the [2022-23 Data Validation Deadline](#) Policy for a list of submission timelines and certification dates.

### Submission Process

#### Charter LEAs Report to OSSE

As of the 2020-21 school year collection, **charter LEAs can no longer elect to have the Public Charter School Board (PCSB) submit data on their behalf**. LEAs are responsible for providing OSSE complete data for all required elements as reflected in the OSSE Discipline Data Collection Template, including in-school-suspension data, pursuant to federal and local reporting requirements.

#### Template

Pursuant to DC Code § 38-236.09(c)(1), OSSE will release the OSSE Discipline Data Collection Template in a Microsoft Excel Workbook each school year. This template will be made available on the [OSSE website](#) and in the IDS tool. LEAs are not permitted to make any changes to the structure of the template and must ensure that it is submitted in a “.xlsx” format. **All LEAs must submit required data elements directly to OSSE in the template via the IDS tool.**

#### Navigating the IDS Tool

To submit discipline data using the IDS tool, a person needs to be assigned the role of either the Head of School, LEA Data Manager, or School Discipline Manager in eSchoolPLUS. The IDS tool can be found here: [ids.osse.dc.gov/](https://ids.osse.dc.gov/), and users can log in using the same credentials they use to log into the [Statewide Longitudinal Education Data System \(SLED\)](#). You can also find the IDS tool in SLED under the “related sites” tab. **Please send requests for log-in information to [sled.info@dc.gov](mailto:sled.info@dc.gov).**

Users can follow the instructions in [this user guide](#) when submitting the template. Once users submit the template, the IDS tool will indicate whether the file was uploaded successfully. **A successful upload will occur when there are no structural errors**, which are inaccuracies or illogical combinations in the data that the user must resolve before the file will be accepted. A list of these errors can be found in [Table 1](#) below along with the data set the error is dependent upon.

The IDS tool will also flag errors related to missing data for required fields, unpermitted values entered for a data element, and illogical date combinations such as the end date occurring before the start date.

**Users can submit discipline data as frequently as they would like during the data submission periods.** Once a user has successfully submitted a file in the IDS tool, they can download the accepted file to add more records to it. This will maintain the integrity of the already accepted records and ensure only the new records will potentially generate errors. **Users should either correct the discipline record if it was submitted in error or correct the data in the related data set that is causing the error.** The IDS tool also flags anomalies that do not have to be resolved for submission to be successful; however, OSSE strongly encourages LEAs to revisit the record and the corresponding data set and consult with individuals, as needed, to ensure the record is correct.

Please note that the IDS tool could flag a structural error on a previously accepted record if data in a corresponding dataset has changed in a way that will alter the record. In this case, the user would have to address the new error.

*Example*

An LEA submits a discipline record via the IDS tool for a student who received an out-of-school suspension. The record has the required fields completed and passes all the validations for students with disabilities, attendance, and enrollment at the time of submission.

When submitting the LEA’s discipline records again, having changed none of the information entered for the aforementioned discipline record, the LEA receives an IDS error because the student’s enrollment information changed for the day of the disciplinary action:

***Disciplinary Incident Date: The student has a disciplinary incident that occurred when the student was not enrolled at the school***

To fix this error, the person submitting the discipline data should either change the discipline record to reflect the correct enrollment information or correct the enrollment data if it was changed in error.

*In summary, every time discipline data is uploaded, all records are being checked against the most recent data in our systems and new errors could be generated.*

Table 1. Structural Validations in the IDS Tool

Error	Depends on	Anomaly
<b>USI: Invalid USI for the Student ID provided</b>	Enrollments data	N
<b>LEA ID: Invalid LEA and School code combination</b>	SLIMS	N
<b>LEA Student ID: Invalid LEA Student ID</b>	Enrollments data	N
<b>Date of Birth: Does not match DOB provided by LEA in the Demographics data</b>	Enrollments data	Y
<b>Date of Birth: Age at time of incident less than 3 years</b>	None	N
<b>Date of Birth: Age at time of incident greater than 24 years</b> <i>Note: This is error will not be generated for adult-serving schools.</i>	None	N
<b>Disciplinary Incident Date: The student has a disciplinary incident date that occurred on a non-instructional school day</b>	Attendance data	Y
<b>Disciplinary Incident Date: The student has a disciplinary incident that occurred when the student was not enrolled at the school</b>	Enrollments data	N
<b>Did the student have a manifestation determination review?: Missing Manifestation Determination</b>	Attendance data	N
<b>Did a change of placement occur following the disciplinary incident?: Required for Students with Disabilities</b>	SEDS data	N
<b>Was the student's behavior intervention plan updated during the school year?: Missing Data. This is a required field if student had a finalized IEP at time of the incident</b>	SEDS data	N
<b>Did the student receive a functional behavioral assessment during the school year?:Missing Data. This is a required field if student had a finalized IEP at time of the incident.</b>	SEDS data	N

<b>Type of Interim Removal: Missing data. This is a required field if student had a finalized IEP at time of the incident and was moved to an interim alternative education setting.</b>	SEDS data	N
<b>Interim Removal Reason: Missing data. This is a required field if student had a finalized IEP at time of the incident and was moved to an interim alternative education setting</b>	SEDS data	N
<b>Was Written Justification provided to parents?: The student received an out-of-school suspension lasting 20 or more days and is missing written justification to parents</b>	Attendance data	N
<b>Restorative Justice Practice Type: Missing Data. This field is required if you selected Restorative Justice as the disciplinary action type.</b>	None	N
<b>Attendance Code Conflict: Restorative Justice</b>	Attendance data	Y
<b>Data present in both "Collection" and "No Incidents" tabs</b>	None	N

## Discipline Unified Data Error (UDE) Report

**After submission, any data conflicts or anomalies found in your submission will appear in the UDE report in Qlik.** In addition to LEA data errors and anomalies, this report also displays key indicators (e.g., out-of-school suspension counts, rate of school-based arrests, etc.). LEAs should review and reconcile any discipline errors or anomalies from the UDE Report and resubmit data by the close of the data submission period.

**Table 2. Discipline Data Validation Errors & Resolution Path**

Error Name	Description	Resolution
<b>Invalid Disciplinary Incident Date</b>	The student has a disciplinary incident date or disciplinary action start/end date that occurred on a non-instructional school day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect correct instructional days; or 2) update the disciplinary incident date or disciplinary action start/end date to fall on an instructional day.
<b>Invalid Disciplinary Action Start Date</b>		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the disciplinary action start date to fall on an instructional day.
<b>Invalid Disciplinary Action End Date</b>		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the disciplinary action end date to fall on an instructional day.
<b>Invalid Alternative Education Setting Start Date</b>	The student has an alternative education setting start or end date occurred on a non-instructional day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the alternative education start or end date to fall on an instructional day.
<b>Invalid Alternative Education Setting End Date</b>		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the alternative education end date to fall on an instructional day.
<b>Invalid Date Written Justification Provided</b>	The date written justification provided occurred on a non-instructional day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the date written justification to fall on an instructional day.

<b>Discipline Enrollment Conflict</b>	The student has a disciplinary incident that occurred when the student was not enrolled at the school.	The LEA should either: 1) update the student's enrollment dates or 2) if the student was involuntarily withdrawn, then update the student's exit code to reflect.
<b>Attendance Code Conflict: In-School Suspension</b>	The student has a disciplinary incident with an attendance code other than Present- In School Suspension "PIS."	The LEA must update the attendance code for days where the student served an in-school suspension to "PIS."
<b>Attendance Code Conflict: Out-of-School Suspension</b>	The student has a disciplinary incident action type of Out-of-School Suspension, but the student has an attendance code other than Out-of-School Suspension "AOS."	The LEA must update the attendance code for days where the student served an out-of-school suspension to "AOS."
<b>Missing Required Manifestation Determination Review</b>	A student with an individualized education program (IEP) received an out-of-school suspension lasting 10 or more days and is missing a Manifestation Determination review.	The LEA must conduct a manifestation determination review when a student with an IEP has received an out-of-school suspension of 10 or more days. The LEA must also update the Manifestation Determination field to "YES."
<b>Missing Required Field(s): Students with Disabilities</b>	OSSE has found that the student had an IEP at the time of the incident, but the LEA did not complete the required data elements for Students with Disabilities outlined in the data collection template.	The LEA should complete the data elements required in the Discipline Data Collection for Students with Disabilities.

### Conflicts between discipline records and stage five enrollments or attendance data

If an LEA fails to resolve the enrollment or attendance conflicts pointed out in the UDE report, OSSE will apply the following business rules.

#### If an LEA reports:

- a disciplinary incident for a student that does not have a stage five enrollment at the respective school validated by the LEA;
- a disciplinary incident date and/or disciplinary action occurs before or after a student's stage five enrollment window validated by the LEA; or
- a validated attendance code for a suspension or disciplinary unenrollment that occurs does not align with the disciplinary action and attendance code crosswalk in [Table 3](#) below

#### OSSE will:

- Exclude the disciplinary incident from all discipline reporting at the school, LEA and state levels.<sup>16</sup>
- OSSE will include a summary of omitted disciplinary incidents by LEAs in OSSE’s annual discipline report.
- Issue the LEA a letter of non-compliance with enrollment and data validation.
- Reserve the right to change an LEA’s validated enrollment or attendance data based on a review of all documented data management issues of non-compliance.

