

Student Behavior and Discipline Guidance

Determining what incidents of violent and harmful behavior to report to the state

When incidents of violent and harmful behavior by or against students are investigated and appropriate discipline has been prescribed, it's then determined whether it is to be reported to the Maine Department of Education on the Student Discipline screen in Synergy (see [20-A MRSA §254, sub-§11](#)).

Reportable incidents will be interpreted relative to the SAU's adoption of its Student Code of Conduct and disciplinary policies (see [20-A MRSA §1001, sub-§15, and sub-§15-A](#)).

Please follow the Department's guidance to ensure that student behavior and discipline data are accurately reported.

The data will identify student behavior that is disruptive to the peace and usefulness of the school as well as the instructional and environmental supports and school practices that are designed to strengthen relationships, improve the connection to school, promote a sense of accountability, and find opportunities to repair harm that has been caused through misbehavior. The Department will use this data in its efforts related to school improvement under the Every Student Succeeds Act (ESSA), as well as for completing aggregate federal reporting requirements under the Individuals with Disabilities Act (IDEA) and the Gun Free Schools Act (GFSa).

Deciding When to Report

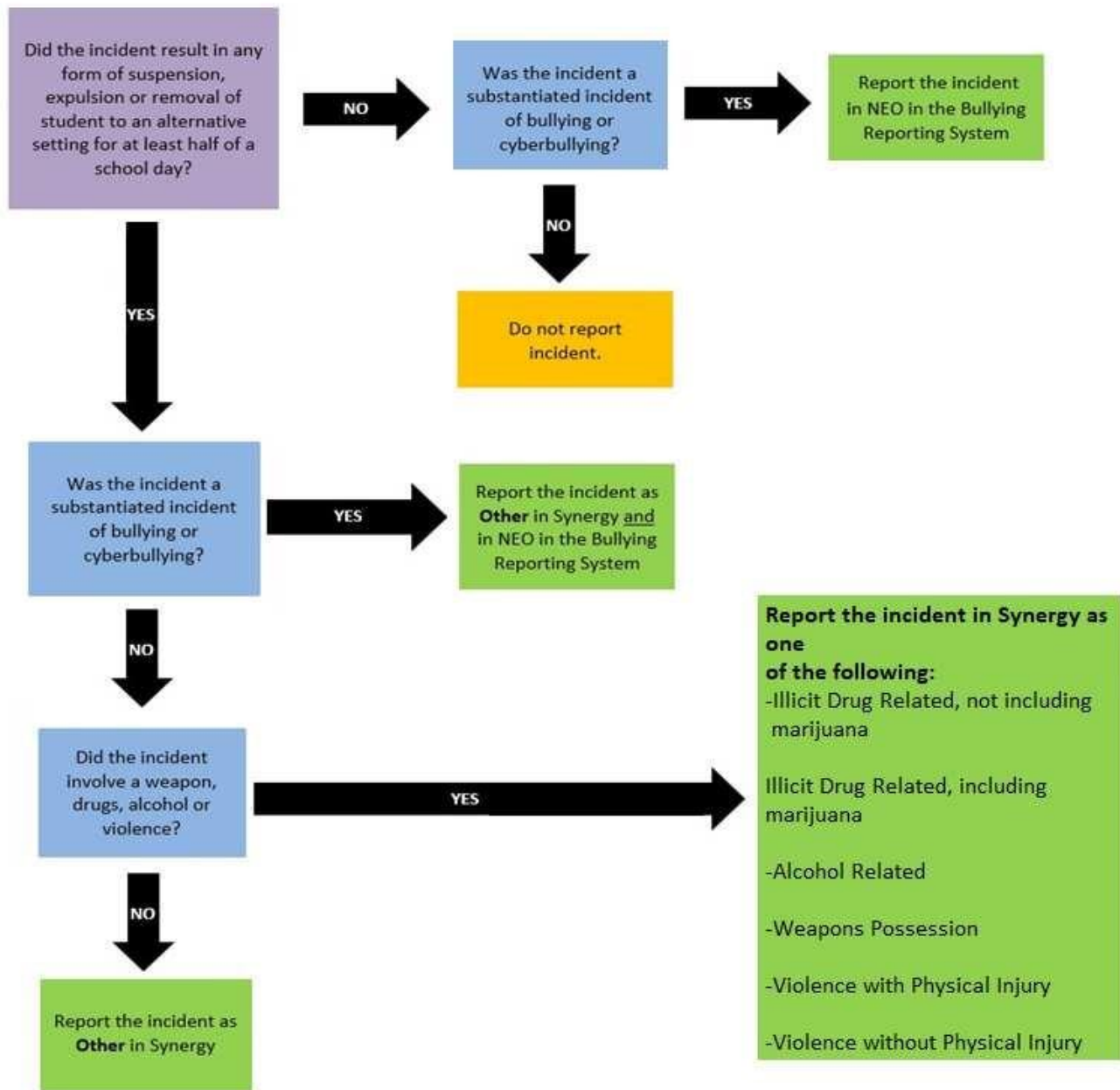
An incident is reportable on the Synergy Discipline screen when:

