

APPENDIX VI – 14

Thursday, October 20, 2016

Dear Principals,

This letter is intended to further clarify the FAQ response at the front of the GSRR about “free fights.” This letter will provide you with information regarding how you and other site administrators should be handling incidents that, in layman’s terms, could be called a “fight” including minor aggressive acts, fighting, and assaults. The GSRR defines each incident type, but they are also distinguishable by various characteristics including severity, degree, age, and potential threats to student or staff safety. The purpose of this letter is to clarify appropriate responses and consequences to these specific violations.

Minor aggressive acts: “Intentional, non-serious, inappropriate physical contact such as, but not limited to: hitting, poking, pulling, pushing, tripping, pulling a chair out from underneath someone, or other behaviors that demonstrate low level hostile conduct.” <i>GSRR, p. 25.</i>	
Key characteristics	Low-level of hostility; intent to inflict injury is minimal.
Appropriate response	First, apply the investigation protocols on page 2. Non-exclusionary measures including restorative conference/circle, as outlined in the GSRR. Subsequent offenses will continue as Level 2 violations, subject to potential elevation pursuant to the GSRR.

Fighting: “mutual participation in any form of physical altercation or aggression.” <i>GSRR, p. 25.</i>	
Key characteristics	Hostility and intent to inflict injury exists; physical or aggressive exchange between two or more students (mutual); often requires investigations and student/parent meetings.
Appropriate response	First, apply the investigation protocols on page 2. Conduct that meets the definition of and has the key characteristics of “fighting” shall be treated as a Level 3 violation under the GSRR. Conduct that meets both the definition of “assault” and the definition of “fighting” and has the key characteristics of the offense of “assault” should be responded to as provided below under “Assault: Appropriate Response.”

Assault: “intentionally, knowingly or recklessly causing any physical injury to another person; or intentionally placing another person in reasonable apprehension of imminent physical injury; or knowingly touching another person with the intent to injure, insult or provoke such person.” <i>GSRR, page 25.</i>	
Key characteristics	High-level of hostility; intent to inflict injury is prevalent; action by one student against another (unilateral)
Appropriate response	First, apply the investigation protocols on page 2. Conduct that meets both the definition of “assault” and the definition of “fighting” and has the key characteristics of the offense of “assault” will result in a three-day out of school suspension followed by a one-day in-school intervention in order to mediate and restore the students back into the school community in order to protect student safety (or other response as outlined in the GSRR). All other instances of “assault” will be treated as a Level 4 offense.

Physical violence on campus creates a corrosive effect on maintaining a safe and secure learning environment for our students and as the site leader you can and should take whatever steps are necessary to protect safety. Exclusionary discipline is not the only approach to protect student safety. Interventions and non-exclusionary measures may also be effective and therefore please continue to use alternatives to suspension and other interventions where possible. For example, in SY 2015-16, you successfully utilized 913 abeyance contracts as a positive alternative to suspending students out of school, saving 16,098 days for students. Preliminary data indicates that you are not automatically categorizing all types of physical aggression as “fighting” and are using your professional judgment to assess each incident individually and apply the appropriate response. Please continue to do so.

Further Guidance

Investigation Protocols: When a physical altercation is reported, the first step is to secure the safety of the students involved in the confrontation. The second step is to make attempts to bring order back to the affected part of the school where the altercation occurred. Generally speaking, the students in question are escorted to the office and if multiple students are involved, they are separated and kept under supervision. Any crowds that have developed must be dispersed and if necessary staff members are tasked with increasing the level of supervision to ensure additional incidents do not arise. The parents of the students involved in the altercation are contacted and usually asked to come to the school. The administrator will share the preliminary facts, report out on the condition of their student, and inform them whether law enforcement has been contacted.

Data Entry: Administrators should ensure that all fields and areas are complete when entering incident information into the incident portal on the student information system. This will act as documentation of who was involved in the incident, what occurred, when and where it happened, and why the discipline consequence provided was justified. The most important sections of this report are (1) the incident description and (2) a detailed explanation what occurred and include the reasons for the discipline provided. Should the incident involve a threat to safety or be part of an ongoing/escalating situation, it must be made clear in the description. If the incident involves mutually assaultive behavior (fits the definition of both “Fighting” and “Assault”), enter both violations into Synergy.

We are committed to working with our students, staff, and parents to create safe schools, where students are taught to address their issues through non-violent means. If you have any questions or concerns, you may contact your leadership office and we will be happy to assist you.

Sincerely,

Abel Morado, Ed.D.

Assistant Superintendent, Secondary Leadership