Table 3. Disciplinary Action and Attendance Code Crosswalk

Disciplinary Action	Suspension Period	OSSE Attendance Code
<b>In-School Suspension</b>	Greater than 50% of the instructional day	Present – In-School Suspension (PIS)
<b>Out-of-School Suspension</b>	Full-day out-of-school suspensions	Absent, Out-of-School Suspension (AOS)
<b>Out-of-School Suspension</b>	Partial day out-of-school suspensions that are 50% or more of the instructional day	Absent, Out-of-School Suspension (AOS)
<b>Involuntary Dismissal</b>	Removal for less than 50% of the instructional day	Present Partial Excused (PPE)

### Reporting Scenarios

This section summarizes how LEAs should handle three unique discipline reporting scenarios to avoid or respond to errors and anomalies from the UDE report.

- 1. If the student receives an out-of-school suspension and withdraws from the LEA before the end date of the suspension and/or before an expulsion hearing:** The LEA should 1) report the “End Date of Disciplinary Action” as the student’s last enrolled date, and 2) exit the student using the appropriate voluntary withdrawal exit code.
- 2. If an LEA reports a validated attendance code of “Present – In School Suspension (PIS)” for a student on the same day that student has a recorded disciplinary action of out-of-school suspension:** The UDE Report will identify a data error that the LEA must reconcile before resubmission of data.
- 3. A disciplinary incident occurs on a non-instructional day during an LEA or school event, and an LEA correctly records the incident day as the non-instructional day on which the incident occurred. During the data checkpoint period the LEA finds a UDE warning for recording a discipline incident on a non-instructional day:** In this case, the LEA should ignore the UDE warning that is flagging a potentially invalid discipline incident date. This is because the event did occur on a non-instructional day. However, the LEA must report a disciplinary action start date (e.g., the day on which the student’s suspension begins) beginning on an instructional day. *For example: If the incident occurs at a School Picnic on Saturday, and the student returns to school Monday to learn that they've incurred a three-day out-of-school suspension. The incident date would be recorded as Saturday; however, the disciplinary action start date would be recorded as Tuesday or the day the student begins serving the suspension. **The disciplinary action start date must occur on an instructional day, even if the incident occurred on a non-instructional day.***

<sup>16</sup> Discipline reporting includes EDFacts, Report Card, OSSE Fall Discipline Report and Council Oversight Hearing.

## Certification of No Incidents

**As of the 2021 collection, LEAs no longer have to submit a Discipline Data Certification Form to certify they have no data submissions.** LEAs that do not report any discipline incidents will be asked to confirm this by uploading the Discipline Data Collection template via the IDS tool.

A new sheet in the Discipline Data Collection Template, called “No Incidents” is where LEAs will indicate they have no incidents to report. LEAs will choose their LEA ID from an option set menu then choose “No” from the drop-down menu to answer the question: *Did your LEA have any disciplinary incidents during this submission period?*

### Example

An LEA has no incidents to report for the first certification period. Accordingly, they select the LEA Code and indicate that the LEA has no incidents to report. After ensuring no student records are entered in the “Collection” tab, they submit the template to the IDS tool and address any errors.

Category	LEA Details	
Element	LEA Code	Any Incidents?
Column Label	lea_id	Incident_Ind
Required Field	<i>Required</i>	<i>Required</i>
Format	Option Set	Option Set
	100	No

Only LEAs who do not have any incidents to report will need to fill out this sheet. As mentioned in [Table 1](#), the IDS tool will flag an error if an LEA submits student records *and* says that they have no incidents to report. **If an LEA does not certify their data – including if the LEA had no incidents to report – during each certification period, they will receive a letter of non-compliance and will be listed in an Appendix in the Annual Discipline Report.**

## OSSE Discipline Data Collection Template

### Overview

The OSSE Discipline Data Collection Template contains three sheets: the first is titled “Collection”; the second is titled “No Incidents”; the third is titled “Data Element Descriptions.” All LEA data should be entered in the first sheet titled “Collection.” The second sheet provides a mechanism for LEAs to indicate that they had no incidents to report for the submission period ([as described above](#)). The third sheet provides a description of all the data elements in the collection.

The Collection sheet of the OSSE Discipline Data Collection Template is organized into the following sections:

- LEA and Collection Information;
- Demographic Information;
- Incident Information;
- Disciplinary Action Information;
- Alternative Education Setting;
- Students with Disabilities
- Monitoring; and

- Restorative Justice.

### LEA and Collection Information

The “LEA and Collection Information” section includes identifying information for each school for each reported disciplinary incident. [Table 4](#) describes the data elements in this section of the template.

**Table 4. LEA and Collections Information Data Element Description**

Data Field	Definition and Directions	Permitted Values
<b>LEA Code</b>	Captured via login/session information when submitting the file	####
<b>School Code Required</b>	Unique OSSE-assigned identifier for schools, three to four digits. <i>Provide the OSSE-assigned school code for the school the student was attending at the time of the disciplinary incident. If a student is attending a non-public school, the local school code should reflect the school code of the sending/responsible local school.</i>	####

### Demographic Information

The “Demographic Information” section includes identifying information LEAs are required to report for each student corresponding to each reported disciplinary incident. [Table 5](#) describes the data elements in this section of the template.

**Table 5. Demographic Information Data Element Descriptions**

Data Field	Definition and Directions	Permitted Values
<b>USI Optional</b>	10-digit unique student identifier, assigned by OSSE via Statewide Longitudinal Education Data (SLED) System. <i>Provide the 10-digit, OSSE-provided, unique student identifier for the student with the disciplinary incident.</i>	#####
<b>LEA Student ID Required</b>	A student ID number assigned by a local agency such as the DC Public Charter School Board (via ProActive or OLAMS), DCPS (via DCSTARS), or the LEA. These numbers will vary in length. <i>Provide the student ID number assigned by a local agency to the student with the disciplinary incident.</i>	<#####>
<b>First Name</b>	Disciplined Student’s First Name	VARCHAR (Text)
<b>Last Name</b>	Disciplined Student’s Last Name	VARCHAR (Text)
<b>Date of Birth</b>	Disciplined Student’s Date of Birth	MM/DD/YYYY

### Incident Information

The “Incident Information” section includes details LEAs are required to report for each disciplinary incident. [Table 6](#) describes the data elements in this section of the template. All data elements are required, except for secondary discipline reason.

**Table 6. Incident Information Data Element Descriptions**

Data Field	Definition and Directions	Permitted Values
<b>Incident Date Required</b>	Date on which the behavior that resulted in disciplinary action occurred.  The “Incident Date” may be the same as the “Disciplinary Action Start Date,” or prior to the “Disciplinary Action Start	MM/DD/YYYY

	<p>Date.” The “Incident Date” cannot be after the “Disciplinary Action Start Date” on a given row of data.</p> <p><i>Provide the date the student exhibited behavior in violation of the LEA’s discipline policy, eventually resulting in the LEA taking disciplinary action.</i></p>	
<p><b>Incident ID</b> <i>Required</i></p>	<p>A unique LEA-assigned identifier for the disciplinary incident. Used to link multiple disciplinary actions to a single incident (e.g., a fight that results in the suspension of multiple students or an expulsion following an out-of-school suspension for the same incident).</p> <p><i>Provide the LEA-assigned identifier for the disciplinary incident.</i></p>	<#####>
<p><b>Was the disciplinary incident school-related?</b> <i>Required</i></p>	<p>An indication (yes or no) of whether the behavior or conduct occurred on school grounds, during off-campus school activities, or while taking school transportation.</p> <p><i>From the drop-down menu, select “Yes” or “No” to indicate whether the disciplinary incident was school-related, including incidents that took place on school grounds, during off-campus school activities, or while taking school transportation.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
<p><b>Primary Disciplinary Incident Behavior</b> <i>Required</i></p>	<p>A description of the behavior or conduct that resulted in disciplinary action.</p> <p>If more than one behavior resulted in the disciplinary action, the most serious reason for removal as a result of the incident should be reported in the “Primary Disciplinary Incident Behavior.”</p> <p><i>From the drop-down menu, select the incident behavior according to the definitions in <a href="#">Appendix A: Disciplinary Reason Definitions</a>.</i></p>	See <a href="#">Appendix A: Disciplinary Reason Definitions</a> .
<p><b>Secondary Incident Behavior</b> <i>Optional</i></p>	<p>Sometimes a combination of multiple student behaviors or types of conduct results in a student receiving a disciplinary action. The “Secondary Disciplinary Incident Behavior” field allows LEAs to indicate a secondary incident behavior that led to the disciplinary action if one applies.</p> <p><i>When applicable, select the incident behavior according to the definitions in <a href="#">Appendix A</a> from the drop-down menu.</i></p>	See <a href="#">Appendix A: Disciplinary Reason Definitions</a> .
<p><b>Injury Type</b> <i>Required</i></p>	<p>The highest level of injury suffered by any of the parties involved in the disciplinary incident. The highest level of injury may have been suffered by the student being disciplined, another student or a member of the school’s staff.</p> <p>The definitions for these types of injuries can be found in <a href="#">Appendix D: Injury Type Definitions</a>.</p> <p><i>From the drop-down menu, identify the highest level of injury suffered by any of the parties involved in the disciplinary incident. Select “No Injury” if no injuries were suffered in the disciplinary incident.</i></p>	<ul style="list-style-type: none"> <li>• No injury</li> <li>• Minor injury</li> <li>• Serious bodily injury</li> </ul>
<p><b>Weapon Type</b> <i>Required</i></p>	<p>Type of weapon involved in an incident resulting in disciplinary action.</p>	See <a href="#">Appendix E: Weapon Type Definitions</a> .

