

WYOMING DEPARTMENT OF EDUCATION

WDE636: WISE Student Disciplinary Actions and Crime and
Violence Incidents, June 2010

Data Collection Guidebook

WYOMING DEPARTMENT OF EDUCATION

WDE636 Data Collection Guidebook

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Introduction

The WDE636 is the WISE Student Disciplinary Actions and Crime and Violence Incidents Data Collection.

This guidebook serves as the definitive instruction set for the data contained within the June 2010 WDE636 Data Collection.

School Districts are required to submit a variety of data collections each year.

The data collected by the Wyoming Department of Education (WDE) is critical and essential to the continual growth of Wyoming's education system. Data are utilized in an array of fashions, which include (but are not limited to) funding models, Adequate Yearly Progress, and special education programs.

WDE636 Authority

There are several authorities that allow the WDE to collect data for the WDE636 collection. The different authorities have been listed below.

Gun-Free Schools Act (GFSA)

Individuals with Disabilities Act (IDEA), Under Section 602 (a) (1)

Federal Safe and Drug-Free Schools and Communities Act (SDFSC)

Elementary and Secondary Education Act (ESEA), Title IV, Part A, Subpart 3 as amended by the No Child Left Behind Act of 2001 (NCLB)

The Gun-Free Schools Act (GFSA), Part A, Subpart 3, under Title IV of the elementary and Secondary Education Act (ESEA) of 1965, as amended (20 U.S.C. 7151) requires that each State have in effect a State law requiring local educational agencies (LEAs) to expel from school for a period of not less than one year a student found to have brought a firearm to school, or to have possessed a firearm at school. In addition, under the GFSA, LEAs receiving ESEA funds must adopt a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm to school or possesses a firearm at school. The GFSA requires States to provide annual reports to the Secretary of Education concerning implementation of the Act's requirements.

Instructions



The WDE636 is the official collection for districts to report incidents of crime and violence and student disciplinary actions. This report includes severe disciplinary actions and incidents of crime and violence that occur on school grounds or at school sponsored events occurring during the prior school year.

Data Compilation

Prior to submission, each district must compile their data. Data will be entered in to two spreadsheet files that include the appropriate data elements for this collection. The first is the Student Disciplinary Action file; the second is the Disciplinary Incident file. The data elements specifications can be found on the WISE website: <https://www.k12.wy.us/wise/>. The Data Element document contains definitions of each required element, accepted values, and the proper layouts. Once compiled, each spreadsheet must be saved as a Comma Separated Value file (.CSV).

Student Disciplinary Action File

The first file is the Student Disciplinary Action File. The purpose of this file is to submit a summary of all disciplinary actions taken during school year.

What actions are state reportable actions in regards to the WDE636? What makes an action state reportable is the duration of time the student is removed from their regular classroom setting. Anytime a student is removed from the regular classroom setting for 25% of the day or greater for a disciplinary incident, even if no action is taken.

What if the office is busy and student(s) are removed from the classroom setting for a disciplinary issue for 25% of the school day but, no action is taken?

It would be reported as “N- No action taken” on the element “StudentAction”. This would apply as is only if there truly was no disciplinary action.

The Student Disciplinary Action File contains 34 elements. They are:

- WISERID
- StudentLastName
- StudentFirstName
- StudentMiddleName
- StudentNameSuffix
- StudentGradeLevel
- StudentDateOfBirth
- StudentGender
- StudentELL
- SchoolID
- DistrictID
- HispanicEthnicity
- AsianRace
- BlackRace
- IndianRace
- PacificIslanderRace
- WhiteRace
- StudentIDEA

- StudentActionDate
- StudentAction
- InitialAlternativePlacement
- StudentModifiedExpulsion
- ModifiedAlternativePlacement
- StudentDuration
- StudentSequence
- StudentHearingOffered
- StudentHearingStatus
- StudentGang
- StudentAlcohol
- StudentDrugs
- StudentFightRelated
- StudentWeaponType
- StudentInjury
- IncidentReferenceNumber

WISERID

This is the WDE 8-digit state assigned student record identifier for the student to whom the disciplinary action was applied.

Are names or WISER IDs ever reported publically or to the federal government for incidents of crime and violence?

No. The WDE never publishes names or WISER IDs for crime and violence incidents, just counts. The names and WISER IDs are securely stored at WDE and are used to roll up the counts into school, district and state level reports. There are a limited amount of people at the WDE that have access to the student level data.

The WISER ID will be validated against the State Registration System (SRS).

StudentLastName

Please use the student’s legal last name as it appears on their Birth Certificate.

State Registration System (SRS)

The SRS is an application for securely assigning and obtaining unique ID numbers for both students and school district staff members. It is available within the Wyoming Education Fusion portal. This application is inaccessible to the general public.

This element will be validated against the State Registration System (SRS).

StudentFirstName

Please use the student’s legal first name as it appears on their Birth Certificate.

This element will be validated against the State Registration System (SRS).

StudentMiddleName

Please use the student’s legal middle name as it appears on their Birth Certificate. This element is optional.

StudentNameSuffix

This is a generation indicator such as Jr or III. This element is optional.

StudentGradeLevel

Report students based on their current grade level placement. It must be two digits.

- PK-Pre Kindergarten
- KG-Full day Kindergarten

- HK-Half day Kindergarten
- 01
- 02
- 03
- 04
- 05
- 06
- 07
- 08
- 09
- 10
- 11
- 12

StudentDateOfBirth

The student's date of birth should be entered in the format YYYYMMDD.

This element will be validated against the State Registration System (SRS).

StudentGender

The student's gender is a one digit value: M for Male, F for Female.

This element will be validated against the State Registration System (SRS).

StudentELL

Is the student an English Language Learner (ELL)? English Language Learner (ELL) Student is any student:

1. Who is newly enrolled in the district or who enrolled in the district after the State annual ELL assessment was given in the prior school year; and has been identified and evaluated by the district as being of limited English proficiency; or
2. Who is returning to the district from the previous school year who took the State's annual ELL assessment in the prior school year and has not yet achieved the "proficiency" level (grades K-2) or the "transitional" level (grades 3-12).