■ The incident is:

- ✦ Illicit Drug Related – Including Marijuana
- ✦ Illicit Drug Related – Not Including Marijuana
- ✦ Alcohol Related
- ✦ Weapons Possession
- ✦ Violence with Physical Injury
- ✦ Violence without Physical Injury
- ✦ Other – NOT Drug, Alcohol, Weapons, or Violence Related

■ The student is removed from the regular educational setting *for at least a half of a school day* by one or more of the following methods:

- ✦ suspended out of school;
- ✦ supervised during an in-school suspension;
- ✦ placed in an alternative education setting by school personnel;
- ✦ placed in an alternative education setting by a hearing officer;
- ✦ expelled with services;
- ✦ expelled without services



Incident	Code	Definition
Illicit drug related	DrugRelated	Drug-related incidents are incidents involving possession or use of substances that include tobacco or illicit drugs (including steroids, all prescription drugs for which the student does not have a prescription and inappropriate use of nonprescription drugs and other substances). Drugrelated incidents will include illicit drugs possession on school grounds, being under the influence of illicit drugs on school grounds, tobacco possession or use on school grounds, trafficking or possession for sale of illicit drugs on school grounds.
Alcohol related	AlcoholRelated	Incidents where students possessed or used alcohol on school grounds or were under the influence of alcohol while on school grounds.
Weapons possession	WeaponsPossession	Weapons possession is the possession of the following or similar items: handgun, shotgun or rifle, other type of firearm (e.g. devices designed to expel a projectile, grenade, explosive), knife, other sharp object (e.g. razor blade, ice pick, Chinese star), other object (chain, brass knuckle, billy club, stun gun), or substance used as a weapon (mace, tear gas).
Violent Incident (with Physical Injury)	WithPhysicalInjury	Any physically violent incident with injury where one or more students, school personnel, or other persons on school grounds require professional medical attention.
Violent Incident (without Physical Injury)	WithoutPhysicalInjury	Incidents involving violent behavior or the threat of violent behavior but that did not result in the need for professional medical attention.
Other	Other	Other – An incident NOT related to illicit drugs, marijuana, alcohol, weapons possession, and/or violence is the reason why the student was disciplined.
Weapon Type	Description	
Handgun	Any firearm which has a short stock and is designed to be held and fired by the use of a single hand.	
Shotgun	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.	
Rifle	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.	

Other firearm	Other type of firearm. Under Title 18 USC §921, the term “firearm” means: 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; B. the frame or receiver of any such weapon; C. any firearm muffler or firearm silencer; or D. any destructive device. Such term does not include an antique firearm. The term “destructive device” used in part (D) of the definition of “firearm” means: A. any explosive, incendiary, or poison gas— i. bomb, ii. grenade, iii. rocket having a propellant charge of more than four ounces, iv. missile having an explosive or incendiary charge of more than onequarter ounce, v. mine, or vi. device similar to any of the devices described in the preceding clauses; 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 barrel with a bore of more than one-half inch in diameter; and 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. 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.
Multiple firearms	Multiple firearms were used in the incident
Other weapon	The incident involved a weapon other than those described above.