	<p>OSSE is required to report incidents involving a weapon to the federal government disaggregated by weapon type.</p> <p><i>From the drop-down menu, select the weapon type according to the definitions in <a href="#">Appendix E: Weapon Type Definitions</a>. Select “No Weapon” if there was no weapon involved in the disciplinary incident.</i></p>	
<p><b>Did the student willfully cause, attempt to cause, or threaten to cause bodily injury to another person?</b></p> <p><i>Required</i></p>	<p>A description of the highest level of bodily injury sustained by a student other than the student being disciplined, or a member of the school's staff.</p> <p>OSSE is required to report incidents involving bodily injury in alignment with the Fair Access Act, which defines a bodily injury as "a cut, abrasion, bruise, burn, or disfigurement; physical pain; illness; impairment of the function of a bodily member, organ, or mental faculty; or any other injury to the body, no matter how temporary."</p> <p>The definitions for all injury types can be found in <a href="#">Appendix D: Injury Type Definitions</a>. <i>From the drop-down menu, select the highest level of bodily injury sustained by a student other than the student being disciplined, or a member of the school's staff.</i></p>	<ul style="list-style-type: none"> <li>•Yes, willfully caused bodily injury</li> <li>•Yes, attempted to cause bodily injury</li> <li>•Yes, threatened to cause bodily injury</li> <li>•No bodily injury</li> </ul>
<p><b>Did the student willfully cause, attempt to cause, or threaten to cause emotional distress to another person?</b></p> <p><i>Required</i></p>	<p>A description of the highest level of emotional distress sustained by a student other than the student being disciplined, or a member of the school's staff.</p> <p>OSSE is required to report incidents involving bodily injury in alignment with the Fair Access Act, which defines emotional distress as "mental suffering or distress that requires more than trivial treatment or counseling."</p> <p>The definitions for all injury types can be found in <a href="#">Appendix D: Injury Type Definitions</a>.</p> <p><i>From the drop-down menu, select the highest level of emotional distress sustained by a student other than the student being disciplined, or a member of the school's staff.</i></p>	<ul style="list-style-type: none"> <li>•Yes, willfully caused emotional distress</li> <li>•Yes, attempted to cause emotional distress</li> <li>•Yes, threatened to cause emotional distress</li> <li>•No emotional distress</li> </ul>

**Disciplinary Action Information**

The “Disciplinary Action Information” section includes details LEAs are required to report for each disciplinary action taken by the LEA. For disciplinary actions taken in response to incidents that occur while students are receiving educational services in-person and on school grounds, LEAs should report the disciplinary action taken in alignment with their school policies and the detailed definitions of all disciplinary action types in [Appendix B: Disciplinary Action Type Definitions](#). [Table 7](#) describes the data elements in this section of the template.

**New Disciplinary Action Type: Restorative Justice**



The new option for RJPs to be used as a type of disciplinary action is listed in the permitted values in [Table 7](#). LEAs should use this new disciplinary action type when an RJP is used in lieu of traditional disciplinary action types such as out-of-school suspensions and in-school-suspensions. “Restorative Justice” has been added to disciplinary action type drop-down menu in the template. LEAs should also select the kind of RJP used using the data field described in [the RJ section of this guidance](#).

## Expanding Education Services



This year, OSSE is changing the permitted values for the field “Were educational services received for the duration of the disciplinary action?” to be responsive to how educational services are being provided in response to the COVID-19 pandemic. Now, a greater level of education services can be provided while students are suspended due to the technological options available. Therefore, OSSE is providing a way for LEAs to indicate the *type* of educational services provided with the following two options:

- Yes, **synchronous** education services were provided
- Yes, **asynchronous** education services were provided

**Synchronous** education service provision occurs when the student receives live instruction via a virtual platform (e.g., Zoom). LEAs should choose this option if the student receives synchronous instruction at any point during the disciplinary action.

**Asynchronous** education service provision occurs when the student can complete their work independently using technology or materials such as textbooks or paper worksheets. LEAs should choose this option if none of the education services provided were synchronous.

There will continue to be an option to indicate that **no education services were provided**, which should be indicated if the student did not have access to asynchronous or synchronous education services.

*Table 7. Disciplinary Action Information Data Element Descriptions*

Data Field	Definition and Directions	Permitted Values
<b>Disciplinary Action Type</b> <i>Required</i>	<p>Type of disciplinary action that was implemented as a result of the incident being detailed on this row of data.</p> <p>Please see <a href="#">Appendix B: Disciplinary Action Type Definitions</a> for detailed definitions of all disciplinary action types.</p> <p>Note that "Change in Placement" and "School-based intervention" were new options for the 2018-19 school year.</p> <p><i>From the drop-down menu, select the incident behavior according to the definitions in <a href="#">Appendix B: Disciplinary Action Type Definitions</a>.</i></p>	<ul style="list-style-type: none"> <li>• Expulsion</li> <li>• Modified Expulsion</li> <li>• Involuntary transfer</li> <li>• Change in Placement</li> <li>• Out-of-school suspension</li> <li>• Involuntary dismissal</li> <li>• In-school suspension</li> <li>• School-based intervention</li> <li>• Restorative Justice</li> </ul>
<b>Start Date of Disciplinary Action</b> <i>Required</i>	<p>Date on which the disciplinary action began.</p> <p><i>Provide the date on which the disciplinary action began.</i></p>	MM/DD/YYYY
<b>End of Date of Disciplinary Action</b> <i>Required</i>	<p>Date corresponding to the last day of the disciplinary action.</p> <p><i>Provide the date on which the disciplinary action ended.</i></p>	MM/DD/YYYY

<p><b>Were educational services received for the duration of the disciplinary action?</b></p> <p><i>Required</i></p>	<p>An indication (yes or no) of whether the student received educational services during the disciplinary action.</p> <p><i>Note:</i> In accordance with IDEA, after a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the LEA must provide the student with services as prescribed by IDEA.<sup>17</sup> These services may be provided in an interim alternative educational setting.</p> <p><i>Select “Yes” or “No” from the drop-down menu to indicate whether the student received educational services during the disciplinary action.</i></p>	<ul style="list-style-type: none"> <li>• Yes, synchronous education services were provided</li> <li>• Yes, asynchronous education services were provided</li> <li>• No, education services were not provided</li> </ul>
<p><b>Did the disciplinary incident result in a law enforcement referral by the school?</b></p> <p><i>Required</i></p>	<p>An indication (yes or no) of whether the disciplinary incident resulted in a school-related arrest -- an arrest for an activity conducted on school grounds, during off-campus school activities, while taking school transportation, or due to a referral to law enforcement by the student’s school.</p> <p><i>Select “Yes” or “No” from the drop-down menu to indicate if the disciplinary incident resulted in a law enforcement referral by the school.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
<p><b>Did the disciplinary incident result in the emergency removal of the student?</b></p> <p><i>Required</i></p>	<p>An indication (yes or no) of whether the student received an immediate out-of-school suspension, involuntary transfer, expulsion or modified expulsion based on the school's belief that the student's presence posed an immediate and continuing danger to other students or school staff.</p> <p><i>Select “Yes” or “No” from the drop-down menu to indicate whether the disciplinary incident resulted in the emergency removal of the student.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
<p><b>Did the student voluntarily withdraw or transfer following the disciplinary incident?</b></p> <p><i>Required</i></p>	<p>An indication (yes or no) of whether the student voluntarily withdrew or transferred from the school following the disciplinary incident.</p> <p><i>Select a response from the drop-down menu to indicate whether the student voluntarily withdrew or transferred from the school following the disciplinary incident, and if so, whether the student withdrew or transferred.</i></p>	<ul style="list-style-type: none"> <li>• No</li> <li>• Yes, voluntary withdrawal</li> <li>• Yes, voluntary transfer</li> </ul>
<p><b>Did the disciplinary incident result in a school-related arrest?</b></p> <p><i>Required</i></p>	<p>An indication (yes or no) of whether the disciplinary incident resulted in a school-related arrest -- an arrest for an activity conducted on school grounds, during off-campus school activities, while taking school transportation, or due to a referral to law enforcement by the student’s school.</p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>

<sup>17</sup> 20 USC § 1400 *et seq.* and its implementing regulations at 34 CFR Part 300.

	Select “Yes” or “No” from the drop-down menu to indicate whether the disciplinary incident resulted in a school-related arrest.	
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#### Student voluntary withdrawals during suspension end date

If the student receives an out-of-school suspension and withdraws from the LEA before the end date of the suspension and/or before an expulsion hearing, the LEA should 1) report the “End Date of Disciplinary Action” as the student’s last enrolled date, and 2) exit the student using the appropriate voluntary withdrawal exit code.

### Alternative Education Setting Information

The “Alternative Education Setting Information” section includes details LEAs are required to report concerning the removal of students with and without disabilities from their regular school placement. [Table 8](#) describes the data elements in this section of the template.

