

## APPENDIX B – Behavior

(Used by Element R08 and R09)

### Disclaimer:

This document is for data reporting purposes only and should *not* be interpreted as guidance for deciding if or when any student should be excluded from a classroom or school in response to behavioral violations. This document is not intended for use in determining which behaviors warrant exclusion and which do not.

For information on discipline policies and procedures, please refer to [Chapter 392-400 WAC](#) and [OSPI's Student Discipline Rules Questions & Answers: A Technical Guide \(2019\)](#).

Once a district administers an exclusionary discipline action, it is important to ensure that the behavior type is reported accurately using the best description available for the behavior from the choices below.

Code	Behavior Type	Behavior Description
02	Tobacco	Possession, use, distribution or sale of tobacco products, including e-cigarettes or other vapor products, or the violation of school district tobacco policy.
03	Alcohol	Manufacturing, sale, purchase, transportation, possession, distribution, or consumption of intoxicating alcoholic beverages or substances represented as alcohol or the violation of district alcohol policy. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.
04	Illicit Drug (not marijuana)	Unlawful use, cultivation, manufacture, distribution, sale, solicitation, purchase, possession, transportation, or importation of any controlled drug or narcotic substance or violation of the district drug policy. Include the use, possession or distribution of any prescription or over-the-counter medication (e.g., aspirin, cough syrups, caffeine pills, nasal sprays).
05	Fighting <u>Without</u> Major Injury	<p>Mutual participation by two or more students in an incident involving physical violence, where there is no major injury. (Do not include verbal confrontations, tussles, or other minor confrontations).</p> <p>A major injury is when one or more students, school personnel, or other persons on school grounds require professional medical attention. Examples of major injuries include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.</p>

Code	Behavior Type	Behavior Description
06	Violence <u>Without</u> Major Injury	Any incident defined by school district policy as a violent offense that is without major injury, such as: <ul style="list-style-type: none"> <li>• Assault</li> <li>• Kidnapping</li> <li>• Sexual Assault</li> <li>• Robbery</li> </ul>
07	Violence With Major Injury	<p>A major injury is when one or more students, school personnel, or other persons on school grounds require professional medical attention. Examples of major injuries include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.</p> <p>Any incident defined by school district policy as a violent offense that includes a major injury, such as:</p> <ul style="list-style-type: none"> <li>• Severe fighting that results in a major injury</li> <li>• Assault</li> <li>• Homicide</li> <li>• Kidnapping</li> <li>• Sexual Assault</li> <li>• Robbery</li> </ul>
08	Possession of a Weapon	<p>Possessed or brought to school a weapon as defined below:</p> <ul style="list-style-type: none"> <li>• Handgun</li> <li>• Shotgun/Rifle</li> <li>• Multiple firearms</li> <li>• Other firearm as defined below</li> <li>• Other weapon as defined below</li> </ul> <p><u>Other firearm</u> is not a handgun, rifle, or shotgun and is defined by the Gun Free Schools Act as:</p> <ul style="list-style-type: none"> <li>• Any weapon (including, starter guns) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;</li> <li>• The frame or receiver of any such weapon;</li> <li>• Any firearm muffler or firearm silencers;</li> <li>• Any destructive device, which includes: <ol style="list-style-type: none"> <li>a) any explosive, incendiary, or poison gas (such as: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or similar device.</li> </ol> </li> </ul>

