



Volusia County Schools, Florida Internal Audit Report: Student Discipline

March 6, 2024



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TRANSMITTAL LETTER

March 6, 2024

The Audit Committee of
The School Board of Volusia County, Florida
200 N. Clara Avenue
DeLand, FL 32720

Pursuant to the Volusia County Schools' ("VCS," "District") approved internal audit plan for fiscal year ("FY") 2023-24, we hereby present our Internal Audit Report of Student Discipline. Our report is organized in the following sections:

Executive Summary	This provides a high-level overview and summary of the observations noted in our internal audit of the student discipline processes.
Background	This provides an overview of the student discipline processes, as well as relevant background information.
Objectives and Approach	The internal audit objectives are expanded upon in this section, as well as a review of the various phases of our approach.
Observations Matrix	This section includes a description of the observations noted during our internal audit and recommended actions, as well as Management's response, including the responsible party, and estimated completion date.
Appendix	This section provides additional supplemental information relevant to the internal audit.

We would like to thank the staff and all those involved in assisting our firm with this internal audit.

Respectfully Submitted,

RSM US LLP

RSM US LLP

EXECUTIVE SUMMARY

Background

Serving over 61,400 students and employing over 7,600 teachers and staff, Volusia County is the 14th largest school district in the State of Florida. At the forefront of the District’s priorities is to maintain a welcoming, safe, and positive environment fostering learning, creativity, and academic success. A crucial component in the maintenance of this successful learning environment is student behavior and application of disciplinary consequences. Effective student discipline procedures promote an atmosphere of respectful behavior and encourage a positive learning environment.

While behavioral violations are observed and documented at the school level by teachers and administrators, discipline management and behavioral oversight is performed by the Student Services Department. Violations are documented by the teacher, principal, or bus supervisor through a discipline referral form which is then entered into its student information system (“SIS”) software, Focus. Violations to the Code of Student Conduct and Discipline is categorized and monitored at both the District and State of Florida levels. Additionally, the Code of Student Conduct and Discipline provides guidelines on how to administer appropriate disciplinary consequences and developmental action.

For each student behavior violation, behavior codes are assigned which categorize the type of behavior(s) exhibited in the violation. Rule 6A-1.0017, F.A.C. established School Environment Safety Incident Reporting (“SESIR”). All violations categorized as SESIR are reported to the Florida Department of Education (“FLDOE”).

To account for student behaviors that may violate the School Board Policy 507, School Board Policy 509 and School Board Policy 525 (collectively, “Student Discipline Policies”) but do not qualify as a SESIR-defined behavior, Rule 6A-1.0017, F.A.C. allows districts to categorize the behavior as a “locally-defined” behavior, provided each locally-defined category is not used in lieu of a SESIR-defined behavior.

Overall Summary / Highlights

Internal audits provide insight into an organization’s culture, policies, and procedures and aids the board and management with oversight by verifying internal controls such as operating effectiveness, risk mitigation, and compliance with relevant laws/regulations/policies. The observations detailed in the pages that follow represent only the instances where exceptions were noted, and do not detail the instances where testing resulted in no reportable observations.

The observations identified during our internal audit are detailed in the pages that follow. For each observation, we discuss the relevant risks, which may include financial, operational, and/or compliance, as well as public perception or ‘brand’ risks. We further provide recommendations and best-practice guidance for the District.

Objectives and Scope

The primary objective of our internal audit of Student Discipline was to evaluate the District and the Schools’ compliance with the Student Discipline Policies and State Statute. The scope of our work included the following:

- Determined compliance with policy, regulations, and procedures as it pertains to student discipline;
- Evaluated whether student discipline-related reporting is accurate and timely submitted, based on the requirements described in Florida DOE Rule 6A-1.0017 School Environmental Safety Incident Reporting (SESIR);
- Evaluated the effectiveness of internal controls;
- Evaluated the reporting structure and employee roles for the student discipline process; and
- Performed data analytics to benchmark student discipline metrics to comparable school districts.

We conducted interviews and walkthroughs with key District stakeholders to obtain an understanding of the District’s current operating policies and procedures, administration, and monitoring functions as they relate to the student discipline processes within our scope. Our fieldwork testing was conducted using sampling and other auditing techniques to meet our audit objectives outlined above.

At the conclusion of our audit, we summarized our findings into this written report and conducted exit conferences with District management and senior leadership. The District performed internal vetting of our results and facilitated internal discussion from February, 2024 through April, 2024.

The audit period was August 2022 through June 2023.

Fieldwork was performed September 2023 through January 2024.

We would like to thank all District team members who assisted us throughout this internal audit.

Summary of Observation Ratings (See page 3 for risk rating definitions)

	High	Moderate	Low
Student Discipline	3	2	-

EXECUTIVE SUMMARY (CONTINUED)

Observations Summary

Below is a summary listing of the observations that were identified during this internal audit. Detailed observations are included in the observation matrix section of the report.

Summary of Observations	
Observations	Rating
1. Student Discipline Policy Non-Compliance	High
2. Retention of Discipline Documentation	High
3. Accuracy and Completeness of Discipline Documentation	High
4. Standard Operating Procedures	Moderate
5. Formalized Monitoring Processes	Moderate
Process Improvements	
1. Discipline Structure and Governance	

Provided below are the observation risk rating definitions for the detailed observations.

Observation Risk Rating Definitions	
Rating	Explanation
Low	Observation presents a low risk (i.e., impact on financial statements, internal control environment, brand, or business operations) to the organization for the topic reviewed and/or is of low importance to business success/achievement of goals.
Moderate	Observation presents a moderate risk (i.e., impact on financial statements, internal control environment, brand, or business operations) to the organization for the topic reviewed and/or is of moderate importance to business success/achievement of goals. Action should be in the near term.
High	Observation presents a high risk (i.e., impact on financial statements, internal control environment, brand, or business operations) to the organization for the topic reviewed and/or is of high importance to business success/achievement of goals. Action should be taken immediately.

BACKGROUND

Overview

To create a positive and dedicated environment conducive to learning, student discipline is intended to address schoolwide, classroom, and individual student needs through broad prevention, targeted intervention, and development of self-discipline. School districts across the country are reporting increased behavioral violations, prompting discussions aimed at identifying underlying factors and crafting effective solutions. As a result, discussions to identify the contributing factors and solutions for violation management are being generated by parents, faculty, and school boards alike. Districts are tasked with the responsibility of addressing these behavioral violations and mitigating the risk of future behavior violations. The District's primary guidance in managing behavioral violations is its Code of Student Conduct and Discipline, which was most recently revised on September 26, 2023, School Board Policy 507 – Non-Discrimination and Educational Equity, School Board Policy 509 – Prohibition of Harassment, and School Board Policy 525 – Policy Against Bullying and Harassment (collectively, "Student Discipline Policies"). Contained within the entirety of the Student Discipline Policies are definitions of behavioral violations, categories for severity of offense, rights and responsibilities for students and parents, and disciplinary consequence procedures which provide the standard for disciplinary consequence requirements.

Roles and Responsibilities

Per our review of the Student Discipline Policies and discussion with various staff members, we have outlined our understanding of the current roles and responsibilities of primary stakeholders as it pertains to student discipline.