**Table 8. Alternative Education Setting Information Data Element Descriptions**

Data Field	Definition and Directions	Permitted Values
<b>Was the student removed to an alternative education setting?</b>  <b>Required</b>	An indication (yes or no) of whether the student was referred to an alternative education setting as a result of the disciplinary incident.  <i>Select “Yes” or “No” from the drop-down menu to indicate whether the student was referred to an alternative education setting as a result of the disciplinary incident.</i>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
<b>Start Date of Removal</b>  <b>Required if student was removed to an alternative education setting</b>	The first date the student was instructed to report to the alternative education setting.  <i>Provide the date on which the removal began.</i>	MM/DD/YYYY
<b>End Date of Removal</b>  <b>Required if student was removed to an alternative education setting</b>	The last date the student was instructed to report to the alternative education setting.  <i>Provide the date on which the removal ended.</i>	MM/DD/YYYY
<b>Alternative education setting attendance</b>  <b>Required if student was removed to alternative education setting</b>	An indication (yes or no) of whether the student was in attendance at the alternative education setting.  <i>From the drop-down menu, select “Yes” or “No” to indicate whether or not the student was in attendance at the alternative education setting.</i>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>

### Students with Disabilities

The “Students with Disabilities” section includes details LEAs are required to report concerning special education services data and the removal of students with disabilities to an interim alternative education setting as the result of a disciplinary incident. [Table 9](#) describes the data elements in this section of the template.

In the “Demographic Information” section of the template, LEAs are required to provide an indication as to whether the student was a student with a disability at the time of the disciplinary incident. “Students with disabilities” refers to students who have a finalized IEP at the time of the disciplinary incident.

- If the student did not have a finalized IEP at the time of the disciplinary incident, the “Students with Disabilities” section of the template does not need to be completed.

- If the student did have a finalized IEP at the time of the disciplinary incident, all fields in the “Students with Disabilities” section of the template are required.

### Background on IDEA discipline regulations

Students with disabilities have additional protections under IDEA. (34 CFR §§ 300.530-300.537)

- A child with a disability who violates a code of student conduct may be removed from his or her current placement, to an appropriate interim alternative educational setting, another setting or suspension for not more than 10 consecutive school days.
- A child with a disability may be subject to additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a change in placement. (34 CFR § 300.530(b)(1)). A change of placement occurs if the child is removed from the current educational placement for more than 10 consecutive school days or the child is subject to a series of removals that total more than 10 school days during the same school year as a result of a pattern of behavior. (See 34 CFR § 300.536).
- If a child with a disability is removed from their current placement for more than 10 school days (either consecutively or totaling 10 days because of a pattern of behavior), the LEA must conduct a meeting to determine if the behavior that gave rise to the violation of the school code is a manifestation of the child’s disability. The meeting must involve a review of all relevant information in the child’s file to determine if the child’s conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability, or if the conduct was the result of the LEA’s failure to implement the student’s IEP. (34 CFR § 300.530(e)(1)).
  - If the child’s behavior is determined not to be a manifestation of the child’s disability, the relevant disciplinary procedures that would apply to children without disabilities can be applied. 34 CFR § 300.530(c).
  - If the determination is made that the conduct was a manifestation of the child’s disability, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the child or modify the child’s existing behavioral intervention plan to address the problematic behavior. (34 CFR § 300.530(f)).
- A child with a disability may be removed to an interim alternative educational setting for up to 45 school days without regard for whether the behavior is determined to be a manifestation of the child’s disability, if the child possesses a weapon, knowingly possesses, uses, sells or solicits the sale of illegal drugs, or has inflicted serious bodily injury or emotional distress upon another person while at school.

For more information, please reference the *Non-Regulatory LEA Discipline Guidance* located on the OSSE website.<sup>18</sup>

**Table 9. Students with Disabilities Data Element Descriptions**

Data Field	Definition and Directions	Permitted Values
<b>Type of Interim Removal (IDEA)</b> <i>Required if student had a finalized IEP at time of the incident and was removed to an interim alternative education setting</i>	For students with disabilities, if the student was removed to an interim alternative education setting, the type of interim removal.  This field must be populated with one of the two (2) permitted values for this data element:	<ul style="list-style-type: none"> <li>• REMHO</li> <li>• REMDW</li> </ul>

<sup>18</sup> *Nonregulatory Guidance: School Discipline*, OFF. OF THE ST. SUPERINTENDENT OF EDUC. (June 29, 2016), [osse.dc.gov/publication/osse-releases-non-regulatory-lea-discipline-guidance](https://osse.dc.gov/publication/osse-releases-non-regulatory-lea-discipline-guidance)

	<ul style="list-style-type: none"> <li>• <i>REMDW</i> - Unilateral removal to an interim alternative educational setting by School Personnel for drugs, weapons, or serious bodily injury. A unilateral removal is an instance in which school personnel (not the IEP team) order the removal of students with disabilities from their current educational placement to an appropriate interim alternative education setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative education setting. Unilateral removals should not be reported if there is a subsequent decision by the student’s IEP team to change a student’s placement.</li> <li>• <i>REMHO</i> - Removed to an interim alternative educational setting based on a hearing officer finding that there is substantial likelihood of injury to the student or others. A removal by a hearing officer is defined as an instance in which an impartial hearing officer orders the removal of students 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 student’s current placement is substantially likely to result in injury to the student or others. The IEP team is responsible for determining the interim alternative educational setting.</li> </ul> <p>Note that students who were removed by school personnel for drugs, weapons, or serious bodily injury <u>and</u> were <u>not</u> sent to an interim alternative educational setting should be reported as having been suspended.</p> <p><i>For students with disabilities removed to an interim alternative education setting, select the type of interim removal from the drop-down menu.</i></p>	
<p><b>Interim Removal Reason</b> <i>Required if student had a finalized IEP at time of the incident and was</i></p>	<p>This field is required for those students with disabilities who were <u>unilaterally</u> removed from their current educational placement to an interim alternative educational setting.</p>	<ul style="list-style-type: none"> <li>• Drugs</li> <li>• Serious bodily Injury</li> <li>• Weapons</li> </ul>

<p><b><i>removed to an interim alternative education setting</i></b></p>	<p>The following options correspond to the three reasons by which a student with disabilities can be unilaterally removed to an interim alternative education setting:</p> <ul style="list-style-type: none"> <li>• <i>Weapons</i> - A dangerous weapon is a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing, death or serious bodily injury; such a term does not include a pocket knife with a blade of less than 2 ½ inches in length. (18 USC section 930(g)(2)).</li> <li>• <i>Drugs</i> - A drug offense is the use, possession, sale, or solicitation of drugs as identified in 21 USC Section 812(c). As required for IDEA reporting, these offenses do not include the use, possession, sale, or solicitation of alcohol or tobacco.</li> <li>• <i>Serious Bodily Injury</i> - Serious bodily injury is defined as a bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. (18 USC Section 1365(h)(3)).</li> </ul> <p><i>When the “Type of interim removal” field is populated with the “REMDW” allowable value (indicating a unilateral removal), select the appropriate interim removal reason from the drop-down menu.</i></p>	
<p><b>For students with disabilities: Did a change of placement occur following the disciplinary incident?</b> <b><i>Required if student had a finalized IEP at time of the incident</i></b></p>	<p>An indication (yes or no) of whether the student had a change in placement following the disciplinary incident. <i>Select a response from the drop-down menu to indicate whether the student had a change in placement following the disciplinary incident.</i></p>	<ul style="list-style-type: none"> <li>• Yes, change in placement</li> <li>• No</li> </ul>
<p><b>For students with disabilities: Did the student have a manifestation determination review?</b> <b><i>Required if student had a finalized IEP at time of the incident</i></b></p>	<p>An indication (yes or no) of whether a manifestation determination review was conducted for a student with a disability during the school year.</p> <p>If a child with a disability is removed from his or her current placement for more than 10 school days (either consecutively or totaling 10 days because of a pattern of behavior), the LEA must conduct a meeting to determine if the behavior that gave rise to the violation of the school code is a manifestation of the child’s disability.</p> <ul style="list-style-type: none"> <li>• The manifestation determination meeting must include the LEA, parent,</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>

	<p>and relevant members of the child's IEP team.</p> <ul style="list-style-type: none"> <li>• The meeting must involve a review of all relevant information in the child's file to determine if the child's conduct in question was caused by, or had a direct and substantial relationship to, the child's disability, or if the conduct was the result of the LEA's failure to implement the student's IEP.</li> <li>• If the child's behavior is determined not to be a manifestation of the child's disability, the relevant disciplinary procedures that would apply to children without disabilities can be applied.</li> </ul> <p>If the determination is made that the behavior or conduct was a manifestation of the child's disability, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the child or modify the child's existing behavioral intervention plan to address the problematic behavior.</p> <p><i>Select "Yes" or "No" from the drop-down menu to indicate whether the student had a manifestation determination review.</i></p>	
<p><b>For students with disabilities: Did the student receive a functional behavioral assessment during the school year?</b></p> <p><i>Required if student had a finalized IEP at time of the incident</i></p>	<p>An indication (yes or no) of whether the student received a functional behavioral assessment during the school year. If the determination is made that the conduct was a manifestation of the child's disability, the IEP team must conduct a functional behavioral assessment.</p> <p><i>Select "Yes" or "No" from the drop-down menu to indicate whether the student received a functional behavioral assessment during the school year.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Not Applicable</li> </ul>
<p><b>For students with disabilities: Was the student's behavior intervention plan implemented during the school year?</b></p> <p><i>Required if student had a finalized IEP at time of the incident</i></p>	<p>An indication (yes or no) of whether the student had a behavior intervention plan in place during the school year. If a functional behavior assessment was conducted as a result of an IEP team determination that a student's behavior was a manifestation of the student's disability, a behavior intervention plan must be developed.</p> <p><i>Select "Yes" or "No" from the drop-down menu to indicate whether the student's behavioral improvement plan was implemented during the school year.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>

