

Discipline Data Guidance for LEAs

Colorado Department of Education (CDE)

Version: v1

Date: June 30, 2023

Table of Contents

- 1 Discipline Data Process Overview1
 - 1.1 Purpose 1
 - 1.2 How to Create & Format the Student Discipline Action File for the Student Discipline Snapshot1
 - 1.2.1 Creation of Student Discipline File1
 - 1.2.2 Format of Student Discipline File1
 - 1.3 How to Finalize Student Discipline Data2
 - 1.4 Student Discipline Incident Reporting4
 - 1.4.1 State Behavior Classification Considerations4
 - 1.4.2 State Behavior Codes4
 - 1.4.3 Civil Rights Data Collection (CRDC) Behavior Codes9

1 Discipline Data Process Overview

In accordance with Colorado state legislation (HB-22-1376) each public and charter school must collect student-level discipline data (i.e., discipline incident and subsequent action taken). To comply with HB-22-1376, the CDE developed the Discipline Interchange data process which includes all student-level discipline data (i.e., special education students' discipline data and general education students' discipline data). The process begins with schools capturing, tracking, and reporting student-level discipline data to their respective local education agencies (LEAs) who then submit it to the CDE. LEAs submit the discipline data via the Discipline Interchange and then create the Student Discipline Snapshot within the CDE's Data Pipeline application. Once the data is reviewed and deemed accurate, the LEAs will approve the data in Data Pipeline. After which, the CDE finalizes the discipline data so that it is usable for official reporting purposes.

Notes:

- The Student Discipline Snapshot now uses one source file, the Discipline Interchange file.
 - The Discipline Interchange file replaces and is updated from the 22-23 Special Education Discipline Action file.
- LEAs may contact schools for clarification about discipline data they submitted.
- Schools can request reports once the discipline data is finalized.

1.1 Purpose

This document is a how-to guide for LEAs.

1.2 How to Create & Format the Student Discipline Action File for the Student Discipline Snapshot

1.2.1 *Creation of Student Discipline File*

LEAs can create files by completing one of the following:

- Using a vendor system (if applicable).
- Producing the files manually using the Microsoft Excel Discipline file template which is available at <https://www.cde.state.co.us/datapipeline/disciplineinterchange>.

1.2.2 *Format of Student Discipline File*

Guidance for formatting student discipline file is as follows:

- File requirements—
 - Acceptable file extensions: csv; txt; xls; or xlsx
 - Acceptable field delimiters: ; , | ~
 - A header row in the first row of each CSV and Excel file
 - Leading zeros (0) for required fields (e.g., 01, 02 or 03 for gender)

- Do not—
 - Include non-numeric/non-letter characters (except underscore) in file names as they can cause problems because they have special system meanings. One example of a non-numeric/non-letter character NOT to include in a file name is #.
 - Include spaces in the file name.
 - Include any blank lines in a file.
 - Edit a text file with Excel; you may lose preceding zeros.

(Note: Save a copy of each file for reference.)

1.3 How to Finalize Student Discipline Data

This section describes the process to finalize Student Discipline data.

1. The school captures student-level discipline data.
2. The school records the discipline data in their student information system (SIS), discipline tracking system, or the appropriate discipline file template.
3. The school reports the discipline data to its LEA.
4. The LEA inputs the school-reported discipline data into the discipline file templates as needed.
5. The LEA combines discipline data from all schools in the district.
6. The LEA verifies the accuracy of the discipline data with the schools.
7. The LEA submits the discipline data via Discipline Interchange within the Data Pipeline application¹.
8. The LEA reviews the error report in the Data Pipeline application.
 - a. Submission contains errors, one of the following occurs:
 - i. The LEA contacts the school to correct the errors.
 - 1) The school corrects the data or informs the LEA of the corrections to make.
 - ii. The LEA reviews the errors.
 - 1) The LEA corrects the data.
 - iii. The LEA resubmits the file.
 - 1) Errors remain—
 - a) Return to step 8a.
 - 2) All errors resolved—
 - a) Proceed to step 7.
 - b. Submission does not contain errors:
 - i. Proceed to step 9.
 9. The LEA generates the Student Discipline Snapshot.
 10. The LEA reviews the Student Discipline Snapshot for errors.
 - a. Student Discipline Snapshot contains errors, one of the following occurs:
 - i. The LEA contacts the school to correct the errors.
 - 1) The school corrects the data or informs the LEA of the corrections to make.
 - ii. The LEA reviews the errors.
 - 1) The LEA corrects the data.
 - iii. The LEA resubmits the file.