SchoolID

The WDE 7-digit ID for the school of the student's enrollment.

DistrictID

The WDE 7-digit ID for the district of the student's enrollment.

The Wyoming Department of Education (WDE) will require school districts and accredited institutions to start collecting and reporting under the new race and ethnicity guidelines for all data collections in the 2009-10 school year.

What does this mean for schools and accredited institutions?

The new federal collection standards mandate that organizations must provide ALL STUDENTS AND STAFF the opportunity to re-identify their race/ethnicity via the adjacent guidance provided by the USED. Staff and parents should be informed that race/ethnicity information is collected for the purpose of monitoring, accountability and to ensure that schools are receiving the proper educational programs and services they need.

HispanicEthnicity

AsianRace

BlackRace

IndianRace

PacificIslanderRace

WhiteRace

These six fields are used to report a student’s Race and Ethnicity. Current federal guidelines require a person be allowed to self-identify. When collecting a person’s race/ethnicity:

- Must ask respondent in a two-part question format
 - The first question is about ethnicity
 - Reported in the HispanicEthnicity data field
 - The second question is about race
 - Reported in the five race data fields

Valid values for all six fields are: Y, Yes, N or No.

None of these fields must be left blank. If HispanicEthnicity = “Yes”, at least one of the race data fields must also be “Yes”. All fields cannot be reported as “No”.

Further Resources:

Federal Guidance:

<http://www.ed.gov/policy/rschstat/guid/raceethnicity/index.html>

Managing an Identity Crisis from the National Forum on Education Statistics:

<http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008802>

StudentIDEA

At the time the incident occurred, did the student have an active Individual Education Plan under the IDEA?

StudentActionDate

What is the date of the disciplinary action? The date must be entered in the format YYYYMMDD.

StudentAction

What was the disciplinary action taken by the school or district?

I - In School Suspension

O - Out of School Suspension

Suspensions should not be for more than 10 days unless the Superintendent or the Board of Trustees provided the student an opportunity for a hearing (WS 21-4-305) see StudentHearingOffered

A - Alternative Placement by School Personnel

H - Alternative Placement by IDEA Hearing Officer

Instances in which an impartial IDEA hearing officer orders the removal of children 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 child's current placement is substantially likely to result in injury to the child or others. (Once this action occurs, the IEP team is responsible for determining the interim alternative educational setting.)

J - Juvenile Court System

E - Expulsion (No Educational Services Provided)

S - Expulsion (Educational Services Provided)

R - Removal for Other Reasons (Death, Withdrawal, Incarceration)

N - No Action Taken

InitialAlternativePlacement

Did the initial student disciplinary action include alternative placement?

- If the StudentAction was reported as A or H, this element must be Yes.
- If the StudentAction was reported as R or N, this element must be No.

StudentModifiedExpulsion

If the StudentAction was reported as E or S, this element is required. Was the Expulsion modified?

MO - Modified expulsion due to reasons other than IDEA

MI - Modified expulsion due to IDEA

NO - Expulsion not modified due to reasons other than IDEA

NI - Expulsion not modified due to IDEA

ModifiedAlternativePlacement

Did the Modified Expulsion include alternative placement? Yes or No.

If the StudentModifiedExpulsion was reported as MO or MI, then this element is required.

StudentDuration

What was the duration of the disciplinary action? Numeric value with 1-3 numbers before the decimal and, optionally, 2 numbers after the decimal. Value must be rounded to the nearest increment of 0.25.

In School Suspension - Count in school days

Out of School Suspension - Count in school days

Juvenile Court System - Count in calendar days

Expulsion (Non-Modified) - Count in calendar days

Expulsion (Modified) – If the Expulsion was modified to In School Suspension or Out of School Suspension, count in school days. If the

Expulsion was modified to or by the Juvenile Court System, count in calendar days.

StudentSequence

What is the sequence number for this student on this date at this school? Use “1” for the first disciplinary action, “2” for the second, etc. Sequence numbers begin anew each day.

StudentHearingOffered

Was the student offered a hearing for this disciplinary action? Y (Yes) or N (No).

Suspensions should not be for more than 10 days unless the Superintendent or the Board of Trustees provided the student an opportunity for a hearing (WS 21-4-305) see also StudentAction.

This field is applicable to all students, regardless of IDEA status.

Do not report “Y” for hearings by an IDEA hearing officer as hearings by an IDEA hearing officer are not included in this field.

A hearing is defined in Appendix A, paragraph (d). (In accordance with the Wyoming Administrative Procedure Act 16-3-101 through 16-3-115).

StudentHearingStatus

If StudentHearingOffered was reported as “Yes”, then this field is required. If the StudentHearingOffered was reported as “No”, then leave this field blank. What is the hearing status?

C - Hearing has been completed

P - Hearing is pending

R - Hearing was refused by student's parent/guardian(s)

StudentGang

Is this student involved in a gang? Yes or No.

StudentAlcohol

Was the student involved in the use of alcohol; was he/she under the influence of alcohol based on testing or investigation done by police; or was alcohol possession, sale, or use a factor in this disciplinary action?

StudentDrugs

Was the student involved in the use of drugs; was he/she under the influence of drugs based on testing or investigation done by police; or was drug possession, sale, or use a factor in this disciplinary action?

StudentFightRelated

Was this incident related to a fight?

An incident is considered “fight related” if there is a physical altercation wherein a person knowingly or intentionally touches another person in a rude, insolent, or angry manner causing or intending to cause bodily injury.

StudentWeaponType

What was the type of weapon, if the incident involved a weapon?

N - No Weapon

U - Unknown Weapon

Firearms

H - Handgun (includes zip guns and pistols)

R - Rifle or Shotgun

F - Other Firearm - As defined in 18 USC 921:

- 1) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive (includes a starter gun)
- 2) the frame or receiver of any weapon described above
- 3) any firearm muffler or firearm silencer
- 4) any destructive device (as listed below)
 - a) 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 one-quarter ounce
 - v) Mine
 - vi) Similar device
 - b) any weapon 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
 - c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

M - Multiple Firearms

Other Weapons

K - Knife (blade longer than 2 inches)

O - Other Weapon (includes: toy guns, cap guns, BB guns, pellet guns, any with barrel that has a bore of less than one-half inch in diameter, or a knife with a blade of 2 inches or less)

StudentInjury

What was the most severe injury inflicted during this incident?