<p><b>For students with disabilities: Was the student's behavior intervention plan updated during the school year?</b></p> <p><i>Required if student had a finalized IEP at time of the incident</i></p>	<p>An indication (yes or no) of whether the student received an updated behavior intervention plan during the school year.</p> <p><i>Select "Yes" or "No" from the drop-down menu to indicate whether or not the student's behavioral improvement plan was updated after a functional behavioral assessment was conducted.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
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## Supplemental Information

The "Monitoring Information" includes additional details LEAs are required to report to OSSE. Table 10 describes the data elements in this section of the template

**Table 10. Supplementation Information Data Element Descriptions**

Data Field	Definition and Directions	Permitted Values
<p><b>Was a written justification provided to parents?</b></p> <p><i>Required if Out-of-School Suspension longer than 20 days.</i></p>	<p>Was a written justification for the disciplinary action written and provided to parent/guardian(s)?</p> <p><i>The head of an LEA is required to provide a written justification to the student and parent describing why exceeding the 20-day limit is a more appropriate disciplinary action than alternative responses.</i></p>	<ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>
<p><b>Date written justification was provided to parents</b></p> <p><i>Required if Out-of-School Suspension longer than 20 days</i></p>	<p>If written justification for the disciplinary action was written and provided to parent/guardian(s), the date on which it was provided to parents.</p> <p><i>Provide the date on which a written justification was provided by the LEA to the student and parent.</i></p>	MM/DD/YYYY
<p><b>Summary of written justification provided to parents</b></p> <p><i>Required if Out-of-School Suspension longer than 20 days</i></p>	<p>A summary of the written justification for the disciplinary action that was written and provided to parent/guardian(s).</p>	Open Text
<p><b>Description of school-based intervention</b></p> <p><i>Required</i></p>	<p>If a student received a school-based intervention instead of an in-school suspension, the LEA must provide a description of the school-based intervention used.</p> <p><i>Describe the school-based intervention used in place of an in-school suspension.</i></p>	Open Text

## Restorative Justice

Beginning in the 2022-23 school year, OSSE will start collecting data on the use of RJPs via the Discipline Data Collection. This change to the way OSSE collects discipline data will:



- Elevate the practices LEAs use to promote a positive school climate
- Advance and refine the narrative around RJP in the annual school discipline report
- Ensure the District's discipline data collection is aligned with that of other large urban school districts
- Build a foundation for evaluation and research on RJP in the District

## New Data Elements

OSSE plans to collect **three** data elements related to RJP (described in [Table 11](#) and [Table 12](#)). One data element will be collected via an existing discipline data element – [disciplinary action type](#) – and the other two will be new additions to the collection. RJPs include a variety of practices on a prevention–intervention continuum. Namely, some practices aim to prevent infractions through building community and other practices intervene after infractions have occurred. For now, OSSE is interested in collecting data on RJPs that fall on the **intervention** side of the continuum to align with the fact that the Discipline Data Collection’s purpose is to collect data in response to student behavioral challenges. LEAs should submit data for RJPs that are used in response to one of the many primary/secondary reasons listed in [Appendix A](#).

### Restorative Justice Practice Type

LEAs can now indicate what type of RJP they use with a student in response to a disciplinary incident. **LEAs are required to choose a RJP type if the disciplinary action type is “Restorative Justice.”** LEAs can still choose a RJP type with the other disciplinary action types as well, given that RJPs are often used in conjunction with traditional disciplinary actions such as out-of-school suspension.

OSSE acknowledges that the RJP Type drop-down menu might not be an exhaustive representation of all of the practices being used across the District, although they are the most common. **Therefore, LEAs can choose “Other” in the drop-down menu then list the RJP they used in [the open text field described in the next section](#).**

Table 11. Restorative Justice Practice Types

Data Field	Definition and Directions	Permitted Values
<b>Restorative Justice Type</b>  <i>Required if disciplinary action type is restorative justice (otherwise optional)</i>	Type of restorative justice practice used in lieu of or conjunction with a traditional disciplinary action type.  Please see <a href="#">Appendix H</a> for detailed definitions of all RJP types.  <i>Select an option from the drop-down menu to indicate what type of restorative justice practice was implemented with the student in response to the disciplinary incident.</i>	<ul style="list-style-type: none"> <li>• Restorative Conversation</li> <li>• Restorative Justice Conferencing</li> <li>• Reentry Circle</li> <li>• Micro-Circle</li> <li>• Restorative Circle (Responsive)</li> <li>• Support Circle</li> <li>• De-escalation</li> <li>• Restorative Mediation</li> <li>• Other</li> </ul>

### Restorative Justice Open Text Field

LEAs can also provide additional context or types of RJP in this newly available open text field. As mentioned before, OSSE is interested in learning more about the other types of RJPs LEAs are using. OSSE is also sensitive to the varying contexts and incidents that would result in the use of RJPs. To honor that, the open text field is a space where LEAs can share any additional information about the incident and/or how the RJP was implemented.

Types of information that would be helpful to glean from LEAs on their use of RJPs are summaries of agreements made between students and the school community after a disciplinary incident and/or timelines for targeted support.

**This information is not required**, and LEAs can choose to share as much information as they would like within the 4,000-character limit in the template. Information shared in this data element will inform additions/changes to the restorative justice data elements in future school years.

Table 12. Restorative Justice Open Text Field

Data Field	Definition and Directions	Permitted Values
<b>Description of school-based intervention</b>  <i>Optional</i>	Any additional context or types of restorative justice practices used with the student in response to the disciplinary incident.  <i>Provide any additional or clarifying information about the restorative justice practice used.</i>	Open Text

**Example #1**

A student engages in bullying behavior on 09/15/2022. Instead of receiving an out-of-school suspension, they participate in a Responsive Restorative Circle on 9/19/2022. As a part of the Responsive Restorative Circle process, they create a written agreement to repair the harm and prevent the incident from happening again. The LEA would report the following, in addition to the regular questions asked about a disciplinary incident:

- **Disciplinary Action Type:** Restorative Justice
- **RJP Type:** Restorative Circle (Responsive)
- **RJ Open Text Field:** Student participated in a Responsive Restorative Circle on 9/19/2022 and a review of the written agreement is scheduled for 10/15/2022.

**Example #2**

A student gets into a fight on school grounds on 9/7/2022. They receive an out-of-school suspension for engaging in this behavior that lasts from 9/8/2022 through 9/12/2022. Upon returning to school after the out-of-school suspension, they participate in a Reentry Circle on 9/13/2022 to help support a smooth and welcoming return. The LEA would report the following, in addition to the regular questions asked about a disciplinary incident:

- **Disciplinary Action Type:** Out-of-school Suspension
- **RJP Type:** Reentry Circle
- **RJ Open Text Field:** During the circle, the student identified three things they need to feel welcomed back to school. Classmates and classroom teacher agreed to work towards meeting those needs.

*Validating Restorative Justice Data Elements*

As LEAs adjust to collecting these new data elements, OSSE will only implement one structural validation rule and one anomaly. No UDEs on these data elements will be implemented until the 2023-24 school year to allow for initial flexibility in reporting.

Similar to the [other structural validations in the IDS tool](#), the tool will flag the following issue to ensure complete data is collected: ***If a disciplinary action type of “Restorative Justice” is selected, a restorative justice practice type must also be selected.*** This way, LEAs are reporting clearly what kinds of practices are being used in lieu of traditional disciplinary actions.

Similar to the attendance UDEs OSSE flags for LEAs, there will be an attendance anomaly flagged in IDS if a student was marked absent (using any of the absent attendance codes) to ensure that students marked as receiving RJP were actually present in school to receive them. If an LEA sees this anomaly, they should review attendance and discipline data to confirm which is correct and change the discipline

record or attendance data accordingly. OSSE will still accept the data if the anomaly remains after data validation.

*Restorative Justice Reporting Scenarios & Clarifications*

- **Two (or more) RJP's used with the same student in response to a single disciplinary incident:** The LEA should report one of the RJP's using the RJP drop-down menu in the template and list all other RJP's used in the open-text field.
- **Multiple students involved in the same disciplinary incident receive an RJP:** The LEA should follow the same protocol they do when multiple students are involved in a disciplinary incident. If multiple students receive a disciplinary action (including "restorative justice") in response to an incident, one record per student should be reported in the template. Both records should indicate the same disciplinary incident ID.
- **Difference between school-based intervention (SBI) and restorative justice disciplinary action types:** In response to not having guidance on how to track their use of RJP, LEAs have historically tried to do so by using the SBI disciplinary action type. With the addition of RJP data elements, LEAs should no longer use SBI to record when restorative practices are used. SBI should be reserved for interventions that are more therapeutic in nature.