¹ The CDE data system where LEAs submit student-level discipline data.

- 1) Errors remain—
 - a) Return to step 10a.
 - 2) All errors resolved—
 - a) Proceed to step 11.
 - b. Student Discipline Snapshot does not contain errors:
 - i. Proceed to step 11.
11. The LEA reviews the various data pipeline reports.
12. The LEA validates the discipline data submission against the reports.
- a. If the discipline data is inaccurate, one of the following occurs:
 - i. The LEA contacts the school to correct the data.
 - 1) The school corrects the data or informs the LEA of the corrections to make.
 - ii. The LEA reviews the reports.
 - 1) The LEA corrects the data.
 - iii. The LEA resubmits the file.
 - 1) Data remains inaccurate—
 - a) Return to step 12a.
 - 2) Data accurate—
 - a) Proceed to step 13.
 - b. Discipline data accurate:
 - i. Proceed to step 13.
13. The LEA finalizes discipline data.

1.4 Student Discipline Incident Reporting

1.4.1 State Behavior Classification Considerations

As required by HB22-1376, a stakeholder group was formed to inform processes that lead to consistent reporting of discipline incidents that result in exclusionary discipline or referrals to law enforcement. To aid LEAs in reporting discipline data and to better ensure consistency in reporting, it is important to consider the following:

1. LEAs use a variety of methods and student information systems to track discipline data. Therefore, LEAs are required to pull data from their systems and align it to the state system. Beginning in the school year 2023-24, per HB22-1376, CDE will collect student-level discipline and action taken data which includes Student IDs (SASIDs). This change will increase the consistency of the data collected as well as ease the data reporting burden for LEAs. LEAs should only report discipline incidents that result in either an exclusionary disciplinary action (warranting removal from the classroom or school setting) or referral to law enforcement. State statute defines these actions as: a) classroom suspension, b) in-school suspension, c) out-of-school suspension, d) expulsion, e) and other action taken (defined as “any other form of discipline, which shall be officially identified as part of board policy”). “Other action taken is intended to capture exclusionary discipline practices (e.g., incarceration, one-on-one counseling, etc.) not listed above.
2. The intention of the state discipline collection is not to serve as a mechanism for reporting all behaviors or code of conduct violations that occur within a school or district. Instead, the state discipline collection is intended to capture the students being excluded from the school setting due to disciplinary incidents. Exclusionary discipline should only be used as a last resort and is only appropriate when safety is a concern, a behavior has been repeated enough and/or escalated to the degree that it can be coded as one of the behaviors below.
3. Multiple code violations could be applicable to one discipline incident. LEAs should only report the most serious category that is applicable to that incident.
4. Low-level violations (e.g., dress code violations) that do not result in exclusionary discipline (2a-d above) should not be reported to the state.

1.4.2 State Behavior Codes

This section provides guidance to Colorado school districts and the Charter School Institute, referred to in this resource as Local Education Agencies (LEAs), on how to report discipline incidents and subsequent actions taken as required by C.R.S. 22-32-109.1(2)(b): Safe school reporting requirements. The CDE codes (1-16) referenced below, represent the reporting codes defined in state statute. Additional behavior codes from the Colorado Association of School Boards (CASB), CASB File JICDA - Code of Conduct, are also referenced to provide additional guidance for LEAs when determining the most appropriate behavior code to report to CDE as these behaviors are commonly included in school board policies as reasons for disciplinary action. Please note that individual CASB codes can exist in multiple CDE codes depending on the context, frequency, or context of the behavior incident.