N - No injury - No one was physically injured during the course of the incident.

M - Minor injury - At least one participant received a minor physical injury as a result of the incident. A minor injury is one that does not require professional medical attention such as a scrape on the body, knee or elbow; and/or minor bruising. Medical attention from the school nurse qualifies the injury as minor unless further medical attention is required.

S - Major injury - At least one participant received a major physical injury as a result of the incident. A major injury is one that requires professional medical attention which may include, but is not limited to, a bullet wound, a stab or puncture wound, fractured or broken bones, concussions, cuts requiring stitches, and any other injury with profuse or excessive bleeding.

IncidentReferenceNumber

What is the reference number for the incident? This is a unique reference number for this incident at this school. This number will allow a school to find the record kept of this incident at a future date. It can be up to 5 digits long. Reference numbers must be unique within a school. This number is used to associate the incident data provided in the Discipline Incident file with each student involved in the incident.

Discipline Incident File

The second file is the Discipline Incident File. The purpose of this file is to submit a summary of all incidents occurring during school year. It contains 18 elements. All actions reported in the Student Disciplinary Action File must have a corresponding record in the Discipline Incident File.

The elements in the Discipline Incident File are:

- IncidentReferenceNumber
- SchoolID
- DistrictID
- IncidentType
- IncidentInjury
- IncidentDate
- IncidentContext
- IncidentLocation
- IncidentOffender
- IncidentReporter
- IncidentPoliceReport
- IncidentVictim
- IncidentGangRelated
- IncidentHateCrime
- IncidentAlcohol
- IncidentDrugs
- IncidentWeaponType
- IncidentValue

IncidentReferenceNumber

What is the reference number for the incident? This is a unique reference number for this incident at this school. This number will allow a school to find the record kept of this incident at a future date. It can be up to 5 digits long. Reference numbers must be unique within a school. This is a unique reference number for this incident at this school. Reference numbers must be unique within a school.

SchoolID

What is the school in which the incident occurred? This is the WDE 7-digit ID for the school in which the incident occurred. It must be within the identified district.

DistrictID

What is the district in which the incident occurred? This is the WDE 7-digit ID for the district in which the incident occurred.

IncidentType

What was the type of incident? Please see Appendix C for full definitions of each type code.

- | | |
|---|-----------------------------|
| ALC - Alcohol | ROB - Robbery |
| ARS - Arson | STL - Larceny/Theft |
| BAT - Battery | SXB - Sexual Battery |
| BRK - Breaking and Entering / Burglary | SXH - Sexual Harassment |
| DOC - Disorderly Conduct | SXO - Sex Offenses |
| DRG - Drugs (excluding alcohol) | TBC - Tobacco |
| FIT - Fighting | TRE - Threat / Intimidation |
| HOM - Homicide | TRS - Trespassing |
| MVT - Motor Vehicle Theft | VAN - Vandalism |
| OMC - Other Major Offenses/Unclassified | WPO - Weapons Possession |
| | NRI - Minor Offenses |

IncidentInjury

What was the most severe injury inflicted during this incident?

N - No injury - No one was physically injured during the course of the incident.

M - Minor injury - At least one participant received a minor physical injury as a result of the incident. A minor injury is one that does not require professional medical attention such as a scrape on the body, knee or elbow; and/or minor bruising. Medical attention from the school nurse qualifies the injury as minor unless further medical attention is required.

S - Major injury - At least one participant received a major physical injury as a result of the incident. A major injury is one that requires professional medical attention which may include, but is not limited to, a bullet wound, a stab or puncture wound, fractured or broken bones, concussions, cuts requiring stitches, and any other injury with profuse or excessive bleeding.

IncidentDate

What is the date of the incident? Dates must be entered in the format YYYYMMDD.

IncidentContext

This field identifies the time and sponsor of the incident. What is the context of the incident?

- D - During school hours
- S - Outside school hours and at a school-sponsored activity
- N - Outside school hours and NOT at a school-sponsored activity

IncidentLocation

What is the location where the incident occurred?

- C - On school grounds or on campus
- O - At a school-sponsored off-campus activity
- T - School-sponsored transportation. This includes school bus stops only when the bus is at the stop.

IncidentOffender

This field identifies the type of offender(s) involved in the incident.

- S - Student
- N - Non-student
- B - Both students and non-students
- U - Unknown

IncidentReporter

This field identifies the person who reported the incident to the school or district. Who reported this incident?

- A - Administrator
- T - Teacher
- O - Other School Staff
- P - Police
- S - Student
- X - Other
- U - Unknown / Anonymous

IncidentPoliceReport

Was the incident reported to the police? Yes or No.

IncidentVictim

This field identifies the type of victim involved in the incident. Who was the victim?

- A - Administrator
- T - Teacher
- O - Other School Staff
- P - Police
- S - Student
- X - Other
- U - Unknown
- Z - Not applicable, i.e. there was no victim

IncidentGangRelated

Was the incident gang-motivated, caused by gang membership, or was gang membership a contributing cause? For example, vandalism or robbery might be part of an initiation. Yes or No.

IncidentHateCrime

Was the incident motivated by hate due to some characteristic or perceived characteristic of the victim? Yes or No.

IncidentAlcohol

Did the incident involve the use of alcohol; were the perpetrators using or under the influence of alcohol based on testing or investigation done by police; or was the incident somehow related to alcohol possession, sale or use? Yes or No.

IncidentDrugs

Did the incident involve the use of drugs; were the perpetrators using or under the influence of drugs based on testing or investigation done by police; or was the incident somehow related to drug possession, sale or use? Yes or No.

IncidentWeaponType

What was the type of weapon, if the incident involved a weapon?