Definitions of Resolutions

All actions and/or interventions taken to resolve an incident must be reported; not just the final resolution.

Resolution	Code	Definition
------------	------	------------

Out of School Suspensions	OutOfSchool	Instances in which a student is temporarily removed from his or her regular school for disciplinary purposes to another setting for at least a half of a school day. This includes both removals in which no IEP services are provided because the removal is 10 days or less, as well as removals in which the child continues to receive services according to his or her IEP.
In School Suspensions	InSchool	Instances in which a student is temporarily removed from his or her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel for at least a half of a school day. Direct supervision means school personnel are physically in the same location as students under their supervision.
Removal to an interim alternative educational setting by School Personnel	REMDW	An appropriate setting determined by the student's IEP team in which the student is placed for no more than 45 school days. This setting enables the student to continue to receive educational services and participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not reoccur.
Removal to an interim alternative educational setting by a Hearing Officer	REMHO	Instances in which an impartial hearing officer orders the removal of a student with disabilities from his or her 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.

Expulsion with services	EXPSERV	Action taken by the school board removing a student from his or her regular school for disciplinary purposes for a specific period of time not to exceed the total number of instructional days approved by the school board for the current school year, or for an unspecified period of time with the authorization that the superintendent provides the expelled student with a reentry plan. Educational services ARE provided to the student during the expulsion period. This includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.
Expulsion without services	EXPWOSERV	Action taken by the school board removing a student from his or her regular school for disciplinary purposes for a specific period of time not to exceed the total number of instructional days approved by the school board for the current school year, or for an unspecified period of time with the authorization that the superintendent provides the expelled student with a reentry plan. Educational services ARE NOT provided to the student during the expulsion period. This includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.

Resolution Types highlighted in green are for firearms possession incidents only **

When entering resolution(s) for firearms, suspension may be included, and you must include one of the following resolutions. A firearm incident without at least one of the following expulsion codes will be incomplete.

Expulsion modified to less than one year with educational services under IDEA	EXPMOD	Expulsion modified to less than one year with educational services under IDEA was the methods used to discipline student(s) who are children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.
One-year expulsion with educational services under IDEA	EXPNOTMOD	One-year expulsion with educational services under IDEA was the methods used to discipline student(s) who are children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.
One-year expulsion and no educational services	EXPNOTMODNOALT	One-year expulsion and no educational services is the method used to discipline the student(s) who are not children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.
Expulsion modified to less than one year with educational services	EXPMODALT	Expulsion modified to less than one year with educational services is the method used to discipline the student(s) who are not children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.

Expulsion modified to less than one year without educational services	EXPMODNOALT	Expulsion modified to less than one year without educational services is the method used to discipline the student(s) who are not children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.
One-year expulsion and educational services	EXPALT	One-year expulsion and educational services is the method used to discipline the student(s) who are not children with disabilities (IDEA) involved in firearms and other outcomes of firearms incidents.

****Students expelled or suspended under the requirements of the federal Gun-Free Schools Act.**

The school board shall adopt a policy for expelling a student who is determined to have brought a firearm to school or to have possessed a firearm at school and for referring the matter to the appropriate local law enforcement agency. The required policy code is JICIA Weapons, Violence and School Safety.

A student who is determined to have brought a firearm to school or to have possessed a firearm at school must be expelled from school for a period of not less than one year, except that the school board may authorize the superintendent to modify the requirement for expulsion of a student on a case-by-case basis. A decision to change the placement of a student with a disability must be made in accordance with IDEA.

Upon a proper investigation and due process provisions, a principal may suspend immediately for good cause a student who is determined to have brought a firearm to school or to have possessed a firearm at school under this subsection.

Contact for Questions

Should you have questions on what to report, when to report or how to categorize a behavior incident, please contact: Bear Shea, at the Maine Department of Education – Bear.Shea@maine.gov

Should you have any issue with Behavior Reports under Student Reports in NEO, please contact MEDMS.Support@maine.gov or (207) 624-6896