Table 14. School-based Intervention v. Restorative Justice

	School-based Intervention	Restorative Justice
<b>Definitions</b>	Temporarily removing a student from the student's regular class schedule for the purpose of <b>providing the student with school-based targeted supports, such as behavioral therapy, in response to student conduct that would otherwise warrant an in-school suspension.</b>	Temporarily removing a student from the student's regular class schedule for the purpose of <b>engaging the student in practices that focus on repairing harm and supporting the student's reintegration into the classroom.</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>• Used in lieu of an in-school suspension</li> <li>• Rooted in therapeutic philosophies/practices/approaches</li> </ul>	<ul style="list-style-type: none"> <li>• Used in lieu of or in conjunction with any of the disciplinary action types.</li> <li>• Has historically focused on reducing the use of out-of-school suspensions</li> <li>• Rooted in indigenous traditions of storytelling in circle and reintegration of those who have harmed others within a school community.</li> </ul>

## Final Checks

OSSE suggests performing the following checks before submitting the file to address the most common errors that appear in the discipline collection. Please ensure that:

- The structure of the template (columns, column names, order, etc.) have not been changed and only the permitted values are submitted
- Data for all disciplinary incidents and actions are provided, including data for involuntary transfer, change in placement, involuntary dismissal, in-school suspension, behavioral intervention, and restorative justice
- All required fields are populated for all disciplinary incidents
- All date fields are complete and accurate, including but not limited to 1) all discipline reporting aligns with validated enrollment and attendance data and the school calendar, and 2) disciplinary action end date is on or later than the disciplinary action start date
- If a student has multiple disciplinary incidents, they are listed on multiple rows
- For all fields with an OSSE-provided option set, all values in the data submission match to an allowable value included in Appendices A-E
- The data submission has a valid “Weapon Type” and “Injury Type” value for every disciplinary incident, regardless of the “Reason Student Was Disciplined” value
- If a student has an IEP and had an interim removal, the “Type of Interim Removal,” “Interim Removal Reason,” and the question fields are completed in the “Student with Disabilities” section.

## Appendix A: Disciplinary Reason Definitions

In alignment with the Fair Access Act and local and federal reporting requirements, OSSE has provided disciplinary incident behavior descriptions and associated definitions to assist LEAs in accurately capturing the student behaviors or conduct that resulted in disciplinary action by the LEA. Disciplinary incident behaviors and conduct are either federally defined or commonly reported by LEAs in DC. Additionally, the Fair Access Act requires specific reporting and monitoring of two specific student behaviors that may result in disciplinary action including: willful defiance and dress code or uniform rules violation.

Federal reporting requires that OSSE map all disciplinary incident behaviors reported by LEAs, in conjunction with the injury type and weapon type fields, to the following federal discipline reasons:

1. Weapons;
2. Drugs;
3. Alcohol;
4. Violence with injury; and
5. Violence without injury.

Term	Definition Type	Definition
<b><i>Academic Dishonesty</i></b>	Local	<p>Any conduct that unfairly influences academic outcomes including:</p> <ul style="list-style-type: none"> <li>• Plagiarism including the adoption or reproduction of ideas, words, or statements of another person or source without giving acknowledgment or credit to the person or source;</li> <li>• Cheating including any attempt to give or obtain assistance in with a test or examination, without permission or acknowledgment;</li> <li>• Deception including giving false information to instructional staff—for example, a student giving a false excuse for missing a deadline or making a false claim that assignment was submitted;</li> <li>• Fabrication including altering data, information, and documents affecting any student’s academic records; forging signatures of authorized instructional staff or falsifying information on an official school document, i.e., report card, letter of permission, petition, class schedule, ID card, or any other official school document;</li> <li>• Sabotage including creating situations to prevent others from completing their work. For example, destroying another student’s work, tampering with the experiments of other students</li> </ul> <p>Unauthorized Access including gaining unauthorized access to computer systems, academic or administrative records and information; viewing or altering any records; modifying computer programs or systems; releasing or distributing information gained through unauthorized access.</p>
<b><i>Alcohol (possession, use)</i></b>	Federal	<p>Illegal use or possession, including being under-the-influence, on school grounds or at a school event.</p>

<b>Alcohol (trafficking, distribution, sale)</b>	Local	Involvement in the trafficking, distribution, or sale of alcohol.
<b>Arson</b>	Local	The act of deliberately setting fire to property.
<b>Attendance Policy Violation</b>	Local	Attendance policy violations are incidents where students were disciplined for not attending school or classes as required.  Please note: “No student enrolled in a public school, other than an adult education program, may be expelled or receive an out-of-school suspension due to an unexcused absence or due to a late arrival to school.” (43 Stat. 806; DC Official Code § 38-203(c))
<b>Battery (physical attack/harm)</b>	Federal	Examples include striking that causes bleeding, broken nose, and kicking a student while he or she is on the ground. Consider age and developmentally appropriate behavior before using this category. This category should be used when the attack is serious enough to warrant calling the police or security or when serious bodily harm occurs. Include an attack with a weapon in this category. (This offense may be referred to by law enforcement as aggravated assault.)
<b>Burglary/Breaking and Entering</b>	Local	Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime.
<b>Bullying</b>	Local	Any severe, pervasive, or persistent act or conduct whether physical, electronic, or verbal that: <ul style="list-style-type: none"> <li>• May be based on a youth’s actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, place or residence or business, or any other distinguishing characteristic, or on a youth’s association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics; and</li> <li>• Can reasonably be predicted to: <ul style="list-style-type: none"> <li>○ Place the youth in reasonable fear of physical harm to their person or property</li> <li>○ Cause a substantial detrimental effect on the youth’s physical or mental health</li> <li>○ Substantially interfere with the youth’s academic performance or attendance</li> <li>○ Substantially interfere with the youth’s ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee.</li> </ul> </li> </ul>
<b>Disruptive Behavior</b>	Local	Each LEA or Community Based Organization (CBO) sets their own policy to define this term.
<b>Dress Code Violation</b>	Local	Non-compliance with LEA-approved dress code/uniform policy.

<b><i>Drugs Excluding Alcohol, Marijuana, and Tobacco (possession, use)</i></b>	Local	Unlawful use or possession of any controlled drug (e.g., Demerol, morphine) or narcotic substance.
<b><i>Drugs Excluding Alcohol, Marijuana, and Tobacco (trafficking, distribution, sale)</i></b>	Local	Involvement in the use, possession, or sale of illegal substances excluding alcohol, marijuana and tobacco.
<b><i>Engaging in Sexual Acts</i></b>	Local	Any sexual act committed among two consenting parties.
<b><i>Fighting (mutual altercation)</i></b>	Federal	Mutual participation in an incident involving physical violence where there is no major injury.
<b><i>Flammables (possession, use)</i></b>	Local	Possession or use of flammable objects.
<b><i>Forgery</i></b>	Local	The act of falsely making or altering an official document or signature.
<b><i>Gambling</i></b>	Local	The act or practice of playing at a game or chance in which a person can win or lose money, property or other stakes.
<b><i>Gang Related Behavior</i></b>	Local	Engaging in behavior that demonstrates gang/neighborhood crew affiliation including but not limited <b>to</b> displaying clothing or gestures associated with gangs.
<b><i>Harassment, Nonsexual (physical, verbal, or psychological)</i></b>	Federal	Repeatedly annoying or attacking a student or group of students or other personnel that creates an intimidating or hostile educational or work environment.
<b><i>Harassment, Sexual (unwelcome sexual conduct)</i></b>	Federal	Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct, or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment.
<b><i>Homicide (murder or manslaughter)</i></b>	Federal	Killing a human being.
<b><i>Improper Use of Technology</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Inappropriate Use of Medication (prescription or over-the-counter)</i></b>	Local	Use or possession of any prescription or over-the-counter medication (e.g., aspirin, cough syrups, caffeine pills, nasal sprays) in violation of school policy.
<b><i>Inciting others to violence or disruption</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Insubordination (disobedience)</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Lewd or indecent public behavior</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Lying to or giving misleading information to school staff</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Marijuana (possession or use)</i></b>	Local	Illegal use or possession of marijuana or another cannabinoid products.