- N - No Weapon
- U - Unknown Weapon

Firearms:

H - Handgun (includes zip guns and pistols)

R - Rifle or Shotgun

F - Other Firearm - As defined in 18 USC 921:

- 1) any weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive (includes a starter gun)

- 2) the frame or receiver of any weapon described above
- 3) any firearm muffler or firearm silencer
- 4) any destructive device (as listed below)
 - a) 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 one-quarter ounce
 - v) Mine
 - vi) Similar device
 - b) any weapon 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
 - c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

M - Multiple Firearms

Other Weapons:

K - Knife (blade longer than 2 inches)

O - Other Weapon (includes: toy guns, cap guns, BB guns, pellet guns, any with barrel that has a bore of less than one-half inch in diameter, or a knife with a blade of 2 inches or less)

Incident Value

Please indicate a quantifiable dollar loss amount for any party, if applicable.

Data Upload

The WDE636 is submitted to the WDE via the SRM. The SRM is used because it is secure. The SRM infrastructure allows school districts to submit data more effectively and efficiently. The Student Disciplinary Action file and the Disciplinary Incident file

State Report

Manager (SRM)

Each school district has one SRM contact person. This person knows the unique URL, username, and password. It will be necessary to work together to submit data.

must be saved in the Comma Separated Value (CSV) format prior to uploading. The Student Disciplinary Action file must be named “action.csv”. The Disciplinary Incident file must be named “incident.csv”. The district SRM user will upload these files into the SRM.

- Once logged-in to the secure SRM website, the user will click the on the orange “New Trial” button.
- In the next screen, click the “Browse” button and locate the two CSV files.
- Then click “Import” to upload the files.
- While the files are uploaded, the SRM checks the data for errors.
- The two files must be uploaded together.

Errors in Data

There are two levels of alerts within the SRM, Warnings and Errors. A Warning is a cautionary notification. Errors are fatal exceptions and the file cannot be submitted. The SRM provides these errors in an attempt to provide cleaner data to WDE and the school districts. Any errors must be corrected before the SRM will allow the user to send the file to WDE. The user must make corrections in their Student Information System, and in the CSV file, and upload a corrected version.

Send to WDE



Once all errors have been corrected and warnings have been reviewed, the user is ready to send the data to WDE. The “Send to WDE” button will turn blue. After clicking the “Send to WDE” button, the trial report page will list “**Report Sent to Report Authority**” as the Send Status. This is the confirmation that your data was delivered to WDE.

Downloading Data and Reports

The submitted files can be downloaded from the SRM. One copy should always be saved in a secure location for auditing purposes. These files may also prove useful to reconcile any questions that may arise with the Data Collection Steward. The reports are useful tools for sharing and analyzing.

The SRM has the ability to generate reports from the submitted data files. From the SRM main menu:

- Click on the “Sent Trial” link for the WDE636.
- Click on the “Reports” link on the right side of the window that corresponds with the Submitted data.
- All available reports are listed on the right side of the window. Click the desired report. There are five reports available. The first is a summary of SRM Errors and Warnings. There are also Student Disciplinary Action reports, with and without charts; and Discipline Incident reports, with and without charts. See Appendix D for more information.
- If your report is PDF format, it will open in a new browser window. Click “File” and “Save As” to save to your computer.
- If your report is MS Excel format, a dialog box will provide a choice to “Save” or “Open”.
- Please keep at least one copy of each report in a secure location.

Collection Schedule

Collection Window:
06/01/2010 - 07/02/2010

The WDE636 is due July 2, 2010.

It is highly recommended that each school district load data by Wednesday, June 30, 2010. This will ensure that data can be validated and Errors can be corrected before the due date.

School district personnel may upload data and submit files at any time on any day of the collection window.

Frequently Asked Questions

WHOM DO I CONTACT REGARDING CONTENT QUESTIONS?

Nathaniel Castellanos - 307-777-6391 or ncaste@educ.state.wy.us

IS STUDENT LEVEL DATA MANDATORY?

Yes. Student-level data is required by all school districts.

WHOM DO I CONTACT REGARDING SUBMISSION QUESTIONS OR PROBLEMS?

Leslie Zimmerschied – 307-777-8751 or lzimme@educ.state.wy.us

WHOM DO I CONTACT REGARDING USERNAME AND PASSWORDS FOR THE STATE REPORT MANAGER?

Your district's WISE Coordinator.

WHOM DO I CONTACT REGARDING THE WISE PROJECT AS A WHOLE?

Cassie Lallak – 307-777-3656 or clalla@educ.state.wy.us

WHOM DO I CONTACT IF I NEED A WISERID?

Your district's WISE Coordinator.

Appendix A: Statute on Suspensions and Expulsions

The following is an excerpt on the authority and procedure for suspension and expulsion taken from Wyoming Statute 21-4-305.

- (a) The board of trustees of any school district may delegate authority to disciplinarians chosen from the administrative and supervisory staff to suspend any student from school for a period not to exceed ten (10) school days. In addition, the board of trustees shall, subject to the case-by-case modification permitted by this subsection, require the district superintendent to expel from school for a period of one (1) year any student determined to possess, use, transfer, carry or sell a deadly weapon as defined under W.S. 6-1-104(a)(iv) within any school bus as defined by W.S. 31-7-102(a)(xl) or within the boundaries of real property used by the district primarily for the education of students in grades kindergarten through twelve (12). The superintendent with the approval of the board of trustees may modify the period of expulsion on a case-by-case basis based upon the circumstances of the violation. Upon a violation of this subsection and following notice and hearing requirements of this section, the superintendent shall notify the district attorney of the violation together with the specific act in violation of this subsection and the name of the student violating this subsection. Nothing in this subsection prohibits a district from providing educational services to the expelled student in an alternative setting.
- (b) The disciplinarian shall give the student to be suspended oral or written notice of the charges against him and an explanation of the evidence the authorities have. The disciplinarian shall give the student to be suspended an opportunity to be heard and to present his version of the charges against him. No student shall be removed from school without such notice and opportunity to be heard, except as provided by subsection (c) of this section.
- (c) The disciplinarian shall give the student to be suspended the opportunity to be heard as soon as practicable after the misconduct, unless the student's presence endangers persons or property, or threatens disruption of the academic process, in which case his immediate removal from school may be justified, but the opportunity to be heard shall follow as soon as practicable, and not later than seventy-two (72) hours after his removal, not counting Saturdays and Sundays. Written notice of suspension shall be sent to the student's parents, guardians or custodians within twenty-four (24) hours of the decision to conduct them.
- (d) The board of trustees of any school district or the superintendent if designated, may suspend a student for a period exceeding ten (10) school days or may expel a student for a period not to exceed one (1) year, provided the student is afforded an opportunity for a hearing in accordance with the procedures of the Wyoming Administrative Procedure Act [W.S. 16-3-101 through 16-3-115].
- (e) Suspension or expulsion shall not be imposed as an additional punishment for offenses punishable under the laws of the state, except for expulsion by a district superintendent under subsection (a) of this section, or where the offense was committed at a school function, against the property of the school, or is of such nature that continuation of the child in school would clearly be detrimental to the

