



NEBRASKA DEPARTMENT OF EDUCATION
DATA, RESEARCH, & EVALUATION

ADVISER Discipline Reporting

VERSION 1.2
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1 GENERAL INFORMATION

The ADVISER Discipline Reporting guidance document is intended to assist districts in reporting student-level discipline data in the ADVISER Operational Data Store (ODS) in order to meet State Reporting Requirements.

The discipline data elements described in this guidance will be used to fulfill reporting requirements for the following former collections:

1. Consolidated Data Collection Report of Suspensions and Expulsions
2. SPED Discipline Information System

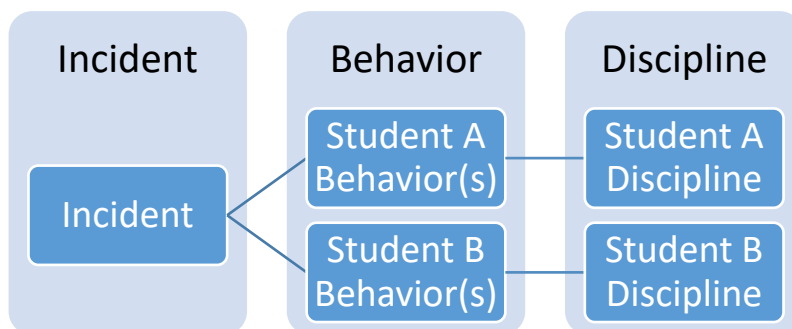
Civil Rights Data Collection Reporting

The ADVISER ODS has been extended to allow districts to report much of the data needed for the Civil Rights Data Collection (CRDC). This version of the Discipline Reporting guidance does NOT include such guidance; in the future, a version of the guidance will be made available that also addresses reporting for CRDC. All CRDC reporting into the ADVISER ODS is optional to the extent that it is not needed for other State Reporting purposes.

NOTE: This document is subject to change as more Discipline data is submitted into the ADVISER ODS and reporting occurs out of this data.

2 REPORTING DISCIPLINE INCIDENTS, BEHAVIORS, DISCIPLINE ACTIONS

Discipline data is collected in three general areas.



2.1 Incident Data

This area reports the incidents that occurred. Any incident can be reported into the ADVISER ODS, but only those that meet certain criteria will be used for State Reporting purposes. All discipline incidences should be reported at the school level, not at the district level. If a student cannot be identified for an incident, then do not report the incident.

2.2 Behavior Data

This area reports the student(s) that were involved in the incident, along with the specific behavior(s) of the student(s). There must be one or more students reported for each incident. This area is also where any weapons involved are reported.

2.3 Discipline Data

This area reports the discipline action taken against students in relation to their behavior. Every behavior should have a related discipline, even if that discipline is “No Action for Incident”. This helps to ensure that every discipline is reported into the ADVISER ODS. In addition, the length in school days of the discipline action should be reported to the nearest 1/100th of a day.

2.4 Additional Discipline Data Reporting Requirements

Based on the specific circumstances of the discipline action or the behavior, additional data reporting may be required.

2.4.1 GFSA Expulsion Modified to Less Than One Year

If a student was expelled for a Behavior that involved a Weapon of 02 Handgun, 05 Other Firearm, or 08 Rifle/Shotgun, indicate whether or not the expulsion was modified to less than one year.

2.4.2 Unilateral Removal

ONLY FOR SPECIAL EDUCATION STUDENTS: Indicate whether or not the student was subject to Unilateral Removal.

2.4.3 Referral to Law Enforcement

Indicate whether a student was referred to law enforcement due to a disciplinary incident.

2.4.4 School-Related Arrest Indicator

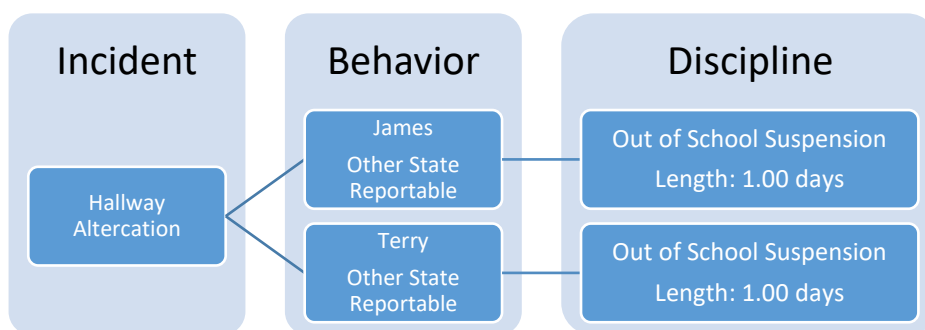
Indicate whether a student was involved in a disciplinary incident that resulted in an arrest; subset of Referral to Law Enforcement.