Schools

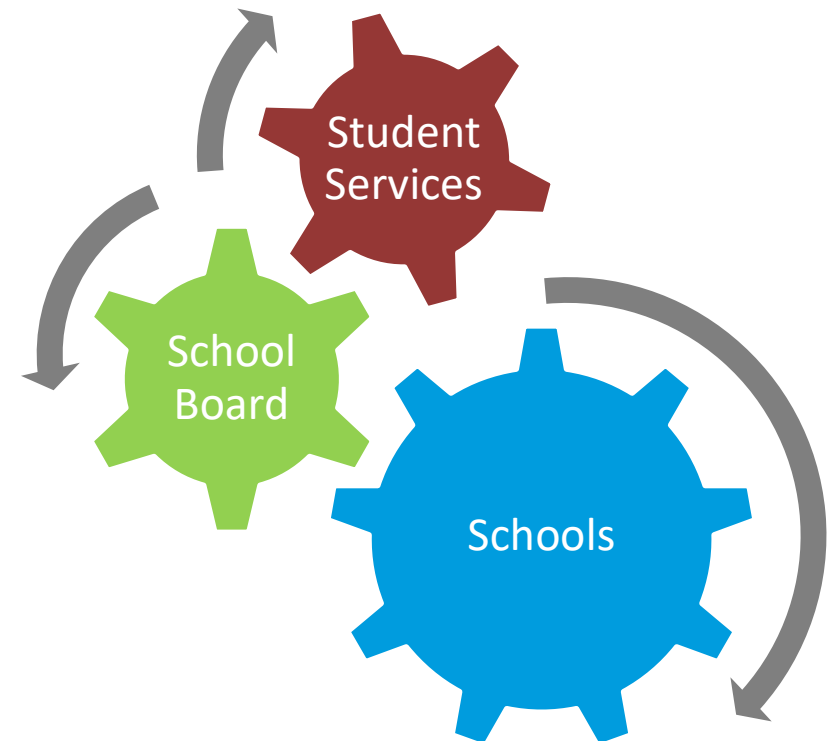
- School staff document and report behavioral violations for referral.
- The school administrator reviews the referral and investigates as needed, assigns appropriate disciplinary consequence, and documents any additional information in the student information system, Focus.
- The principal is ultimately responsible for disciplinary consequence assigned.
- Other designated school personnel may assist with a review of student records, assessments, and investigations to determine compliance with VCS discipline policies and IDEA prior to the issuance of disciplinary consequences.

Student Services

- Administer Student Discipline Policies and Procedures.
- Provides training and resources to school staff.
- Monitors ongoing behavior violations and provide consultation to schools on an ad hoc basis.
- Supports investigations including ESE, Threat Assessment, Title IX, and Bullying.
- Review, process, and approve expulsion recommendations and supporting documentation.

School Board

- Determines the overall district-wide discipline policies that align with Federal and State regulatory guidance.
- Retains sole legal authority to expel a student. The School Board may accept, reject, or request an amendment to the Superintendent's recommendation.



BACKGROUND (CONTINUED)

Roles and Responsibilities (Continued)

A variety of additional stakeholders perform supplemental roles in the student behavior and discipline processes, including:

Superintendent

- Responsible for implementing and overseeing overall district-wide discipline policies that align with federal and state regulatory guidance, as directed by the Board.

Information Technology Services

- Responsible for the operation and stability of Focus and the submission of FLDOE reports.

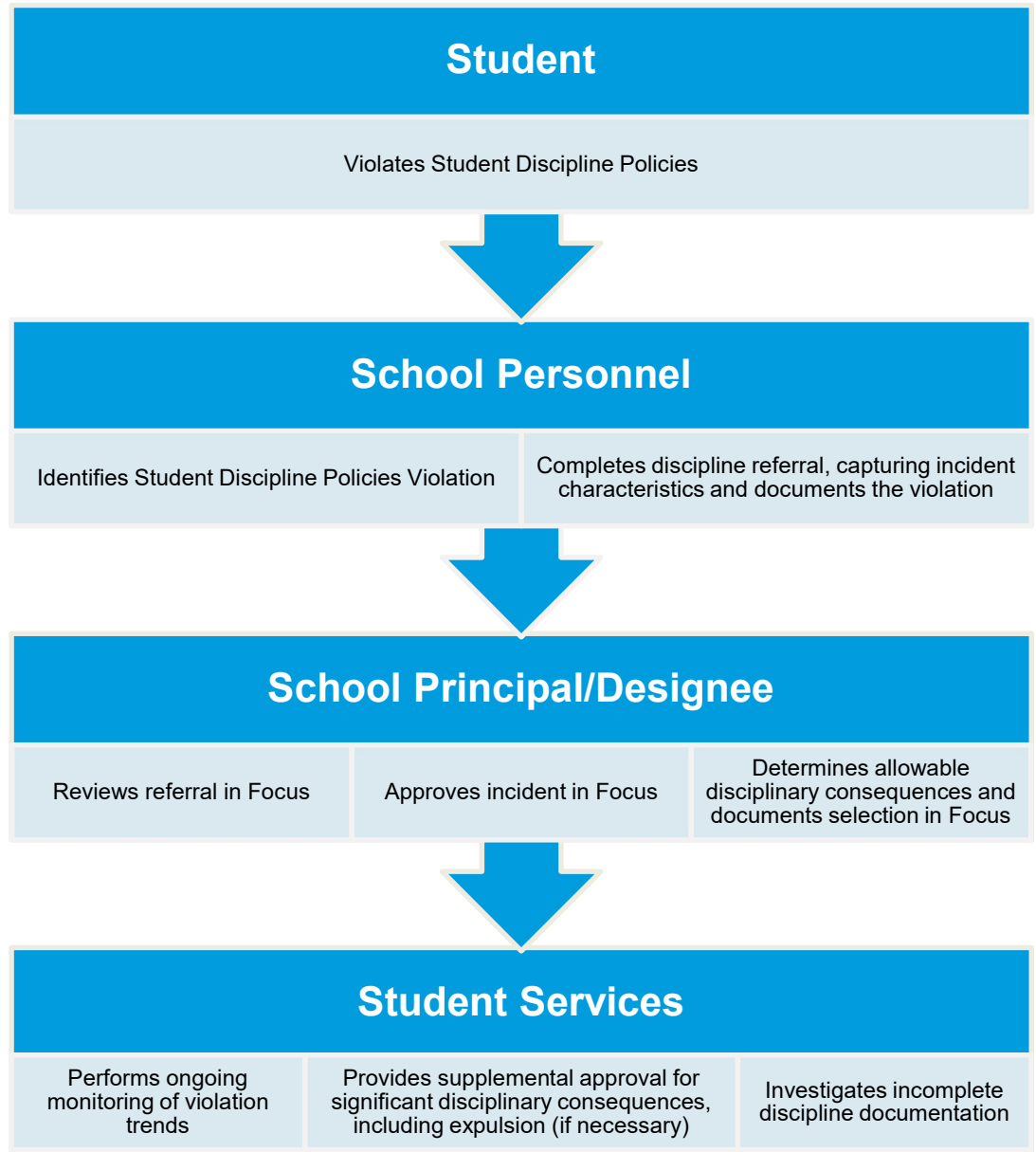
Safety and Security

- Responsible for the overall safety of students and staff at VCS.
- School Resource Officers are assigned at most school locations to assist staff with student behavior violations, as necessary.