| Behavior Code | Behavior Type | Behavior Definition | CASB File JICDA Code of Conduct |
|---------------|-------------------|--|--|
| 01 | Drug | Use, possession, or sale of a drug or controlled substance, other than marijuana, on school grounds, in a school vehicle, or at a school activity or sanctioned event. | 12. Violation of the Board's policy on student conduct involving drugs and alcohol. |
| 02 | Alcohol | Use or possession of alcohol on school grounds, in a school vehicle, or at a school activity or sanctioned event. | 12. Violation of the Board's policy on student conduct involving drugs and alcohol. |
| 03 | Tobacco | Use or possession of a tobacco product on school grounds, in a school vehicle, or at a school activity or sanctioned event. | 14. Violation of the Board's tobacco-free schools' policy. |
| 04 | 1st, 2nd Degree | Commission of an act on school grounds, in a school vehicle, or at a school activity or sanctioned event that, if committed by an adult, would be considered first degree assault, as described in section 18-3-202, C.R.S., second degree assault, as described in section 18-3-203, C.R.S., or vehicular assault, as described in section 18-3-205, C.R.S. | 9. Violation of criminal law which influences the district or on the general safety or welfare of students or staff. |
| 05 | Dangerous Weapons | Possessing a dangerous weapon on school grounds, in a school vehicle, or at a school activity or sanctioned event without the authorization of the school or the school district. | 11. Violation of the Board's policy on weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law. |
| 06 | Robbery | Commission of an act on school grounds, in a school vehicle, or at a school activity or sanctioned event that, if committed by an adult, would be considered robbery. | 2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property. 4. Commission of any act which if committed by an adult would be robbery or assault as defined by state law. |
| 07 | Other Felony | Commission of an act on school grounds, in a school vehicle, or at a school activity or sanctioned event that, if committed by an adult, would be considered a felony. | 2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property. 9. Violation of criminal law which influences the district or on the general safety or welfare of students or staff |
| 08 | Disobedience | Being willfully disobedient or openly and persistently defiant or repeatedly interfering with the school's ability to | 20. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or others. |

| | | | |
|----|----------------------|--|---|
| | | <p>provide educational opportunities to and a safe environment for other students.</p> <p><u>Clarification</u> <i>A student is disciplined (classroom removal, in-school suspension, out-of-school suspension, expulsion, referred to law enforcement, or other action taken) for repeated and/or persistent disruption that has escalated to a point School Discipline Behaviors February 2023 where it is detrimental to the learning and developmental needs of one or more students within their educational environment. Please note that low-level violations that do not result in exclusionary discipline practices, should not be reported to the state.</i></p> | <p>21. Lying or giving false information, either verbally or in writing, to a district employee.</p> <p>22. Engaging in scholastic dishonesty, which includes but is not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.</p> <p>25. Repeated interference with the district's ability to provide educational opportunities to other students.</p> <p>26. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the district staff.</p> |
| 09 | Detrimental Behavior | <p>Behavior on school grounds, in a school vehicle, or at a school activity or sanctioned event that is detrimental to the welfare or safety of other students or of school personnel, including but not limited to incidents of other behavior that creates a threat of physical harm to the student or to other students.</p> <p><u>Clarification</u> <i>An incident involving a school threat to the school building or school community or, a threat/intimidation to another student or staff member, or obscene behavior would be categorized in this behavior code. Bullying is no longer included in this category, as it is a new, separate category code (11). Please code to Bullying (11) if any of the CASB coded behaviors listed below meet the definition of bullying in that: 1) the behavior is intentional, 2) the behavior is repeated or likely to be repeated, and 3) there is an imbalance of power between the target and perpetrator of bullying.</i></p> | <p>5. Committing extortion, coercion, or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act using force or the threat of force.</p> <p>6. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, either orally or in writing or derogatory statements addressed publicly to an individual or a group that precipitate disruption of the district or school program or incite violence.</p> <p>7. Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.</p> <p>13. Violation of the Board's violent and aggressive behavior policy.</p> <p>16. Violation of the Board's policy on nondiscrimination.</p> <p>18. Violation of the Board's policy on gangs and gang-like activity.</p> |