2.5 Examples

The best way to understand discipline reporting is by looking at some specific examples.

2.5.1 James and Terry Example

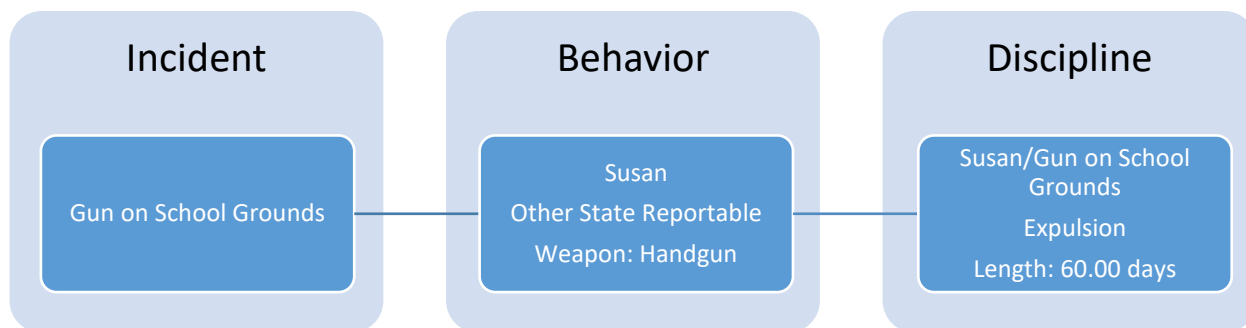
James and Terry get into a fight in the hallway between classes. They were hitting at each other with their backpacks, although no one was injured. Neither student is a Special Education student. They were each given one day of Out Of School Suspension for the incident.



In this example, one incident is reported for the hallway altercation. James and Terry are each reported with their own Behavior of “Other State Reportable”. This event is considered State Reportable because the resulting Discipline is itself State Reportable. If the Discipline had instead been Discipline that did not need to be reported to the state, the Behavior would have been reported in one of the non-State Reportable options.

2.5.2 Susan and Pat Example

Susan got mad at Pat one day in February, and the next day brought a handgun to school to threaten Pat. An anonymous student saw the gun and reported it to the school administration. As required by the Gun Free Schools Act, Susan was expelled for the rest of the school year (60 school days); this expulsion was not modified. Susan is not a Special Education student, and no services were provided to her.



In this example, one incident is reported for the gun on school grounds. Susan is reported with a Behavior of “Other State Reportable” and a Weapon of “Handgun”. There are no requirements to report any information for Pat as a victim, only for the Susan as the perpetrator.

3 SPECIAL EDUCATION DISCIPLINE REPORTING

Special Education Discipline reporting requires additional data elements and detail not required for general education students. Most of this additional reporting, such as race and gender, can be accomplished by matching the student discipline records with their demographic data in the ADVISER ODS.

3.1 Behaviors

There are three behaviors that are specific to Special Education students: *51 Special Education: Drug Offenses*, *54 Special Education: Dangerous Weapons*, and *55 Special Education: Serious Bodily Injury*. If the behavior of a SPED student meets one of these criteria, the appropriate Behavior code should be used. If not, SPED students can still be assigned a different Behavior code; they are not limited to just these three. However, non-SPED students should not be assigned one of the three Behavior code.

3.2 Weapons

The Weapon *11 Pocketknife with Blade of Less Than 2 ½ Inches* has been added to the list of weapons specifically to accommodate Special Education Discipline reporting. Special Education students should be reported with this specific weapon when appropriate. The same code can be used for non-SPED students, or the student can simply be reported as *03 Knife*.

