

RSU 16 Report of Dangerous Student Procedure

This procedure describes the process to address reported incidents of dangerous behavior that is directed against school staff by students on school grounds or at school activities, in accordance with 20-A M.R.S.A. § 6555. Any report of dangerous behavior by a student that is not directed against school staff should be reported directly to the building principal/designee to be addressed through applicable student conduct policies/procedures.

For the purpose of this procedure, “dangerous behavior” means student behavior directed at school staff on school grounds or at school activities when the behavior harms or presents a risk of harm to school staff.

For the purpose of this procedure, “assigned public school employee” means a public school employee chosen by the local president of the bargaining unit of the staff member allegedly subjected to the dangerous behavior.

Reports can be submitted by a teacher or staff member with first-hand knowledge of the incident, or by someone (usually a bargaining unit representative) assisting the school staff member who has first-hand knowledge of the incident.

Step One: All reports of dangerous behavior by students addressed by this procedure must be submitted in writing on the attached form. The person completing the report must either have first-hand knowledge of the incident or be assisting a person with first-hand knowledge of the incident. Anonymous reports shall not be addressed through this process, but the building principal/designee has the discretion to follow up on anonymous reports, based on the specific circumstances.

Step Two: If it is determined that the report should be addressed under this procedure, the building principal/designee shall contact the superintendent as well as local president(s) of the bargaining unit for the staff member allegedly harmed or threatened by the student behavior, but shall not disclose personally identifiable information about the student. The local president shall appoint a public school employee to review the reported incident with the building principal. The assigned public school employee may not be the staff member who is the subject of the report.

Step Three: The building principal/designee shall meet with the assigned public school employee to review the written report of the alleged dangerous behavior and to discuss possible avenues to be pursued by the building principal investigating the report. This review shall not include consideration of the student’s educational record. If any personally identifiable information about the student must be disclosed to the assigned public school employee, the employee must keep that information confidential.

Step Four: The building principal/designee shall undertake an investigation, as they deem appropriate in light of applicable law and policies, of the alleged dangerous behavior, which shall include interviewing the staff member subjected to the behavior being investigated, interviewing the student involved, interviewing any witnesses with first-hand knowledge of the incident, and considering any other evidence relevant to the allegation.

Step Five: Following the principal’s investigation into the incident, the building principal/ designee shall meet with the assigned public school employee to review the findings. If any personally identifiable information about the student must be disclosed to the assigned public school employee, the employee must keep that information confidential.

Step Six: After the investigation, if the building principal determines that the alleged dangerous behavior did not occur, or did not constitute “dangerous behavior” as defined by this procedure, they shall notify in writing both the staff member who was the subject of the report and the assigned public school employee that the report was not substantiated. If further action regarding the behavior at issue is otherwise warranted, the building principal will determine the appropriate steps to follow under applicable policies/procedures.

Step Seven: If the building principal determines that the student engaged in dangerous behavior covered by this procedure, the building principal shall develop an individualized response plan intended to avoid future dangerous behavior by the student. The building principal shall consult with the staff member who was subjected to the dangerous behavior for their input and opinion on what should be included in the individualized response plan. The building principal makes the final determination on the content of that plan.

An individualized response plan may include, but is not limited to, the following:

1. Appropriate discipline consistent with the student code of conduct and/or other applicable policies, with consideration of interventions that could minimize the necessity of suspension and/or expulsion;
2. Providing counseling and guidance services;
3. Use of positive behavioral interventions designed to address the consequences of possible trauma and supports and training for students and staff members;
4. Restorative practices;
5. Training for employees who interact with the student; and
6. Providing adequate staffing and professional development necessary to implement the plan.

If the dangerous behavior was committed by a student with a disability, or a student in a disability referral process, the building principal must consult with the Director of Special Education to ensure that the individualized response plan does not in any manner violate state and federal special education or other disability laws and is fully consistent with the student’s IEP, 504 plan, and/or educational placement. The building principal and the Director of Special Education may also determine whether the dangerous behavior should be referred to the student’s IEP or 504 team.

Step Eight: Upon completion of the individualized response plan, the building principal shall notify in writing the staff member who was subject to the dangerous behavior that the behavior was substantiated and that an individualized response plan has been developed for the student in question. Details of the individualized response plan may be shared with the staff member to the extent that the staff member is affected by its terms.

Legal Reference: 20-A M.R.S.A. § 6555

REPORT OF DANGEROUS STUDENT BEHAVIOR DIRECTED AGAINST SCHOOL STAFF

“Dangerous behavior” means student behavior directed at school staff on school grounds or at school activities when the behavior harms or presents a risk of harm to school staff. Any report of dangerous behavior by a student that is not directed against school staff should be reported directly to the building principal/designee to be addressed through applicable student conduct policies/procedures.

1. Name of Reporter: _____ Date of Report: _____

Please note: This form must be completed by a person with first-hand knowledge of the dangerous behavior directed against school staff, or by a person assisting the person with first-hand knowledge of the dangerous behavior.

- a. If the person filling out this form is assisting someone who has first-hand knowledge, provide the name of the person with first-hand knowledge: _____

2. Information About the Incident

- a. Name of school staff member(s) whom dangerous behavior was directed against:

- b. Date and time it occurred: _____

- c. Location (be specific): _____

- d. Brief description: (including any injuries or property damage):

- e. Other witnesses (if any): _____

PLEASE PUT THIS REPORT IN A **SEALED ENVELOPE** FOR SECURITY, AND DELIVER TO THE BUILDING PRINCIPAL. YOU WILL BE CONTACTED AFTER THE REPORT HAS BEEN ASSESSED.

For administrative use

Date the report was received by the principal: _____