Code	Behavior Type	Behavior Description
		<p>b) any weapon (other than a shotgun or shotgun shell) 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.</p> <p>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.</p> <p>d) This The term “destructive device” shall not include any device which is neither designed or redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of section 4684 (2), 4685, or 4686 of title 10; or any other device which the Attorney General finds is not likely to be used as a weapon, is an antique or is a rifle which the owner intends to use solely for sporting, recreational or cultural purposes.</p> <p><u>Other weapon</u> is defined as: Anything used as a weapon that is not classified as a handgun, rifle/shotgun, knife/dagger, or other firearm. Examples include chains, pipes, razor blades or similar instruments with sharp cutting edges; ice picks, pointed instruments (pencils, pens); nunchucks; brass knuckles; stars; billy clubs; tear gas guns; electrical weapons (stun guns); BB or pellet guns; and explosives or propellants.</p>
09	Other behavior resulting in a corrective or disciplinary action	<p>Every attempt should be made to categorize a student’s behavior in the specific categories provided above as those categories are required for federal reporting.</p> <p>Use this behavior code for offenses and when codes 02-08 or 10-20 do not apply.</p>
10	Serious Bodily Injury	<p>An incident, specific to students eligible for special education services, that results in the serious bodily injury of another as defined in Section (1365(h)(3) of Title 18, U.S. Code, to mean a bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. [615(k)(7)(D)]</p>

Code	Behavior Type	Behavior Description
11	Marijuana	Unlawful use, cultivation, distribution, sale, solicitation, purchase, possession, or transportation of cannabis. Suspicion of being under the influence of cannabis may be included if it results in disciplinary action.
12	Failure to Cooperate	Repeated failure to comply with or follow reasonable, lawful directions or requests by teachers or staff. Includes behaviors that may be subject to local student conduct codes, such as: Disobedience, Defiance, Non-Compliance, Insubordination, Malicious Mischief, Possession of Prohibited Items (Contraband), Dress Code Violations
13	Disruptive Conduct	Conduct that materially and substantially interferes with the educational process.
14	Bullying	Intentional, unwanted, aggressive behavior that (1) involves a real or perceived power imbalance, and (2) is repeated, or has the potential to be repeated, over time. For behavior that does not meet both criteria (1) and (2), see other behavior codes: Discriminatory Harassment; Threat to Other; or Intimidation/Non-Sexual Harassment Harassment and Intimidation.
15	Sexual Harassment	Conduct or communication intended to be sexual in nature, is unwelcome by the targeted person(s) and has the potential to deny or limit another student(s) ability to participate in or benefit from a school's education program
16	Discriminatory Harassment	Conduct or communication that (1) is intended to be harmful, humiliating, or physically threatening, and (2) shows hostility toward a person or persons based on their real or perceived sex, race, creed, religion, color, national origin, sexual orientation, gender identity, gender expression, veteran or military status, disability, or use of a trained dog guide or service animal. For behavior that does not meet both criteria (1) and (2), see other behavior codes: Bullying; Threat to Other; or Intimidation/Non-Sexual Harassment.
17	Destruction of Property/ Vandalism	Intentional damage of school property or the property of others.
18	Sexually Inappropriate Conduct	Obscene acts or expressions, whether verbal or non-verbal. Includes behaviors that may be subject to local student conduct codes, such as: Public Display of Affection, Lewd Conduct, or Indecent Exposure.
19	Theft or Possession of Stolen Property	Taking or knowingly being in possession of district property or property of others without permission.

Code	Behavior Type	Behavior Description
20	Academic Dishonesty/ Plagiarism	Knowingly submitting the work of others represented as the student's own or assisting another student in doing so, or using unauthorized sources.
21	Multiple Minor Accumulated Incidents	Discipline for culmination of multiple minor infractions that both occurred throughout the school year and individually would not typically rise to the severity of meriting a short-term suspension.
22	Intimidation/ Non-Sexual Harassment	Behavior that includes non-violent/non-sexual offensive contact with another person, publicly insulting another person with abusive words or gestures, subjecting another person to alarm by conveying a false report that the student knows to be false, or use of electronic or telephonic means to convey false or embarrassing information about another person. (Note: if the behavior meets the definition of Bullying or Discriminatory Harassment, then the Code 14 or 16 should be entered in Element R08)
23	Threat to Other	Spoken, written or electronic statements or actions conveying the malicious intent of causing physical injury to another person or group of people. (Note: if the behavior meets the definition of Bullying or Discriminatory Harassment, then the Code 14 or 16 should be entered in Element R08)
24	Arson	Causing a fire or explosion in order to injure another person or to damage or destroy property.