Behavior Violation and Referral Documentation

When a student’s behavior violates the Student Discipline Policies, this is known as a “behavioral violation.” When a behavior violation occurs, a referral is reported. The process of reporting a referral is generally initiated by either the teacher, bus driver, or administrator who witnesses the violation, with the referral completed and formally documented within Focus. This electronic entry is supported by a paper document that serves to notify the parents or guardians of the referral. The employee who reports the referral is responsible for documenting the violation in sufficient detail so that all parties involved (including school administrators and parents/guardians) may understand what transpired.

Once entered into Focus, the school principal or designee reviews all referral entries in Focus and assigns the appropriate behavior violation code(s) and disciplinary consequence(s), which are defined within the Student Discipline Policies. Each school is responsible for ensuring that all referral data is entered into Focus completely, accurately, and timely. The current reporting and documentation process is displayed in the chart to the right.



BACKGROUND (CONTINUED)

School Environment Safety Incident Reporting (“SESIR”)

Violations of the Student Discipline Policies are categorized based on the nature of the offense and the type of behavior(s) exhibited in the violation. In the State of Florida, public schools utilize two (2) student behavior coding systems to track, monitor, and report violations to Code of Student Conduct and Discipline: School Environment Safety Incident Reporting (“SESIR”), and locally-defined incident reporting.

Rule 6A-1.0017, F.A.C. established SESIR, an incident-based reporting system that requires specific behavioral violations to be reported to the Florida Department of Education (“FLDOE”). The Rule states that the purpose of the SESIR system is to provide data for required state and federal reports and to design and evaluate interventions to provide a safe learning environment.

Only specific behavior codes that are defined by SESIR are required to be reported to the FLDOE through the SESIR system. When a SESIR behavior code is assigned to a referral, additional details of the violation are required, including, but not limited to, the potential underlying cause and whether injury to other students resulted from the violation.

- SESIR established 26 behavior codes that are required to be reported to FLDOE. When a violation involves more than one behavior code, only the most severe behavior code level is reported. If multiple individuals were involved in the violation, this would still be reported as a single violation.
- For violent incidents, defined in Rule 6A-1.0017, F.A.C., SESIR reporting requires each reported violation to identify whether an injury occurred because of the violation, known as the “Injury-Related Element.” The District is also required to disclose whether any other elements may have influenced the onset of the incident, known as “Related Elements,” which may include alcohol, bullying, drugs, gang activity, hate crime, hazing, vaping, and weapons.

SESIR Reporting Changes

On December 14, 2022, the FLDOE approved changes to SESIR behavior code classifications and definitions (Rule 6A-1.0017) that became effective on January 17, 2023. These changes were intended to assist schools in effectively capturing the data required to report infractions that are against the law or represent serious breaches of the District’s Student Discipline Policies. Changes to SESIR included definition updates and clarifications for a variety of SESIR codes, the addition of required reporting of five (5) infraction-related elements (Bullying-related, Drug-related, Injury-related, Vaping-related, and Weapon-related), and updates to the requirements outlining law enforcement action reporting. Additionally, effective June 30, 2023, there are new “reported to law enforcement” reporting requirements that now specify three (3) choices: 1) the infraction was not reported to law enforcement because it was a petty act of misconduct per the district’s zero-tolerance policy; 2) the infraction was reported to law enforcement and resulted in official law enforcement action (arrest, diversion/civil citation, involuntary examination or other official action); or 3) the infraction was reported to law enforcement, but no official action was taken. All 26 SESIR behavior codes are identified to the right:

SESIR Violation	Abbreviation
Alcohol	ALC
Aggravated Battery	BAT
Arson	ARS
Bullying	BUL
Burglary	BRK
Criminal Mischief	VAN
Disruption on Campus – Major	DOC
Drug Sale/Distribution Excluding Alcohol	DRD
Drug Use/Possession Excluding Alcohol	DRU
Fighting	FIT
Grand Theft	STL
Harassment	HAR
Hazing	HAZ
Homicide	HOM
Kidnapping	KID
Other Major Offense	OMC
Robbery	ROB
Sexual Assault	SXA
Sexual Battery	SXB
Sexual Harassment	SXH
Sexual Offenses	SXO
Simple Battery	PHA
Threat/Intimidation	TRE
Tobacco	TBC
Trespassing	TRS
Weapons Possession	WPO

BACKGROUND (CONTINUED)

School Environment Safety Incident Reporting (“SESIR”) (Continued)

At VCS, reporting to the FLDOE occurs along with the student survey data per Rule 6A-1.0014, F.A.C., Comprehensive Management Information System and is performed by the Information Technology Services (“ITS”) Department. SESIR behavior code data is exported from Focus by ITS personnel. ITS personnel populate Focus export data into an upload template provided by the FLDOE. FLDOE only requires that the highest severity SESIR code is reported for each violation. This spreadsheet is then uploaded through the FLDOE’s online SESIR reporting site and the State’s portal automatically performs edits to identify errors or incomplete data fields.

If a Florida school fails to report by the survey deadlines (defined in Rule 6A-1.0014, F.A.C.) the Commissioner must request that the school board withhold the superintendent’s salary, pursuant to Sections 1001.51(12) and 1001.42(13)(b), F.S., until the SESIR data is reported. If there is cause to believe that a superintendent knowingly transmitted or caused to be transmitted false or incorrect information, the Commissioner shall cause the allegation to be investigated and refer the matter for disciplinary consequence pursuant to Section 1012.796, F.S.

SESIR Behavior Severity

SESIR categorizes each behavioral violation according to its determined relative severity. There are four (4) levels of severity. The following graphic details the severity of each SESIR behavioral violation. Level I is considered the most severe student behavioral violations, while level IV is the least severe. Each violation, regardless of severity, must be reported with any applicable related element.



BACKGROUND (CONTINUED)

SESIR Behavior Severity (Continued)

For each SESIR violation, applicable “related elements” must also be reported to contextualize the nature of the violation. Knowledge of the frequency of occurrence of these elements helps with subsequent intervention program planning and required reporting to federal funding sources at the state level. Related elements are as follows:

- Alcohol-related*
- Bullying-related
- Drug-related*
- Gang-related*
- Hate crime-related*
- Hazing-related*
- Injury-related*
- Vaping-related
- Weapon-related*

Note*: These related elements are required to be reported to law enforcement.

Locally-Defined Violation Reporting

To account for student behaviors that may violate the Student Discipline Policies but do not qualify as a SESIR-defined behavior, districts may elect to categorize the behavior as a “locally-defined” behavior. Rule 6A-1.0017, F.A.C. specifies that locally-defined behavior codes are not to be used in lieu of SESIR behavior codes, where SESIR would apply. They may only be used:

- In violations where SESIR does not apply at all, or
- As a supplemental code for a SESIR behavior code.