education, welfare, safety or morals of other pupils. No suspension or expulsion shall be for longer than one (1) year.

- (f) Any decision of the board, or of a designated superintendent, shall be considered a final decision which may be appealed to the district court of the county in which the school district is located, pursuant to provisions of the Wyoming Administrative Procedure Act. The court may, on application or on its own motion, stay the decision of the board or superintendent pending appeal, considering both the best interests of the child and the need to maintain an orderly environment conducive to learning for other children.

Appendix B: Statute on Grounds for Suspension

The following is an excerpt on grounds for suspension and expulsion taken from Wyoming Statute 21-4-306.

- a. The following shall be grounds for suspension or expulsion of a child from a public school during the school year:
 - i. Continued willful disobedience or open defiance of the authority of school personnel;
 - ii. Willful destruction or defacing of school property during the school year or any recess or vacation;
 - iii. Any behavior which in the judgment of the local board of trustees is clearly detrimental to the education, welfare, safety or morals of other pupils, including the use of foul, profane or abusive language or habitually disruptive behavior as defined by subsection (b) of this section;
 - iv. Torturing, tormenting, or abusing a pupil or in any way maltreating a pupil or a teacher with physical violence;
 - v. Possession, use, transfer, carrying or selling a deadly weapon as defined under W.S. 6-1-104(a)(iv) within any school bus as defined by W.S. 31-7-102(a)(xl) or within the boundaries of real property used by the district primarily for the education of students in grades kindergarten through twelve (12).
- b. As used in paragraph (a) (iii) of this section, "habitually disruptive behavior" means overt behavior willfully initiated by a student causing disruption in the classroom, on school grounds, on school vehicles or at school activities or events, which requires the attention of a teacher or other school personnel.

Appendix C: Incident Type Codes

ALCOHOL (ALC) (liquor law violations; possession, use, sale)

This code includes the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or consumption of intoxicating alcoholic beverages or substances represented as alcohol. Incident includes being intoxicated at school, school-sponsored events, and on school-sponsored transportation. Consumption should be reported only if students are caught in the act of consuming, are tested during or after an arrest and found to be under the influence, or in the course of investigating an incident, found to have used alcohol.

NOTE: WHEN AN INCIDENT INVOLVES TWO OR MORE ALCOHOL OFFENSES, REPORT THE MOST SERIOUS.

ARSON (ARS) (setting a fire on/in school property)

This code defines arson as to unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

NOTE: WITHOUT A FIRE, FIRECRACKERS AND FIREWORKS SHOULD BE CODED AS DISRUPTIVE BEHAVIOR. INCIDENT DOES NOT INCLUDE A SIMPLE ACT OF LIGHTING A MATCH.

BATTERY (BAT) (physical attack/harm)

Battery is defined as touching or striking of another person against his or her will or intentionally using bodily harm to an individual. Incident includes an individual physically attacking or beating up another individual, an attack with a weapon (resulting in injury), or physically placing or mailing a bomb, regardless of whether the bomb explodes. Incident should be used when the attack is serious enough to warrant notifying law enforcement or security, or when serious bodily harm occurs.

Examples include, but are not limited to: Striking that causes bleeding, broken nose, kicking while a student is down.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

BREAKING & ENTERING/BURGLARY (BRK) (school building)

This code is defined as the unlawful entry or attempted entry into a building or other structure with the intent to commit a crime. It is not necessary that force be used in gaining entry; neither is it necessary that property loss occur.

Examples include, but are not limited to: Offender forces a door or uses a mechanical contrivance to unlawfully enter a school for the purpose of burglarizing.

NOTE: WHEN USING THIS CODE, RECORD THE VALUE OF ANY PROPERTY LOSS OR THE COST OF REPAIRING OR REPLACING ANY DAMAGED PROPERTY UNDER "INCIDENT VALUE" IN THE DISCIPLINE INCIDENT FILE.

DISORDERLY CONDUCT (DOC) (serious class or campus disruption)

Disorderly conduct is defined as any act which substantially disrupts the orderly conduct of a school function; behavior that substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. If the action results in a more serious incident, report the more severe incident code.

Examples include, but are not limited to: Serious instances of classroom or campus disruption, such as pulling the fire alarm, defiance of authority, disobeying or showing disrespect to others, using obscene or inappropriate language or gestures, and disruptive demonstrations.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

DRUGS (DRG) (illegal drug possession, sale, use/under the influence)

This incident code includes the unlawful use, cultivation, manufacture, distribution, sale, solicitation, purchase, possession, transportation, or importation of any controlled drug (e.g., Demerol, morphine) or narcotic substance, or any device used for preparing or using drugs or narcotics. Incident includes being under the influence of drugs at school, school-sponsored events, and on school-sponsored transportation. Incident also includes over-the-counter medications if abused by the student and does not include tobacco or alcohol. Use should be reported only if students are caught in the act of using, are tested during or after an arrest and found to be under the influence, or in the course of investigating an incident, found to have used controlled prescription drugs or narcotics. Use should be reported only if students are caught in the act of using, are tested and found by an officer to be under the influence during or after arrest or are discovered in the course of investigating an incident to have used drugs.