<b><i>Marijuana (trafficking, distribution, sale)</i></b>	Local	Involvement in the trafficking, distribution, or sale of marijuana.
<b><i>Physical Altercation, Minor (pushing, shoving)</i></b>	Federal	Confrontation, tussle, or physical aggression that does not result in injury.
<b><i>Retaliation for reporting harassment or sexual harassment</i></b>	Local	Each LEA or CBO sets its own policy to define this term.
<b><i>Robbery (taking of things by force)</i></b>	Federal	The taking of, or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and theft is that the threat of physical harm or actual physical harm is involved in a robbery.
<b><i>Sexual Assault</i></b>	Federal	Oral, anal, or vaginal penetration forcibly or against the person's will or where the victim is incapable of giving consent. Includes rape, fondling, indecent liberties, child molestation, and sodomy.
<b><i>Sexual Offenses, Other</i></b>	Local	Including, but not limited to, lewd behavior, indecent exposure, and distribution of pornographic material.
<b><i>School Threat (threat of destruction or harm)</i></b>	Federal	Any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, or causing damage to a school building or school property, or to harm students or staff.
<b><i>Theft (without violence)</i></b>	Local	The taking of, or attempting to take, anything of value that is owned by another person or organization without threat of fear or harm. A key difference between robbery and theft is that the threat of physical harm or actual physical harm is involved in a robbery.
<b><i>Threat/Intimidation (causing fear of harm)</i></b>	Federal	Physical, verbal, written, or electronic action which immediately creates fear of harm, without displaying a weapon and without subjecting the victim to actual physical attack. (This category only includes verbal incidents that cause fear. It does not include insubordination, lack of respect, defiance of authority, etc.)
<b><i>Tobacco (possession or use)</i></b>	Local	Possession or use of tobacco products.
<b><i>Tobacco (trafficking, distribution, sale)</i></b>	Local	Involvement in the use, possession, or sale of tobacco.
<b><i>Trespassing</i></b>	Local	The act of being present on school property or entering a school building or restricted area without permission of school authorities.
<b><i>Vandalism</i></b>	Local	The act of deliberate destruction of or damage to school property.
<b><i>Weapons Possession (firearms and other weapons)</i></b>	Federal	Weapons possession is the possession of one of the following items: <ul style="list-style-type: none"> <li>• Handgun;</li> <li>• Shotgun or rifle;</li> </ul>

		<ul style="list-style-type: none"> <li>• Other type of firearm (e.g., devices designed to expel a projectile, grenade, explosive);</li> <li>• Knife;</li> <li>• Other sharp object (e.g., razor blade, ice pick, throwing star);</li> <li>• Other object (chain, brass knuckle, baton, stun gun);</li> <li>• Substance used as a weapon (mace, tear gas).</li> </ul>
<b><i>Weapons Use (firearms and other weapons)</i></b>	Federal	<p>Weapons use is the use of one of the following items:</p> <ul style="list-style-type: none"> <li>• Handgun;</li> <li>• Shotgun or rifle;</li> <li>• Other type of firearm (e.g., devices designed to expel a projectile, grenade, explosive);</li> <li>• Knife;</li> <li>• Other sharp object (e.g., razor blade, ice pick, Chinese star);</li> <li>• Other object (chain, brass knuckle, baton, stun gun);</li> <li>• Substance used as a weapon (mace, tear gas).</li> </ul>
<b><i>Willful Defiance</i></b>	Local	Disrupting school activities or intentionally defying the valid authority of school staff.
<b><i>Other Offenses</i></b>	Local	This category should only be used for incidents that are wholly outside the disciplinary reason option set (e.g., extortion).

## Appendix B: Disciplinary Action Type Definitions

The following table summarizes all disciplinary actions as outlined in requirements for local and federal reporting.

Term	Definition Type	Definition
<b><i>In-School Suspension</i></b>	Federal/Local	Temporarily removing a student from their regular class schedule for disciplinary reasons, during which time the student remains on school grounds under the supervision of school personnel who are physically in the same location as the student.
<b><i>Out-of-School Suspension</i></b>	Federal/Local	Temporarily removing a student from school attendance to another setting for disciplinary reasons, during which time the student is not under the supervision of the school's personnel and is not allowed on school grounds. <ul style="list-style-type: none"> <li>• The term "out-of-school suspension" includes an involuntary dismissal.</li> <li>• For students with disabilities, the term "out-of-school suspension" includes a removal in which no individualized family service plan (IFSP) or IEP services are provided because the removal is 10 days or fewer as well as removals in which the student continues to receive services according to the student's IFSP or IEP.</li> </ul>
<b><i>Expulsion</i></b>	Federal/Local	Removal of a student from the student's school of enrollment for disciplinary reasons for the remainder of the school year or longer in accordance with LEA policy.
<b><i>Modified expulsions</i></b>	Federal	Removal of a student from the student's school or enrollment resulting from violations of the Gun Free Schools Act that are modified to fewer than 365 days.
<b><i>Involuntary Dismissal</i></b>	Local	The removal of the student from school attendance for less than half a school day for disciplinary reasons, during which time the student is not under the supervision of school personnel and is not allowed on school grounds.
<b><i>Involuntary Transfer</i></b>	Local	The removal of a student from the student's school of enrollment for disciplinary reasons for the remainder of the school year, or longer, and the student's enrollment in another school within the same LEA, in accordance with LEA policy.
<b><i>School-Based Intervention</i></b>	Local	Temporarily removing a student from the student's regular class schedule for the purpose of providing the student with school-based targeted supports, such as behavioral therapy, in response to student conduct that would otherwise warrant an in-school suspension.
<b><i>Change in Placement</i></b>	Federal	For purposes of removals of a child with a disability from the child's current educational placement under 34 CFR §§ 300.530 - 300.535, a change of placement occurs if: <ol style="list-style-type: none"> <li>(1) The removal is for more than 10 consecutive school days; or</li> <li>(2) The child has been subjected to a series of removals that constitute a pattern: <ol style="list-style-type: none"> <li>i. Because the series of removals totals more than 10 school days in a school year;</li> <li>ii. Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and</li> <li>iii. Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.</li> </ol> </li> </ol> <ol style="list-style-type: none"> <li>(1) The public agency determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.</li> <li>(2) This determination is subject to review through due process and judicial proceedings.</li> </ol>
<b><i>Restorative Justice</i></b>	Local	Temporarily removing a student from the student's regular class schedule for the purpose of engaging the student in practices that focus on repairing harm and supporting the student's reintegration into the classroom.

## Appendix C: Other Disciplinary Term Definitions

The following table summarizes other disciplinary terms used throughout the OSSE Discipline Data Collection Template.

Term	Definition Type	Definition
<b>Voluntary Withdrawal</b>	Local (not defined in the Fair Access Act)	Unenrollment for disciplinary or other reasons which is initiated by the student or parent.
<b>Involuntary Withdrawal</b>	Local (not defined in the Fair Access Act)	Unenrollment for disciplinary or other reasons which is not initiated by the student or parent.
<b>Suspension</b>	Local	An in-school suspension or an out-of-school suspension
<b>Emergency Removal</b>	Local	The immediate out-of-school suspension or disciplinary unenrollment of a student based on the school's reasonable belief that the student's presence poses an immediate and continuing danger to other students or school staff.
<b>Disciplinary Unenrollment</b>	Local	The expulsion (including modified expulsion) or involuntary transfer of a student from a school.
<b>School-related Arrest</b>	Local	An arrest of a student for an activity conducted on school grounds, during off-campus school activities, while taking school transportation, or due to a referral to law enforcement by the student's school.
<b>Referral to Law Enforcement</b>	Local	An action by school personnel to report a student to a law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during off-campus school activities, or while taking school transportation.

## Appendix D: Injury Type Definitions

The following table summarizes injury types required for federal and local reporting.

Term	Definition Type	Definition
<b>No injury</b>	Federal	The incident did not result in any injuries
<b>Minor injury</b>	Federal	The incident resulted in one or more people requiring professional medical attention, but the injury does not fit the definition of “serious bodily injury” as defined below.
<b>Serious Bodily Injury</b>	Federal	A serious bodily injury involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. (18 U.S.C. § 1365(h)(3))
<b>Bodily Injury</b>	Local	A cut, abrasion, bruise, burn, or disfigurement; physical pain; illness; impairment of the function of a bodily member, organ, or mental faculty; or any other injury to the body, no matter how temporary.
<b>Emotional Distress</b>	Local	Mental suffering or distress that requires more than trivial treatment or counseling.

## Appendix E: Weapon Type Definitions

The following table summarizes weapon type definitions used throughout the OSSE Discipline Data Collection Template.

Term	Definition Type	Definition
<b>No Weapon</b>	Local	No weapon was used in the incident.
<b>Firearm, Handgun</b>	Federal	Any firearm which has a short stock and is designed to be held and fired by the use of a single hand.
<b>Firearm, Rifle</b>	Federal	A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.
<b>Firearm, Shotgun</b>	Federal	A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shots or a single projectile for each single pull of the trigger.
<b>Firearm, Other</b>	Federal	<p>Any firearm that meets the following definition, but does not meet the definition for handgun, shotgun, or rifle. This includes, but is not limited to, bombs, grenades, or starter pistols.</p> <p><b>The term “firearm” means</b></p> <ul style="list-style-type: none"> <li>a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;</li> <li>b) the frame or receiver of any such weapon;</li> <li>c) any firearm muffler or firearm silencer; or</li> <li>d) any destructive device.</li> </ul> <p>Such term does not include an antique firearm.</p> <p><b>The term “destructive device” means</b></p> <ul style="list-style-type: none"> <li>a) any explosive, incendiary, or poison gas: <ul style="list-style-type: none"> <li>i. bomb,</li> <li>ii. grenade,</li> <li>iii. rocket having a propellant charge of more than 4 ounces,</li> <li>iv. missile having an explosive or incendiary charge of more than one quarter ounce,</li> <li>v. mine, or</li> <li>vi. device similar to any of the devices described in the preceding clauses;</li> </ul> </li> <li>b) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any</li> </ul>

		<p>barrel with a bore of more than one-half inch in diameter; and</p> <p>c) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (a) or (b) and from which a destructive device may be readily assembled.</p> <p>The term “destructive device” shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684(2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique, or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.</p>
<b><i>Knife, blade less than 3”</i></b>	Federal	The weapon involved was a knife with a blade less than 3.0 inches in length.
<b><i>Knife, blade greater than or equal to 3”</i></b>	Federal	The weapon involved was a knife with a blade 3.0 inches or greater in length.
<b><i>Other sharp object</i></b>	Local	The weapon involved was another type of sharp object, (e.g., razor blade, pencil, ice pick, dirk, throwing star, other pointed instrument used as a weapon).
<b><i>Other object</i></b>	Local	The weapon involved was another known object (e.g., chain, nunchakus, brass knuckle, baton, electrical weapon or device [stun gun], BB or pellet gun).
<b><i>Other weapon</i></b>	Local	The incident involved a weapon other than those described above.
<b><i>Multiple, Including Firearm</i></b>	Federal	Multiple weapons were involved in the disciplinary incident and at least one of them was a firearm.
<b><i>Multiple, Not Including Firearm</i></b>	Local	Multiple weapons were involved in the disciplinary incident and none of them were firearms.
<b><i>Substance used as weapon</i></b>	Federal	The weapon involved was a substance (e.g., mace, tear gas) that was used as a weapon.