Violations of the Student Discipline Policies are grouped into four levels: Minor, Intermediate, Major I, and Major II. Each level has appropriate discipline consequences, which are listed under each category. The District currently has 71 locally-defined behavior codes. While these student behaviors are not required to be reported to the State, the data collected through locally-defined incident behavior referrals may be used to identify trends in student behavior. When completing a discipline referral coded as a locally-defined violation, the SESIR-required fields within Focus are not populated. Currently, Student Services is responsible for the review of locally-defined behavior codes to determine whether the existing codes reflect all potential violations of the Student Discipline Policies. Student Services considers feedback from stakeholders when determining whether additional locally-defined codes are necessary to capture behavior trends. If additional codes are deemed as necessary additions to the Student Discipline Policies, Student Services determines whether these behaviors represent SESIR violations rather than locally-defined behaviors. The District’s current locally-defined violations are detailed on the following page.

BACKGROUND (CONTINUED)

The District's locally-defined behavior violations are displayed in the graphic below:

Level I - Minor Offenses	Level III - Major I Offenses (Continued)
<ul style="list-style-type: none"> • Bus disturbance - minor disruption on school sponsored transportation • Class or school rule violation • Disruption - minor disruption or disturbance of a school activity, class, or campus • Dress code violation • False document • Horseplay • Tardiness • Vehicle Violation • Any other violation which the principal may reasonably believe falls within this category which is not listed under the other three levels. 	<ul style="list-style-type: none"> • Hitting/Striking with injury • Inappropriate touching • Indecent exposure • Insubordination or defiance of authority • Introduction of a foreign substance (toxic or harmful) into food or drink • Knowingly filing or participating in filing a false report • Look Alike Guns - use or possession • Malicious threats of violence • Non-prescription medication - use, possession, distribution, or sale • Paintball and air soft guns - use and/or possession of • Pornographic materials and communications including Internet material - possession, distribution, or display • Possession of a chemical spray between 0.5 and 2 oz. • Possession of a common pocketknife • Principal to a Level III Criminal Act • Racial, ethnic, or religious harassment or harassment based upon a disability • Secret society - organization, establishment, promotion, membership, participation in any secret society related activity or displaying or wearing any secret society organization or gang logo in any way disruptive of the educational program. • Synthetic/Counterfeit Drugs - use, possession or under the influence of • Telecommunication devices – the exhibition of, either by sight or sound, or use of during normal school hours or while riding school sponsored transportation unless approved by the bus operator or supervising teacher, permitted by district procedure, or permitted by district or school instructional programs. • Theft • Toxic plants - use, possession, distribution, or sale • Vandalism under \$1,000 • Walkie-talkies, possession/use • Any other violation which the principal may reasonably believe falls within this category and is not listed under the other three levels.
Level II - Intermediate Offenses	Level IV - Major II Offenses
<ul style="list-style-type: none"> • Bus disturbance - considerable disruption on school sponsored transportation • Cheating/Academic dishonesty • Disruption - considerable disruption or disturbance of a school activity, class, or campus • Failure to appear for Saturday school, detention, or extended detention • Gambling • Introduction of a foreign substance (non-harmful) into food or drink • Laser lights • Matches, lighters, or other flammables • Possession of chemical spray under 0.5 oz. • Profane, obscene, or vulgar language or expression (in any language); either verbal, written, or by gesture directed at others • Unauthorized absence from class/leaving class, or leaving school grounds without permission • Vehicle violation – traffic citation • Any other violation, which the principal may reasonably believe, falls within this category and is not listed under the other three levels. 	<ul style="list-style-type: none"> • Assault on a school board employee • Assault on a student(s) • Battery on a school board employee • Battery on a student(s) • Bomb threat • Disorderly conduct • Explosives • Firearm distribution, sale, use, or willful possession • Kidnapping • Principal to a Level IV Criminal Act • Riot • Synthetic/Counterfeit drug distribution, attempted distribution, sale, or attempted sale • Vehicle theft • Any other violation which the principal may reasonably believe falls within this category and is not listed under the other three levels
Level III - Major I Offenses	
<ul style="list-style-type: none"> • Ammunition - possession, or distribution • Bus Disturbance - major disruption on school sponsored transportation • Cyberstalking • Drug paraphernalia - possession, use, or distribution of • Electronic tampering/Electronic device misuse • Extortion • False alarm • Fireworks - use, possession, or distribution of • Forgery • Hazing • Hitting/Striking • Hitting/Striking an employee 	

BACKGROUND (CONTINUED)

Disciplinary Consequences

Disciplinary consequences are intended to prevent a recurrence of an inappropriate or problematic behavior. The Student Discipline Policies identifies disciplinary consequences to student behavioral violations that may be used which are based on the severity level of the student's behavior. Principals have the authority to select the disciplinary consequence(s) for each referral but are required to administer each mandatory disciplinary consequence listed within the Student Discipline Policies. Principals may also decide to select multiple disciplinary consequences for a single violation, including selecting additional, optional disciplinary consequences as outlined within the Student Discipline Policies. The following table outlines the disciplinary consequences that may be taken to address student behavior violations:

Most Severe Disciplinary Consequences			
Level I - Minor Offenses	Level II - Intermediate Offenses	Level III - Major I Offenses	Level IV - Major II Offenses
<ul style="list-style-type: none"> • Behavioral contract • Cafeteria restriction • Conference with student • Community service in lieu of suspension • Detention • Extended detention • In-school suspension • Loss or suspension of privileges including extracurricular events/activities • Mediation • Parent/guardian conference • Parent/guardian visitation • Problem solving team/multi-tiered system of support team • Restitution • Saturday school • Student services referral (i.e., school counselor, school social worker or school psychologist) • Suspension • Suspension from the bus • Time out • Warning • Work detail 	<ul style="list-style-type: none"> • Behavioral contract • Cafeteria restriction • Community service in lieu of suspension • Concern of harm referral • Detention • Extended detention • In-school suspension • Loss of privileges: extracurricular events/activities • Mediation • Parent/guardian conference • Parent/guardian visitation • Problem Solving Team • Restitution • Saturday school • Student services referral (i.e., school counselor, school social worker or school psychologist) • Suspension • Suspension from the bus • Suspension of privileges • Time out • Tobacco citation or Online Tobacco Class • Warning • Work detail 	<ul style="list-style-type: none"> • Assignment to an alternative education program • Civil citation program • Community service in lieu of suspension (Not appropriate for all Level III Offenses - consult with the District Office) • Confiscation • Concern of harm referral • Expulsion recommendation from school or bus • In-school suspension • Problem Solving Team • Restitution • Saturday school • Student services referral (i.e., school counselor, school social worker or school psychologist) • Suspension from school or bus (suspension must be considered for the possession of a common pocketknife) • Suspension from driving/vehicle restriction • Threat Assessment 	<ul style="list-style-type: none"> • Administrative assignment to an alternative education program • Expulsion (pending expulsion, students will be suspended and will lose all privileges pertaining to extracurricular events and activities). • Concern of harm referral • Restitution • Student Services Referral (i.e., school counselor, school social worker or school psychologist) • Threat Assessment

BACKGROUND (CONTINUED)

Exceptional Student Education and General Education Student Groups

In Florida, children who need specially designed instruction and related services are termed exceptional students. The additional services they are given at school is called exceptional student education (“ESE”). Specially designed instruction includes students with disabilities and students who are gifted as they both require special services. Gifted students as defined by Rule 6A-6.03019, (F.A.C.) are designated as ESE, however they are not entitled to the same disciplinary protections as students with disabilities. Gifted students are students with notable intellectual development and capable of high performance necessitating educational programs and experiences different from and/or in addition to those provided by the basic school program.