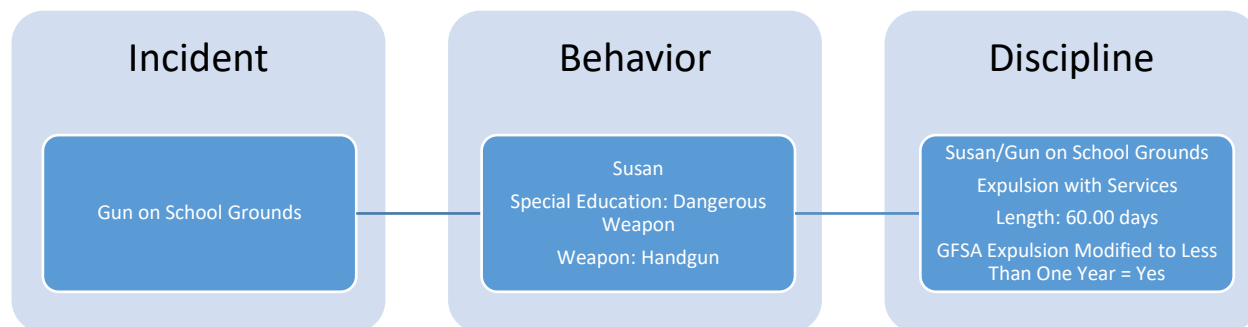
3.3 Unilateral Removal

The Unilateral Removal indicator is used only for Special Education students and only where appropriate. Non-SPED students should never be reported with this indicator.

3.4 Examples

3.4.1 Susan and Pat Example 2

Revisiting the Susan and Pat example from earlier, but this time Susan is a Special Education student who received Educational Services while she is suspended, and her expulsion has been modified to the end of the school year, instead of continuing into the next school year as required by GFSA. The updated reporting for her would be as follows:



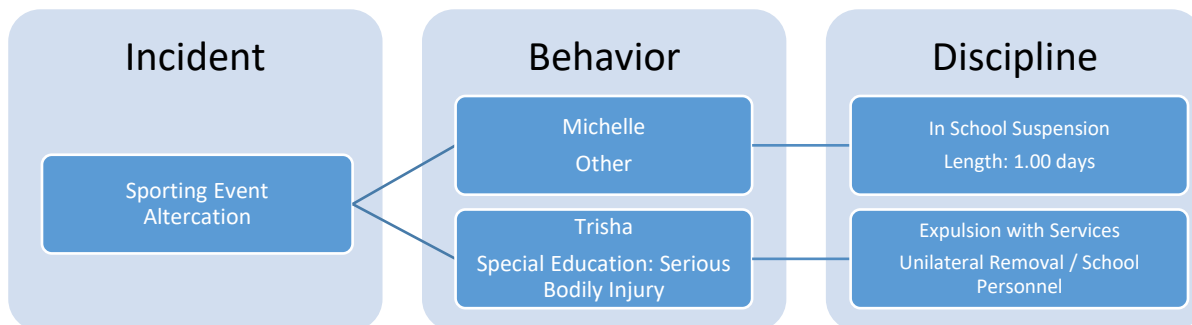
In this scenario, there are multiple changes to the reporting for the student

DATA ELEMENT	EXAMPLE 1	EXAMPLE 2
Behavior	Other	Special Education: Dangerous Weapon
Weapon	Handgun	Handgun
Discipline	Expulsion	Expulsion with Services
Length	60.00 days	60.00 days
GFSA Modified to Less Than One Year	No	Yes

Because Susan is Special Education, the specific Behavior of Special Education: Dangerous Weapon is required to be used. Likewise, because Susan is now receiving services, the Discipline reported need to be changed. Finally, in the first scenario, Susan did not have her expulsion modified, so the GFSA Modified to Less Than One Year indicator was reported as No.