## Appendix F: Restrictions on Disciplinary Actions

§ 38-236.04. Limitations on exclusion as a disciplinary action.

(a) Unless otherwise required by federal or District law:

(1) Beginning in the 2020-21 school year, no student in kindergarten-grade 5, and the 2020-21 school year for students in grades 6-8, no student may be subject to an out-of-school suspension or disciplinary unenrollment, unless a school administrator determines, consistent with school policy, that the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person, including behavior that happens off school grounds; [and]

(2) Beginning in the 2020-21 school year, no student in grades 9-12, except a student older than age 18 at a school where more than half of the students are older than age 18, may be subject to an out-of-school suspension or disciplinary unenrollment for:

(A) Violating local education agency or school dress code or uniform rules;

(B) Willful defiance; or

(C) Behavior that happens off school grounds and not as part of a school-sponsored activity, unless the student has willfully caused, attempted to cause, or threatened to cause bodily injury or emotional distress to another person.

(b) No student, except a student older than age 18 at a school where more than one half of the students are older than age 18, may be subject to an out-of-school suspension for longer than:

(1) Five consecutive school days for any individual incident in kindergarten – Grade 5;

(2) Ten consecutive school days for any individual incident in grades 6-12; or

(3) Twenty cumulative school days during an academic year regardless of grade, unless:

(A) The head of agency LEA provides a written justification to the student and parent describing why exceeding the 20-day limit is a more appropriate disciplinary action than alternative responses; or

(B) The student's conduct necessitated an emergency removal, and the head of LEA provides a written justification for the emergency removal to the student and parent.

(c) No student, except a student older than age 18 at a school where more than half of the students are older than age 18, may be subject to an out-of-school suspension or disciplinary unenrollment for an unexcused absence or a late arrival to school; provided, that a student may be unenrolled from an LEA if the student has accumulated 20 or more consecutive full-school-day unexcused absences.

(d) No student subject to a suspension may be denied the right to continue to access and complete appropriate academic work or to earn credit toward promotion or graduation during a suspension.

(e) The return of a student to school upon conclusion of an out-of-school suspension shall not be made contingent on a parent accompanying the student, attending a conference, or otherwise being present at the school.

(f) Notwithstanding whether a school or LEA states the reasoning for the removal from school or prohibition from returning to school, no student may be removed from school or prohibited from returning to school for disciplinary reasons, unless the student is subject to an out-of-school suspension or disciplinary unenrollment.

(g) For purposes of due process, a suspension of 6 school days or more shall be considered a long-term suspension.

## Appendix G: Required Data Elements

This appendix summarizes all data elements that LEAs are mandated to maintain under the Student Fair Access to School Amendment of 2018, per (DC Official Code § 38-236.09(b)):

- Student demographic data
- Disciplinary actions taken by schools including school-based interventions, in-school suspensions, involuntary dismissals, out-of-school suspensions, emergency removals, disciplinary unenrollment (expulsions, modified expulsions, and involuntary transfers), referrals to law enforcement, and school-based arrests and, for students with disabilities, change in placement -- including frequency and duration of the disciplinary action
- Description of the misconduct or reasoning behind each disciplinary action
- Special education services data, including whether the student received during the school year a functional behavioral assessment, an updated behavior improvement plan or a manifestation determination review – including the number of suspension days that triggered the review, whether the suspension days were cumulative, and the outcome of the review
- Incidents resulting in a referral to an alternative education setting for the course of a suspension and associated attendance
- Incidents resulting in school-based intervention rather than an in-school suspension, and a description of the school-based intervention
- Voluntary and involuntary transfers and withdrawals
- Disciplinary actions:
  - Whether the student was subject to an out-of-school suspension exceeding the time limits described in § 38-236.04(b) and a summary of the written justifications provided by the LEA for the disciplinary action (DC Official Code § 38-236.09(b)(13));
  - Whether the student was subject to an involuntary transfer (including removal to an alternative education setting) (DC Official Code §§ 38-236.09(b)(3) and 236.09(b)(7));
  - Whether the student was subject to an involuntary dismissal for less than half the school day;
  - Whether the student was subject to an emergency removal (DC Official Code § 38-236.09(b)(6))
  - Whether the student was subject to a school-related arrest (DC Official Code § 38-269.09(b)(10));
  - Whether the student was referred to law enforcement (DC Official Code § 38-269.09(b)(9));
  - Whether the student voluntarily withdrew or transferred (DC Official Code § 38-236.09(b)(8));
  - Whether the student engaged in any school-based behavioral interventions and a description of these interventions (DC Official Code § 38-236.09 (b)(4)); and
  - For students with disabilities, an indication of whether the student received a functional behavioral assessment, behavior intervention plan, or manifestation determination review as a result of a disciplinary incident (DC Official Code § 38-236.09(b)(12)).
- Description of the disciplinary incident that led to the disciplinary action, as specifically defined in (DC Official Code § 38-236.01)
  - bodily injury;
  - emotional distress; and

- willful defiance.
- Whether the student willfully caused, attempted to cause, or threatened to cause bodily injury to another person related to the disciplinary incident (D.C. Code § 38-236.04(C)(2))
- An indication of whether the student was subject to a removal from school or enrollment resulting from violations of the Gun Free Schools Act that are modified to less than 365 days. (H.R.987 - 103rd Congress (1993-1994): Gun-Free Schools Act of 1993, H.R.987, 103rd Cong. (1993), [H.R.987 - 103rd Congress \(1993-1994\): Gun-Free Schools Act of 1993 | Congress.gov | Library of Congress](#))

## Appendix H: Restorative Justice Practice Types

The following table summarizes the most common types of RJPs across the District. Definitions are informed by the research and work conducted by SchoolTalk.

Term	Definition
<b>Restorative Conversation</b>	A conversation with a student focused on communicating thoughts, observations, feelings, and underlying needs in the spirit of curiosity, care for all, learning, and compassion. It can happen in the moment, in one-on-one preparation sessions for a larger process; or during a formal group process.
<b>Restorative Justice Conferencing</b>	A formal process used as an alternative to exclusionary forms of discipline. A facilitator individually prepares those involved and affected by an incident of harm (as well as anyone invited to provide support and resources) and then convenes a conference for them to share what happened, how they have been affected, and what they need to repair the harm and prevent it from happening again.
<b>Reentry Circle</b>	A form of Support Circle for those who have been excluded from the school or neighborhood community on account of suspension or expulsion. Reentry Circle provides an opportunity to welcome the individual back, reaffirm their importance in the community, and provide support their successful reintegration.
<b>Micro-Circle</b>	An on-the-spot technique that engages two or more individuals in a conversation around the restorative questions, or more simply "what would you like the other to know about what happened and how to make it better?" then asking the other person to paraphrase what they heard. Having the participants hear and reflect each other for a few rounds ensures that all is spoken and acknowledged, and can move participants back into calmness, empathy, and a problem-solving mode.
<b>Restorative Circle (Responsive)</b>	A responsive dialogue process facilitated by a trained circle keeper, and used to resolve incidents of harm, including as participants all involved and affected by the incident or incidents. A talking piece, discussion of values, and personal narrative are distinctive features of this process. Restorative Circles provide a safe and structured space for participants to understand what happened, express how they have been affected, and create a written agreement to repair the harm and prevent the incident from happening again.
<b>Support Circle</b>	Preventative response requiring documentation that may be used when there is a pattern of behavior in terms of frequency and/or location (i.e., classroom, cafeteria, hallway) and/or increase in the frequency of dysregulated behavior (but no victim/offender in the situation). Support Circles are facilitated to support student needs that may be contributing to the behavior and should result in agreement and specified date/time for progress monitoring.
<b>De-escalation</b>	This on-the-spot approach involves taking dysregulated student(s) aside, showing care, validating their humanity (not behaviors), or providing a sensory outlet until they return to a sense of calm and the capacity to self-regulate. You can then ask the restorative questions to elicit a deeper understanding of the harm, the actions that led to it, and the steps needed to repair it.
<b>Restorative Mediation</b>	Responsive, voluntary process involving two or more individuals where each individual is prepped for safety of the conversation/dialogue. Intended goal is to understand perspectives, harm, and next steps.
<b>Other</b>	<i>Please describe any other types of RJPs used by selecting this category and provide additional context in <a href="#">the open text field</a></i>