Students with disabilities as defined under the Individuals with Disabilities Education Act (“IDEA”) are eligible for ESE programs which develop individual educational plans (“IEP”) to facilitate the resources and/or special services the student needs to make progress and achieve annual education goals. Student groups and programs falling under this designation include:

- *Students With Disabilities:* Students with disabilities may include, but are not limited to: Autism spectrum disorder, deaf or hard of hearing, emotional and behavioral disorders, intellectual disability, other health impairment, specific learning disabilities, speech and language impairments, and visual impairments.
- *504 Students:* Students which require special accommodations to address specific learning challenges and are provided with individualized provisions as protected under section 504 of the Rehabilitation Act of 1973. Accommodations may include changes to instruction, changes to education environment, and curriculum presentation. Not all Section 504 students are eligible for ESE, 504 plans may be created for children with any disability, while IEP disabilities are defined under the Individuals with Disabilities Education Act (“IDEA”). 504 plans provide a blueprint or plan for how the school will provide support and remove barriers for a student with a disability.

Any students who do not fall into this group are known as “General Education” students.

Americans with Disabilities Act Settlement

In July 2021 the District entered a settlement agreement with the United States Department of Justice in response to a complaint filed with the United States Attorney’s Office for the Middle District of Florida alleging systemic discrimination against students with disabilities by relying on overtly punitive disciplinary tactics and law enforcement to address behaviors that are known, or should be known, manifestations of the students’ disabilities in violation of Title II of the Americans with Disabilities Act (“ADA”). While the District did not acknowledge wrongdoing, under the settlement agreement the District agreed to:

1. Not exclude a qualified individual with a disability from participation in, or deny a qualified individual with a disability, the benefits of the services, programs or activities of VCS by reason of the individual's disability;
2. Not utilize methods of administering its programs and services that have the effect of subjecting a qualified individual with a disability to discrimination on the basis of disability;
3. Make reasonable modifications to policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless VCS can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity; and
4. Not retaliate against any individual or coerce, intimidate, threaten, or interfere with any individual in the exercise of enjoyment of, or on account of his or her having aided or encouraged any other individual in the exercise information or enjoyment of any right granted or protected by the ADA.

In response to the settlement, the District reviewed and amended all written policies and procedures to include the non-discrimination and non-retaliation provisions of the ADA and to generally prohibit informal removals of students with disabilities from the classroom on the basis of their disability. Additionally, the District must monitor all removals of students with disabilities from classroom instruction based on behavioral incidents that may be a result or manifestation of the student’s disability. For students with an IEP, the IEP team must meet to determine whether a Functional Behavior Assessment (“FBA”) must be completed, and whether Behavioral Intervention Plan (“BIP”) should be modified with additional or different behavioral supports and interventions. These provisions are intended to prevent over-discipline of students with disabilities as a result of a manifestation of their disability. Additional personnel requirements, reporting expectations, training, and certifications are also specified within the settlement. The District’s updated policies have been submitted, reviewed, and approved by the United States Department of Justice.

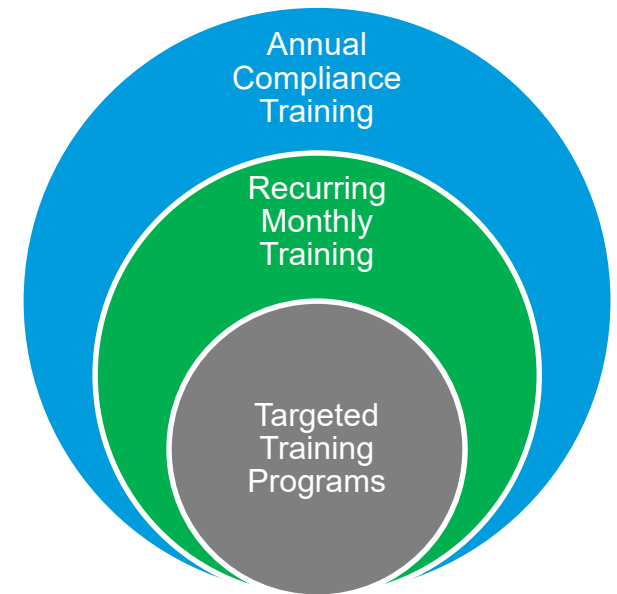
BACKGROUND (CONTINUED)

Training and Resources

Student Services is responsible for training District personnel regarding student behavior and discipline. Annual training for administrators is performed each summer to educate those involved in the discipline processes for ESE requirements. Additionally, monthly mandatory training sessions for assistant principals are performed, recorded, and maintained in a shared online site for future reference as needed. Monthly discipline meetings are held with assistant principals and teachers on assignment to provide a forum to discuss ongoing discipline challenges and trends, as well as to address concerns or answer questions regarding the application of the Student Discipline Policies. These monthly meetings occur twice a day to accommodate staff.

Training programs are intended to highlight SESIR requirements and compliance with applicable policies and regulation. In 2023, additional mid-year SESIR training was performed to notify each school of changes for the new FLDOE SESIR reporting compliance changes. Trainings may be facilitated in person or virtually, while attendance is monitored to determine each District site has at least one (1) individual related to the discipline processes present for each training module.

There are a variety of educational, training, and awareness programs that are ongoing within the District. These range from bullying awareness to unique cases that may involve specific student groups requiring additional procedures per existing regulations. Core training curriculum is intended to educate stakeholders, including teachers, staff, bus drivers, and other District personnel of the existing discipline standard operating procedures. Specialized SESIR training sessions are provided by Student Services to the team responsible for the submission of student behavior and SESIR data and school administrators responsible for capturing the SESIR data through the student referral process.