| | | | |
|----|--------------------------------|--|---|
| | | | <p>19. Throwing objects, unless part of a supervised school activity, that can or do cause bodily injury or damage to property.</p> <p>23. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.</p> <p>24. Behavior on or off school property that is detrimental to the welfare or safety of other students or school personnel, including behavior that creates a threat of physical harm to the student exhibiting the behavior or to one or more other students.</p> |
| 10 | Destruction of School Property | Willful destruction or defacement of school property. | <p>1. Causing or attempting to cause damage to district property or stealing or attempting to steal district property.</p> <p>3. Willful destruction or defacing of district property.</p> |
| 11 | Bullying | <p>“Bullying” means any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or against whom federal and state laws prohibit discrimination upon any of the bases described in section 22-32-109(1)(II)(I). This definition is not intended to infringe upon any right guaranteed to any person by the first amendment to the United States constitution or to prevent the expression of any religious, political, or philosophical views.</p> <p><u>Clarification</u> <i>An incident is considered bullying if 1) the behavior is intentional, 2) the behavior is repeated or likely to be repeated, and 3) there is an imbalance of power between the</i></p> | <p>8. Violation of the Board's policy on bullying prevention and education.</p> <p>15. Violation of the Board's policies prohibiting sexual or other harassment.</p> |

| | | | |
|----|-----------------------|---|---|
| | | <p><i>target and perpetrator of bullying. Of note, harassment is considered a form of bullying and refers to bullying behavior that is based on a target’s status or membership in a protected class and is so severe and pervasive that it impacts a student’s ability to participate in the educational environment. Additionally, school bullying can occur in-person or online through the use of electronics, also known as cyberbullying. For more information about legislation related to bullying, bullying definitions, and best practices in bullying prevention, please reference Colorado’s Bullying Prevention and Education Best Practices and Model Policy.</i></p> | |
| 12 | Other Code of Conduct | <p>Other violations of the code of conduct and discipline resulted in documentation of the conduct in a student’s record.</p> <p><u>Clarification</u> <i>Use this category for any incident that violates local school board policy or regulations that are not captured in the CASB codes or state defined codes referenced in this document; AND also results in the exclusionary discipline of a School Discipline Behaviors February 2023 student (i.e., classroom removal, in-school suspension, out-of-school suspension, expelled, referred to law enforcement or other action taken).</i></p> | 10. Violation of any Board policy or regulations, or established school rules. |
| 13 | 3rd Degree | <p>Commission of an act on school grounds, in a school vehicle, or at a school activity or sanctioned event that, if committed by an adult, would be considered third degree assault, as described in section 18-3-204, C.R.S., or disorderly conduct, as described in section 18-9-106 (1) (d), C.R.S., but not disorderly conduct involving firearms or other deadly weapons, as described in section 18-9-106(1)(e) and ()(f), C.R.S.</p> | 9. Violation of criminal law which influences the district or on the general safety or welfare of students or staff |
| 14 | Marijuana | <p>The unlawful use, possession, or sale of marijuana on school grounds, in a school vehicle, or at a school activity or sanctioned event.</p> | 12. Violation of the Board's policy on student conduct involving drugs and alcohol. |
| 15 | Sexual Violence | <p>The number of acts of sexual violence on school grounds, in a school vehicle, or at</p> | 9. Violation of criminal law which influences the district or on the |

| | | | |
|----|------|---|--|
| | | a school activity or sanctioned event. “Sexual violence” means a physical sexual act perpetrated against a person’s will or where a person is incapable of giving consent. | general safety or welfare of students or staff. |
| 16 | Rape | Incidents of rape or attempted rape on school grounds, in a school vehicle, or at a school activity or sanctioned event. Rape refers to forced sexual intercourse (vaginal, anal, or oral penetration). This includes penetration from a foreign object. Both male and female students can be victims of rape. Rape is not defined as a physical attack or fight. | 9. Violation of criminal law which influences the district or on the general safety or welfare of students or staff. |

Table 1: Behavior Codes, Types, Statutes and CASB codes

1.4.3 Civil Rights Data Collection (CRDC) Behavior Codes

The U.S. Department of Education [ED] assists with the Civil Rights Data Collection (CRDC), formerly the Elementary and Secondary School Survey (E&S Survey), to collect data on key education and civil rights issues in our nation's public schools. The CRDC collects a variety of information including, student enrollment and educational programs and services, disaggregated by race/ethnicity, sex, limited English proficiency and disability. The CRDC is a longstanding and important aspect of the ED Office for Civil Rights overall strategy for administering and enforcing the civil rights statutes for which it is responsible. Information collected by the CRDC is also used by other ED offices as well as policymakers and researchers outside of ED.