NOTE: WHEN AN INCIDENT INVOLVES TWO OR MORE DRUG OFFENSES, REPORT THE MOST SERIOUS.

FIGHTING (FIT) (mutual altercation)

This incident code defines fighting as mutual participation in an incident involving physical violence, where there is no one main offender and no major injury. Where serious injury occurs, the incident may be reported as "Battery" for all participants. Incident does not include verbal confrontations, tussles, or other minor confrontations.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

HOMICIDE (HOM) (killed on campus)

This incident code includes murder and non-negligent manslaughter, killing of one human being by another, including killing a person through negligence.

KIDNAPPING (KID) (abduction)

This incident code defines kidnapping as the unlawful seizure, transportation and/or detention of a person against his or her will, or of a minor without the consent of his or her custodial parent(s) or legal guardian. Incident includes hostage-taking.

LARCENY/THEFT (STL) (personal or school property, or from vehicle on school property)

This incident code defines Larceny and Theft as the unlawful taking, carrying, leading or riding away with property of another person without threat, violence or bodily harm. Incident includes pocket picking, purse or backpack snatching, theft from a building, theft from a motor vehicle or motor vehicle parts or accessories, theft of bicycles, theft from a machine or device which is operated or activated by the use of a coin or token and all other types of larcenies. The larceny/theft category should be used only when theft is serious enough to warrant notifying the law enforcement or bringing in security.

NOTE: WHEN USING THIS CODE, RECORD THE VALUE OF STOLEN ITEM(S) UNDER "INCIDENTVALUE" IN THE DISCIPLINE INCIDENT FILE.

MOTOR VEHICLE THEFT (MVT) (includes attempted)

This incident code includes the theft or attempted theft of a motor vehicle.

Examples include but are not limited to: Theft of car, truck, motorcycle, dune buggy, RV or other vehicle which is self-propelled.

NOTE: WHEN USING THIS CODE, RECORD THE VALUE OF STOLEN ITEM(S) UNDER "INCIDENTVALUE" IN THE DISCIPLINE INCIDENT FILE.

ROBBERY (ROB) (using force)

Robbery is defined as the taking of, or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances. Robbery includes force or threat of force, or violence and/or putting the victim in fear. A key difference between robbery and larceny is that a threat of physical harm or actual physical harm is involved in a robbery.

Example includes, but is not limited to: Extortion of lunch money.

NOTE: WHEN USING THIS CODE, RECORD THE VALUE OF TAKEN ITEM(S) UNDER "INCIDENTVALUE" IN THE DISCIPLINE INCIDENT FILE.

SEXUAL BATTERY (SXB) (includes attempted)

For this code, Sexual Battery is defined as oral, anal, or vaginal penetration forcibly or against a person's will or where the victim is incapable of giving consent because of his or her youth and/or mental incapacity. This incident includes rape, fondling,

indecent liberties, child molestation, and sodomy. These incidents are severe enough to warrant notifying law enforcement.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

SEXUAL HARASSMENT (SXH)

For this code, Sexual Harassment is defined as discrimination against a student in any course or program of study in any educational institution in the evaluation of academic achievement or in providing benefits, privileges, and placement services on the basis of that student's submission to or rejection of sexual advances or requests for sexual favors by administrators, staff, teachers, students, or other school board employees.

Sexual Harassment is also defined as to create or allow to exist an atmosphere of sexual harassment defined as deliberate, repeated and unsolicited physical actions, gestures, or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance, or creating an intimidating, hostile or offensive learning environment.

Examples include, but are not limited to:

- Leering; pinching; grabbing; suggestive comments, gestures or jokes
- Pressure to engage in sexual activity
- Writing obscene messages on paper, on black boards, or elsewhere on school property (e.g., on bathroom wall)
- Creating illustrations of a sexually explicit or vulgar nature
- Posting obscene messages on internet message boards, sending obscenities via internet chat rooms, instant messaging, or downloading or emailing obscene material
- Gestures that are offensive, socially unacceptable, or otherwise not suitable for an educational setting
- Suggestive, explicit, or vulgar language, cursing, or abusive language

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

SEX OFFENSES (SXO) (lewd behavior, indecent exposure)

This code defines Sex Offenses as sexual intercourse, sexual contact or other unlawful behavior intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. Incident includes indecent exposure (exposure of private body parts to the sight of another person in a public place) and obscenity (conduct which by community standards is deemed to corrupt public morals by its indecency and/or lewdness) such as phone calls or other communication; and unlawful manufacture, publishing, selling, buying or possessing materials, such as literature or photographs.

Examples include, but are not limited to: Entering or downloading pornographic content (words or pictures) onto school computers. Incident does not include mooning, kissing, swearing or profanity.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

THREAT/INTIMIDATION (TRE) (physical or verbal threat or intimidation)

This code defines a Threat or Intimidation as a 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. For the 2009-10 and 2010-11 school years, districts must report bullying and cyber bullying using this code. Expanded reporting of harassment, intimidation, or bullying in schools will be developed for the 2011-12 school year.

If an incident of bullying or cyber bullying occurs after hours and away from school, but is reported to the principal, does that need to go on the WDE636?

If the incident did not occur at school or at a school sponsored event (school bus included, and at a school bus stop when the bus is present) but it carries over into the regular school day causing substantial disruption in, or substantial interference with, the orderly operation of the school; or is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or group of students then it must be reported and the school now has jurisdiction to discipline the student. “A nexus must be established”.

Examples include, but are not limited to: A bomb threat, threats made over the telephone, and threats that someone else will beat them up.

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE.

TOBACCO (TBC) (possession, use, where applicable)

This code includes, where applicable, the possession, use, distribution, or sale of tobacco products at school, school-sponsored events, and on school-sponsored transportation.

TRESPASSING (TRS) (school property or school function)

This code defines Trespassing as to enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. Incident includes students under suspension or expulsion, and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.

VANDALISM (VAN) (destruction of school or personal property)

This code defines vandalism as the willful destruction or defacement of school or personal property. This incident includes graffiti.