Communication with Law Enforcement

The District maintains individual law enforcement School Safety Officer Agreements with the Volusia County Sheriff and various municipalities within Volusia County to document the understanding of the SRO contract agreement and scope of work expectations, displayed below:



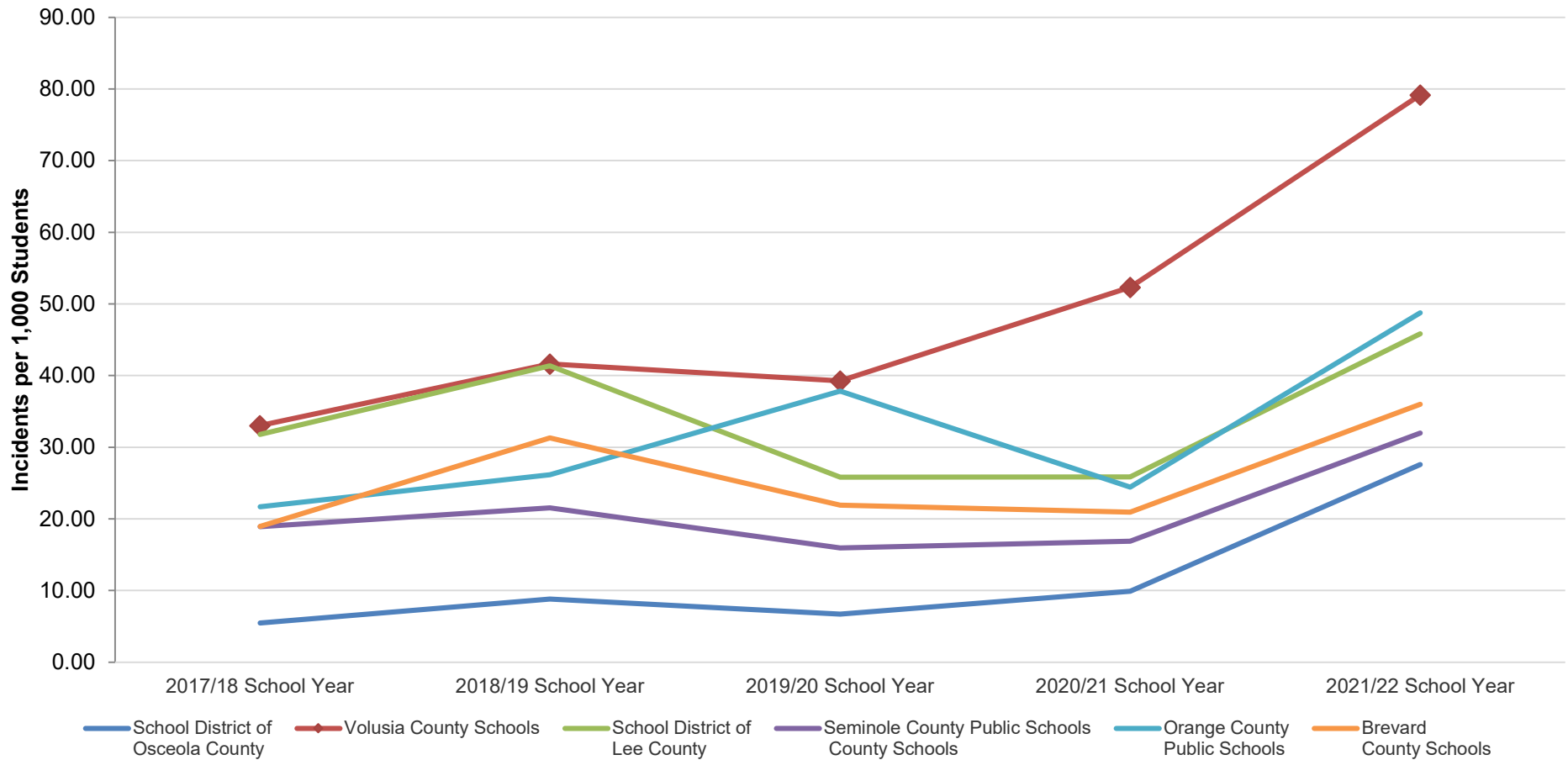
Additionally, Florida Statute 985.04 provides requirements for the notification and sharing of criminal information involving District students with law enforcement through an interagency agreement. The District has an active interagency agreement with the Volusia County Sheriff which expires on June 30, 2026 and is in the process of adding local municipalities. While section 985.04 requires notification to the superintendent of schools, the District interprets notification to assistant superintendents as designees of the superintendent as compliant with statute through its Board Policy 110, which provides that *“The superintendent may delegate responsibility to other officials to the extent the delegation is necessary and proper to the efficient operation of Volusia schools.”*

BACKGROUND (CONTINUED)

Data Analytics

The Florida Department of Education publicly reports collected SESIR data for all school districts within the state on its website. At the time of this report, the most recently available data is from the 2021/22 school year. Of all Florida public school students Pre-K through 12th grade, total enrollment was 2,833,179. Volusia County Schools accounted for a total enrollment of 62,666, which is 2.21% of the total state enrollment amount. In this same reporting period, statewide SESIR violations totaled 108,579, of which VCS accounted for 5,047 violations or 4.65% of all reported SESIR violations. The chart below identifies the most recent publicly available five (5) years of SESIR violation data for VCS as well as for several comparable counties.