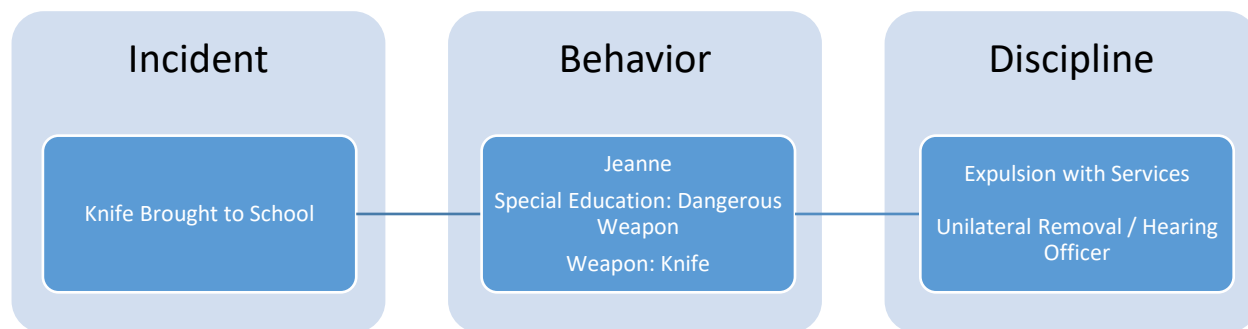
3.4.2 Michelle and Trisha

Michelle and Trisha got into an altercation after a sporting event on school property. In the course of the altercation, Trisha threw Michelle down the hallway stairs with such force as to break multiple bones and cause extreme pain, resulting in serious bodily injury. Trisha is a Special Education student. As a result, her behavior is categorized under code 55 Special Education: Serious Bodily Injury, resulting in a unilateral removal to an alternative placement for 30 days where she will continue to receive services. Michelle is not a Special Education student, and was given 1 day of In-School Suspension.



3.4.3 Jeanne and John

Jeanne and John get into an argument and the following day, Jeanne brings a knife to school. During passing time, a teacher notices the knife sticking out of Jeanne's pocket and reports it. Jeanne is a Special Education student and the incident is reported as a code 54 Special Education: Dangerous Weapons and the school district requests to remove Jeanne to an alternative setting moving forward. Jeanne's parents do not agree with the decision and feel that it is in Jeanne's best interests to stay in her setting as it is a manifestation of her disability and a change in setting would cause further harm or violations. It is decided to remove Jeanne to an alternative placement for 25 days where she will continue to receive services and pending a due process and Hearing Officer's determination. It is the ruling of the Hearing Officer that the student is to remain in the alternate placement. This is coded as a Removal to Interim Alternative Educational Setting Based on a Hearing Officer.



4 SPECIFIC ADVISER FIELDS

4.1 Discipline Incident

INCIDENT IDENTIFIER

Use: Dashboard State Reporting

Definition: A locally assigned unique identifier (within the school or school district) to identify each specific Discipline Incident or occurrence. The same identifier should be used to document the entire Discipline Incident even if it included multiple offenses and multiple offenders. The creation of this identifier can vary based on SIS implementation, and is only used to tie the incident to the other discipline reporting areas.

INCIDENT DATE

Use: Dashboard State Reporting

Definition: The date that the discipline incident occurred.

INCIDENT DESCRIPTION

Use: Dashboard State Reporting

Definition: The description for a discipline incident; optional.

4.2 Student Behavior and Weapons Reporting

STUDENT PARTICIPATION CODE

Use: Dashboard State Reporting

Definition: The role or type of participation of a student in a discipline incident. There are a number of possible types of Student Participation (Perpetrator, Victim, Witness, etc.), but State Reporting only requires that the Perpetrator(s) be reported. SIS vendors may default to this type and not require district staff to identify this field in the SIS.

TYPES

Perpetrator

Districts are only required to report the perpetrator(s) of a discipline incident.

BEHAVIOR

Use: Dashboard State Reporting

Definition: The conduct of a student that resulted in a disciplinary action.

CODE	DESCRIPTION	EXPLANATION OF USE
51	Special Education: Drug Offenses	Use only for Special Education students who commit offenses with drugs, but not tobacco. Always State Reportable.
54	Special Education: Dangerous Weapons	Use only for Special Education students who commit offenses with dangerous weapons. Always State Reportable.
55	Special Education: Serious Bodily Injury	Use only for Special Education students who commit offenses resulting in serious bodily injury. Always State Reportable.
58	Other	State Reportable if Discipline is State Reportable
59	Violence, other than Harassment or Bullying	New ESSA Requirement; Always State Reportable.
61	Harassment	New ESSA Requirement; Always State Reportable.
62	Bullying	New ESSA Requirement; Always State Reportable.
63	Other School Code of Conduct	State Reportable if Discipline is State Reportable

Note: Nebraska does not have specific definitions for Violence, Harassment, or Bullying as it relates to this data collection, but previous guidance provided by the US Department of Education has included the following. Some of the items listed below fall under Harassment or Bullying instead of Violence in the Behavior list above.

Violent Incident

Violent incidents may include, but are not limited to, the following:

- **Battery (physical attack or harm):** Examples include striking that causes bleeding, broken nose, and kicking a student while he or she is down. 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.)
- **Fighting (mutual altercation):** Mutual participation in an incident involving physical violence where there is no major injury.
- **Homicide (murder or manslaughter):** Killing a human being.