The CDE pre-populates the CRDC data file with finalized data provided by LEAs. The behavior codes listed below are utilized for this purpose only and are not required for state reporting purposes.

| Behavior Code | Behavior Type | Behavior Definition |
|---------------|---|--|
| 17 | Threats of Physical Attack** | Includes displaying, brandishing, or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. |
| 18 | Allegations of harassment or bullying on the basis of sex** | An <u>allegation</u> is a claim or assertion that someone has done something wrong or illegal, typically made without proof. <u>Harassment or bullying on the basis of sex</u> includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student’s actual or perceived sex, including |

| | | |
|----|--|---|
| | | harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Binary, male, and female students can be victims of harassment or bullying on the basis of sex, and the harasser or bully and the victim can be of the same sex. Bullying on the basis of sex constitutes sexual harassment. |
| 19 | Allegations of harassment or bullying on the basis of race, color or national origin** | An <u>allegation</u> is a claim or assertion that someone has done something wrong or illegal, typically made without proof. <u>Harassment or bullying on the basis of race, color, or national origin</u> refers to intimidation or abusive behavior toward a student based on actual or perceived race, color or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Bullying on the basis of race, color, or national origin constitutes racial harassment. |
| 20 | Allegations of harassment or bullying on the basis of disability** | An <u>allegation</u> is a claim or assertion that someone has done something wrong or illegal, typically made without proof. <u>Harassment or bullying on the basis of disability</u> refers to intimidation or abusive behavior toward a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. on the basis of disability constitutes disability harassment. |
| 21 | Allegations of harassment or bullying on the basis of sexual orientation** | An <u>allegation</u> is a claim or assertion that someone has done something wrong or illegal, typically made without proof. <u>Harassment or bullying on the basis of sexual orientation</u> refers to intimidation or abusive behavior toward a student based on actual or perceived sexual orientation. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Bullying on the basis of sexual orientation constitutes sexual orientation harassment. |
| 22 | Allegations of harassment or bullying on the basis of religion** | An <u>allegation</u> is a claim or assertion that someone has done something wrong or illegal, typically made without proof. <u>Harassment or bullying on the basis of religion</u> refers to intimidation or abusive behavior toward a student based on actual or perceived religion. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, |

| | | |
|----|--|---|
| | | or conduct that is physically threatening, harmful or humiliating. Bullying on the basis of religion constitutes religious harassment. |
| 31 | Reported as Harassed or Bullied on the basis of Sex** | Includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student’s actual or perceived sex, including harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Binary, male, and female students can be victims of harassment or bullying on the basis of sex, and the harasser or bully and the victim can be of the same sex. Bullying on the basis of sex constitutes sexual harassment. |
| 32 | Reported as Harassed or Bullied on the basis of Race or Color or National Origin** | Refers to intimidation or abusive behavior toward a student based on actual or perceived race, color or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Bullying on the basis of race, color, or national origin constitutes racial harassment. |
| 33 | Reported as Harassed or Bullied on the basis of Disability** | Refers to intimidation or abusive behavior toward a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Bullying on the basis of disability constitutes disability harassment. |
| 41 | Disciplined for Bullying or Harassment on the basis of Sex** | Includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student’s actual or perceived sex, including harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal |

| | | |
|----|---|--|
| | | acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. Binary, male, and female students can be victims of harassment or bullying on the basis of sex, and the harasser or bully and the victim can be of the same sex. Bullying on the basis of sex constitutes sexual harassment. |
| 42 | Disciplined for Bullying or Harassment on the basis of Race or Color or National Origin** | Refers to intimidation or abusive behavior toward a student based on actual or perceived race, color or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of race, color, or national origin constitutes racial harassment. |
| 43 | Disciplined for Bullying or Harassment on the basis of Disability** | Refers to intimidation or abusive behavior toward a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of disability constitutes disability harassment. |

Table 2: CRDC Behavior Codes and Definitions