Student Behavior Incidents per 1,000 FTE
**Data obtained from FLDOE database*

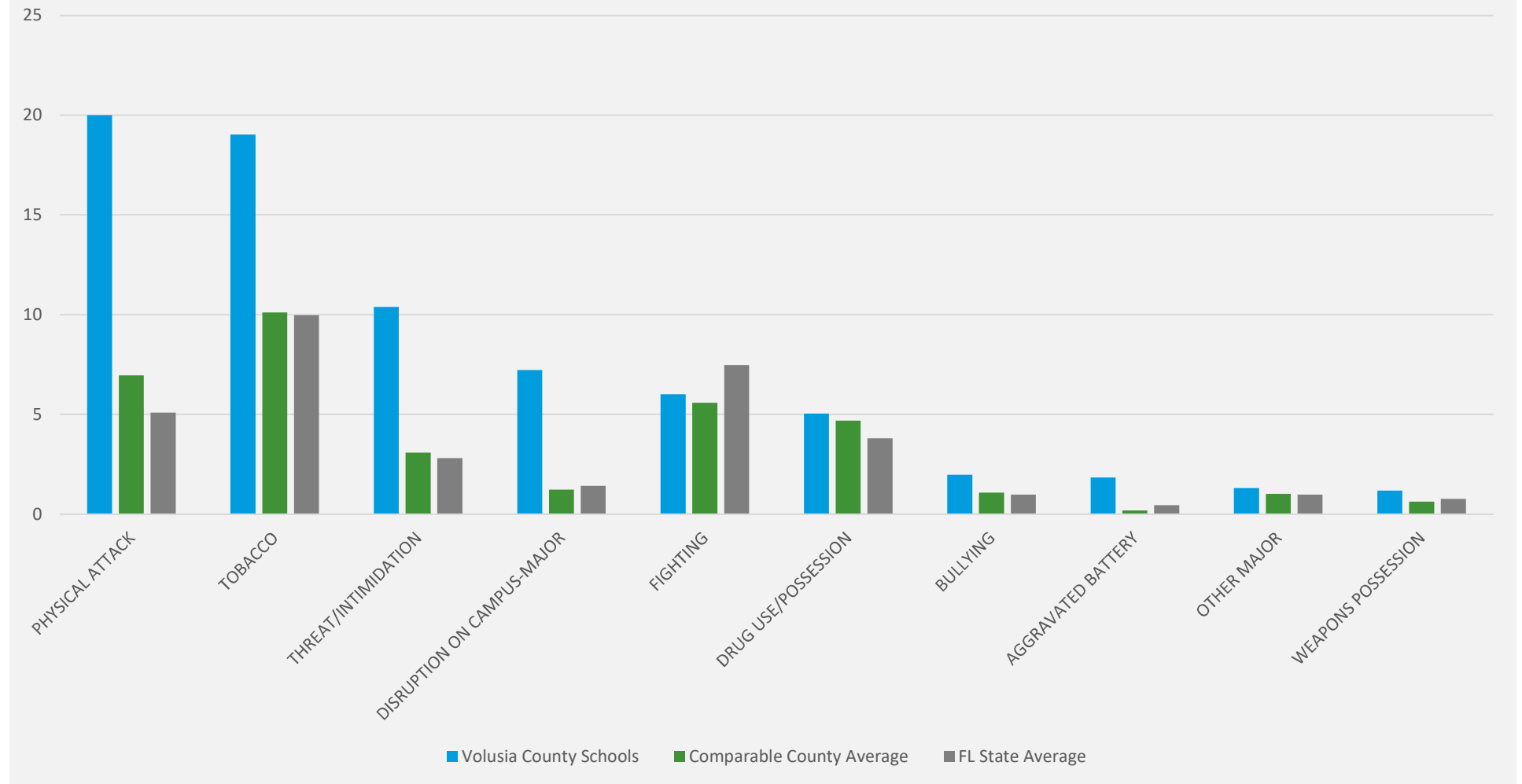


BACKGROUND (CONTINUED)

Data Analytics (Continued)

SESIR Infractions by Category – Comparable Counties

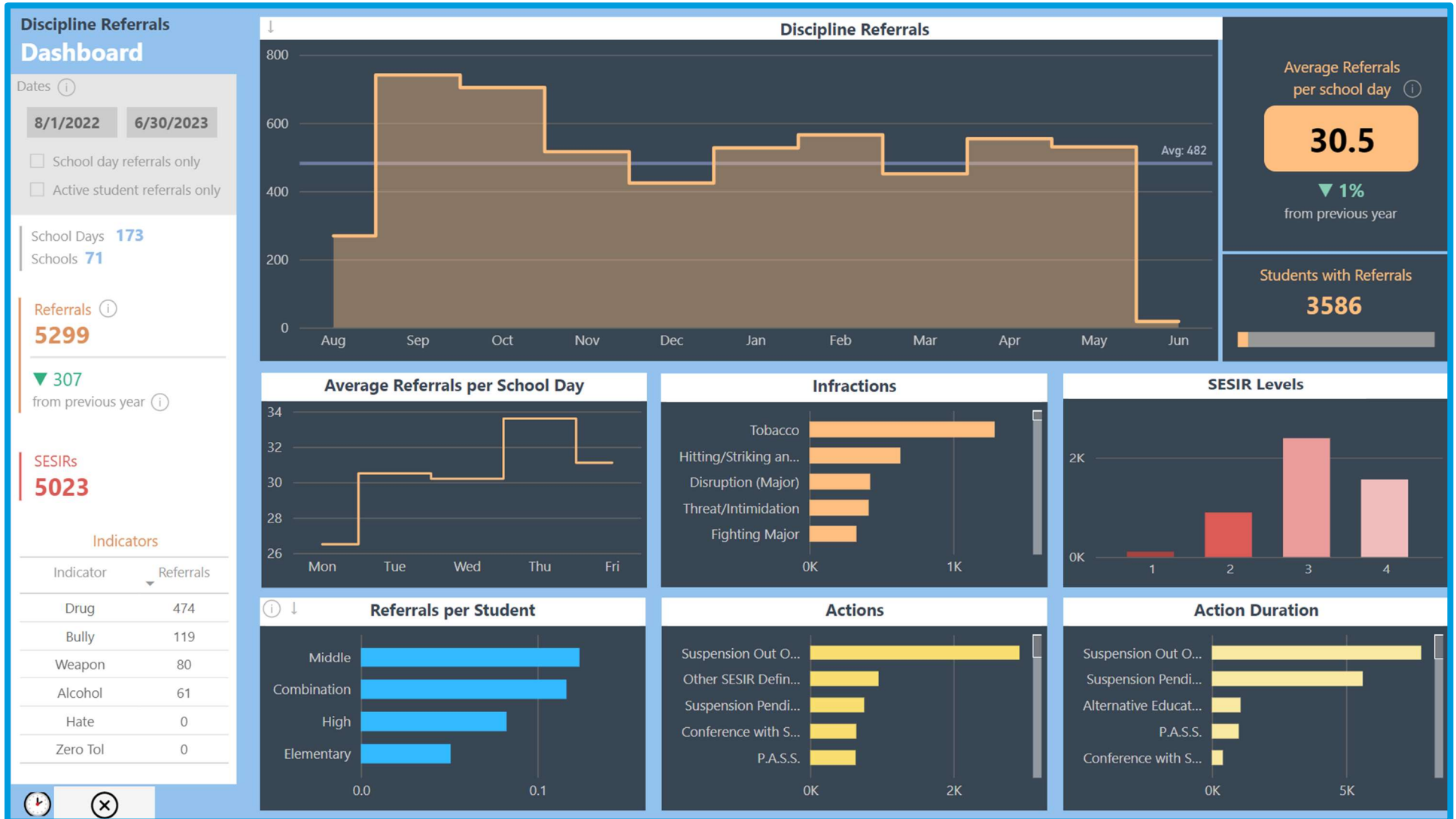
The following table represents the most common SESIR violations that comprise 93% of total reported VCS SESIR infractions. The table compares the results to the number of total SESIR infractions per every 1,000 FTE, by category, reported by comparable counties and the Florida State average. *Data obtained from the FLDOE database.*



BACKGROUND (CONTINUED)

Data Analytics (Continued)

The Student Information System, Focus, provides dashboard graphical visualization of student behavior violations, consequences, and demographics. District personnel with Focus credentials are able view and run data reports. Below is an example of a SESIR-oriented dashboard for our audit period:



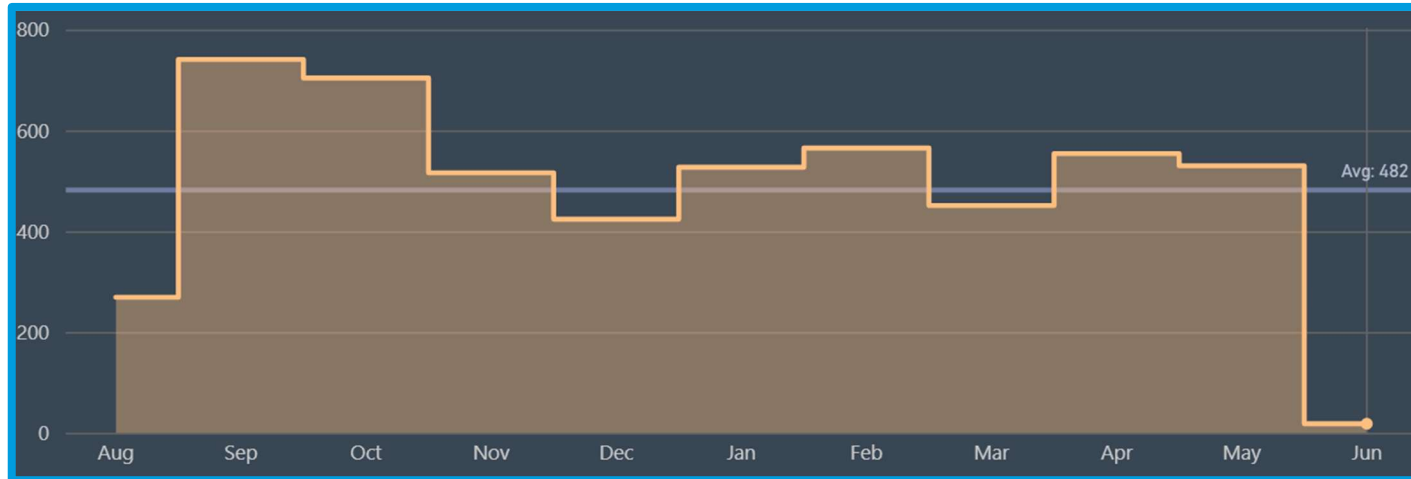
*Data was obtained from the Focus for the 2022/23 school year. Note that while Focus uses the terminology 'Infractions', VCS' Student Discipline Policies refers to 'Violations.' Data is unaudited.