Examples include, but are not limited to: Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.

NOTE: WHEN USING THIS CODE, RECORD THE COST OF REPAIRING OR REPLACING ANY DAMAGED PROPERTY UNDER "INCIDENT VALUE" IN THE DISCIPLINE INCIDENT FILE.

WEAPONS POSSESSION (WPO) (includes firearms and other weapons)

This code includes possession of firearms and other weapons.

Firearms: A firearm is any weapon which will, is designed, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any machine gun. Firearms fall into three types of classifications:

- a. Handgun - handgun or pistol;
- b. Shotgun/rifle;
- c. Other types of firearms.

As defined by the Gun-Free Schools Act, other firearms include: 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 any explosive; The frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; and Any destructive device, which includes any explosive, incendiary (e.g. bomb, grenade), or poison gas; Any weapon which will, or 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 Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Other Weapons: Violations include the possession, use or intention to use any instrument or object to inflict harm on or intimidate another person. Incident includes all types of knives (pocket and pen knives), chains (not being used for the purpose for which it was normally intended and capable of harming an individual), pipe of any length (not being used for the purpose it was normally intended), razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments (including pencils and pens), nun chucks, brass knuckles, Chinese stars, Billy clubs, tear gas gun, electrical weapons or devices (stun gun), BB or pellet guns, and explosives or propellants.

Examples include, but are not limited to: Any type of firearm, which might include toy guns if they are authentic replicas or are used in a threatening manner, firecrackers, fireworks, M80's, mace and pepper gas.

NOTE: IF A WEAPON IS USED IN THE COMMISSION OF ANOTHER OFFENSE (E.G., BATTERY, HOMICIDE) USE THAT INCIDENT CODE TO CAPTURE THE EVENT IN THE ACTION FILE.

MINOR OFFENSES (NRI)

This code is used for any minor incident resulting in disciplinary action not falling under any of the other incident classifications [including “Other Major Offenses / Unclassified (OMC)”]. Included, but not limited to, are littering, note passing, loitering, chewing gum, and spitting in halls. This might include toy guns if they are non-authentic replicas and are not used in a threatening manner.

NOTE: CONSIDERATION OF ALL OTHER INCIDENT CODES, INCLUDING “OTHER MAJOR OFFENSES / UNCLASSIFIED (OMC)” SHOULD BE COMPLETED PRIOR TO SELECTION OF THIS INCIDENT TYPE

NOTE: ADMINISTRATORS NEED TO CONSIDER AGE AND DEVELOPMENTALLY APPROPRIATE BEHAVIOR BEFORE USING THIS INCIDENT CODE

OTHER MAJOR OFFENSES / UNCLASSIFIED (OMC)

This code is use for any major incident resulting in disciplinary action not falling under any of the other incident classifications [including “Minor Offenses (NRI)”]. Included, but not limited to, are bribery, fraud, embezzlement, forgery, gambling, extortion/blackmail, possession of stolen property, and driving under the influence. Also included is the possession of district-defined contraband, such as electronic devices, blackberrys, beepers and/or cellular phones where not allowed (used in cheating on an exam, for example).

NOTE: CONSIDERATION OF ALL OTHER INCIDENT CODES, INCLUDING “MINOR OFFENSES (NRI)” SHOULD BE COMPLETED PRIOR TO SELECTION OF THIS INCIDENT TYPE

Appendix D: Downloadable Reports

The SRM creates reports for each collection once a trial has been run. There are five reports available to download from the SRM for the WDE636 data. It is important for each district to maintain a copy of the reports.

- Summary of SRM Errors and Warnings
- Student Disciplinary Action report, with charts
- Student Disciplinary Action report, without charts
- Discipline Incident report, with charts
- Discipline Incident report, without charts

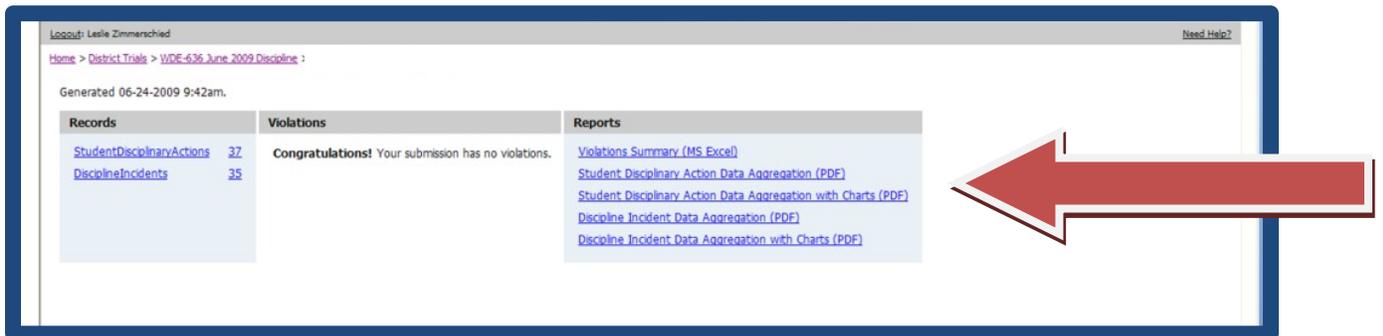


Figure 1: SRM Trial Index Page. Available downloadable reports are indicated with the red arrow.

How to save your reports:

- Within the SRM, click on the “Sent Trial” link for the WDE636.
- Click on the “Reports” link on the right side of the window that corresponds with the Submitted WDE636 data.
- All available reports are listed on the right side of the window. See Figure 1 above for reference.
- A dialog box will provide a choice to “Save” or “Open”.
- Click “Save” and select where you would like to save the file.
- Ensure your district’s key personnel have opportunities to review the reports.
- Please keep at least one copy of each report in a secure location.