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- **Physical altercation, minor (pushing, shoving):** Confrontation, tussle, or physical aggression that does not result in injury.
- **Robbery (taking of things by force):** 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.
- **School threat (threat of destruction or harm):** 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.
- **Sexual battery (sexual assault):** 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.
- **Threat/intimidation (causing fear of harm):** 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.).
- **Harassment, nonsexual (physical, verbal, or psychological):** Repeatedly annoying or attacking a student or group of students or other personnel that creates an intimidating or hostile educational or work environment.
- **Harassment, sexual (unwelcome sexual conduct):** 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.

GUN FREE SCHOOL VIOLATION

Use: Dashboard State Reporting

Definition: An indicator (yes/no) of whether the student was charged with a Gun-Free Schools Violation. Report as No unless Weapon is reported as 02 Handgun, 05 Other Firearm, or 08 Rifle/Shotgun AND incident is considered a Gun Free School Violation.

REFERRAL TO LAW ENFORCEMENT INDICATOR

Use: Dashboard State Reporting

Definition: An indicator (yes/no) that student was referred to law enforcement due to a disciplinary incident.

SCHOOL RELATED ARREST INDICATOR

Use: Dashboard State Reporting

Definition: An indicator (yes/no) that student was involved in a disciplinary incident that resulted in an arrest; subset of Referral to Law Enforcement.

ADVISER DISCIPLINE REPORTING

WEAPON

Use: Dashboard State Reporting

Definition: The type of weapon used during an incident.

CODE	DESCRIPTION
01	Club
02	Handgun
03	Knife
04	Other
05	Other Firearm
06	Other Object
07	Other Sharp Object
08	Rifle/Shotgun
09	Substance Used as a Weapon
10	Unknown
11	Pocketknife with Blade of Less Than 2 ½ Inches

4.3 Discipline Action

DISCIPLINE

Use: Dashboard State Reporting

Definition: Type of action, such as removal from the classroom, used to discipline the student involved as a perpetrator in a discipline incident.

CODE	DESCRIPTION	EXPLANATION OF USE
01	Removal from Classroom	Not State Reportable unless Behavior is State Reportable
02	In School Suspension	State Reportable
03	Out of School Suspension	State Reportable
04	Expulsion	State Reportable
05	Expulsion with Services	State Reportable; use when a student receives Educational Services or Alternative Placement
06	Community Service	Not State Reportable
07	Other	Not State Reportable unless Behavior is State Reportable
08	No Action for Incident	Not State Reportable unless Behavior is State Reportable

ADVISER DISCIPLINE REPORTING

CODE	DESCRIPTION	EXPLANATION OF USE
09	No Action for Incident Due to Student Death, Withdrawal, or Incarceration	Not State Reportable unless Behavior is State Reportable

DISCIPLINE ACTION LENGTH DECIMAL

Use: Dashboard State Reporting

Definition: The length of time (up to two decimal places) in school days for the Discipline Action (e.g. removal, detention), if applicable, in decimal format.

GFSA ALTERNATIVE PLACEMENT

Use: Dashboard State Reporting

Definition: An indicator (yes/no) that a student expelled under the Gun-Free Schools Act was provided with educational services (or alternative placement with educational services).

GFSA EXPULSION MODIFIED TO LESS THAN ONE YEAR

Use: Dashboard State Reporting

Definition: An indicator (yes/no) that a student expelled under the Gun-Free Schools Act had their expulsion modified to less than one year.

UNILATERAL REMOVAL

Use: Dashboard State Reporting

Definition: Indication that a student was unilaterally removed to an interim alternative educational setting and how the student was removed (by School Personnel or Hearing Officer.)

CODE	DESCRIPTION
01	Unilateral Removals to an Interim Alternative Educational Setting by School Personnel (for not more than 45 days - does NOT include placement changes made by IEP team)
02	Removals to an Interim Alternative Educational Setting Based on a Hearing Officer Determination Regarding Likely Injury (Hearing officer appointed by NDE pursuant to Rule 55)

5 CHANGE SUMMARY

5.1 Version 1.2

September 10, 2018

1. Updated guidance only; no changes to value sets or definitions.

5.2 Version 1.1

August 8, 2018

1. Specific ADVISER Fields: Student Behavior and Weapons Reporting
 - a. Behavior
 - i. Added additional guidance on Violence, Harassment, and Bullying

5.3 Version 1.0

May 17, 2018

1. Initial Publication