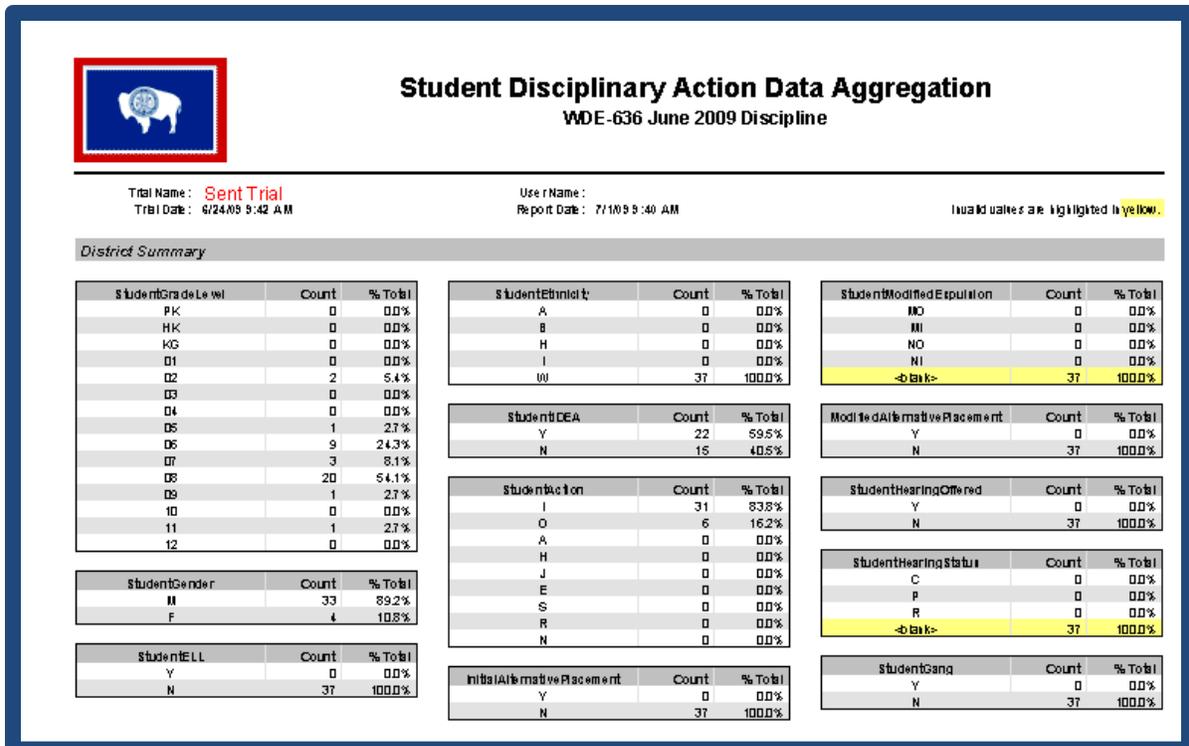


Figure 2: Sample Report, without charts

Figure 2 above shows a sample of the Student Disciplinary Action Data Aggregation report, without charts. This report summarizes the disciplinary action file at the district level, and then by school. Percentages are calculated by the SRM. Any blank or invalid values will be highlighted yellow.

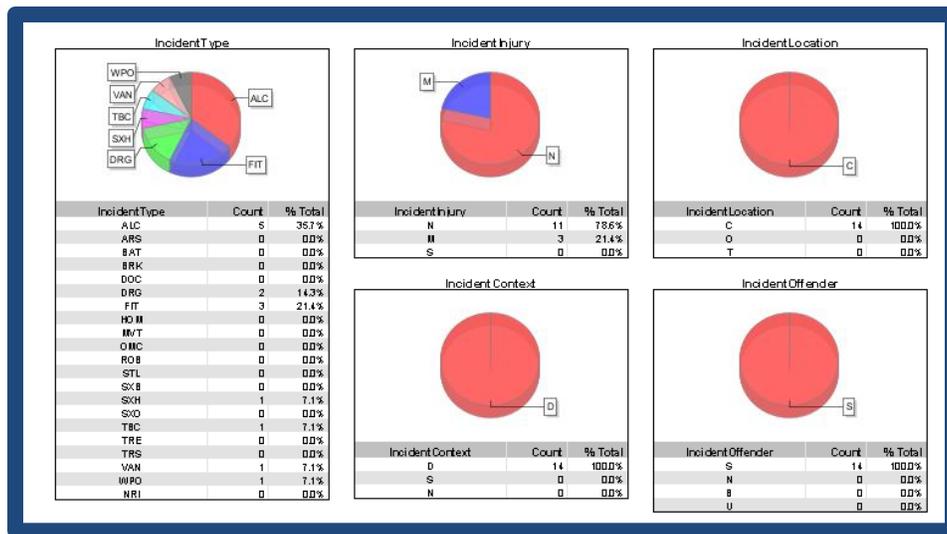


Figure 3: Sample Report, with charts

Figure 3 above shows a sample of the Incident Data Aggregation report, with Charts. This report summarizes the incident report at the district level, and also by school. Any invalid values will appear yellow on the charts.

Appendix E: Statute on Bullying and Cyberbullying

The Wyoming Safe School Climate Act, enacted as Wyoming Statute 21-4-311 in March of 2009, requires each school district to adopt a policy prohibiting harassment, intimidation, or bullying in school by December 31, 2009.

Each school district shall involve parents and guardians, school employees, volunteers, students, administrators and community representatives in the process of creating the policy. Policies created under this section shall be continuously reviewed and may be revised as necessary.

Districts will be obligated to report incidents which meet the definitions of the Safe School Climate Act on the WDE636 data collection. For the 2009-10 and 2010-11 school years, districts must report bullying and cyber bullying as a Threat/Intimidation (incident code TRE), physical or verbal threat or intimidation. Expanded reporting of harassment, intimidation, or bullying in schools will be developed for the 2011-12 school year.

W.S. 21-4-311 defines "Harassment, intimidation or bullying" as any intentional gesture, any intentional electronic communication, or any intentional written, verbal, or physical act that a reasonable person under the circumstances should know will have the effect of:

- (A) Harming a student physically or emotionally, damaging a student's property or placing a student in reasonable fear of personal harm or property damage;
- (B) Insulting or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
- (C) Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for a student or group of students.

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