BACKGROUND (CONTINUED)

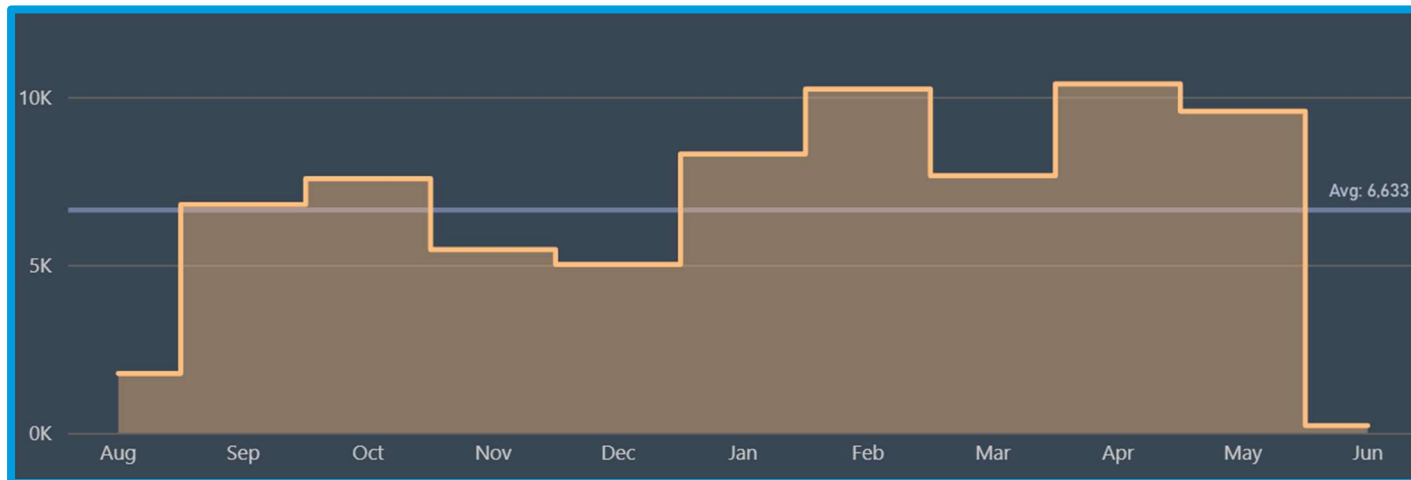
Data Analytics (Continued)

The below graphics are screenshots from Focus data queries that indicate the monthly number of referrals administered for both SESIR and locally-defined behavioral violations within the 2022/23 school year:

Discipline Referrals by Month - SESIR Violations



Discipline Referrals by Month – Locally-Defined Violations



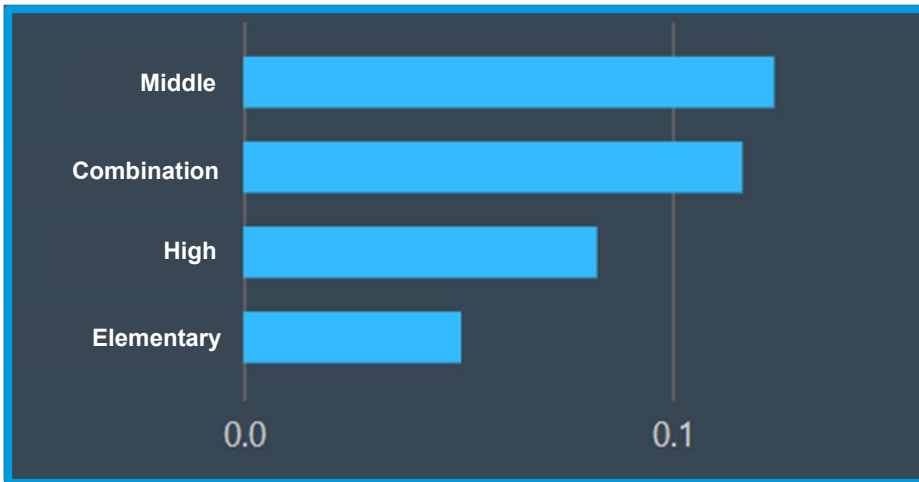
*Data was obtained from the Focus for the 2022/23 school year. Note that while Focus uses the terminology 'Infractions', VCS' Student Discipline Policies refers to 'Violations.' Data is unaudited.

BACKGROUND (CONTINUED)

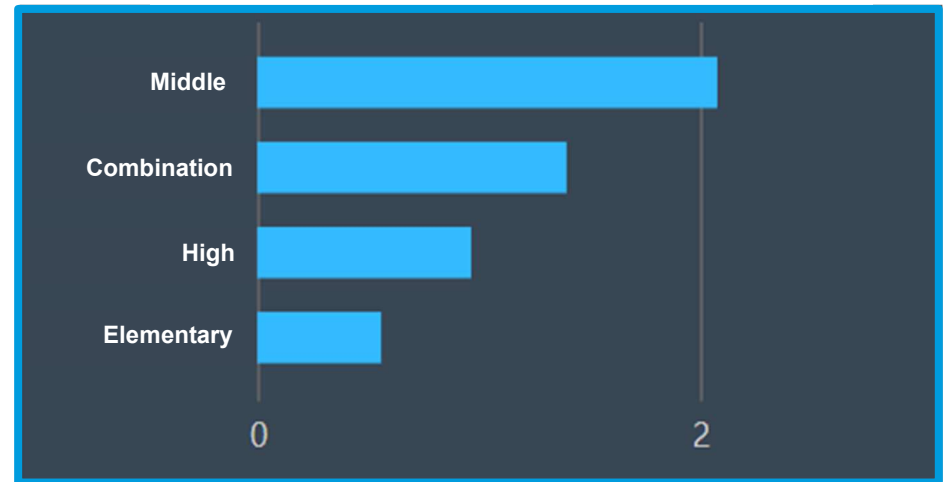
Data Analytics (Continued)

The top two (2) charts show the number of referrals per student for SESIR and locally-defined behavior violations. The bottom two (2) graphics show the resultant disciplinary consequences taken in response to the behavior violations for our audit period.

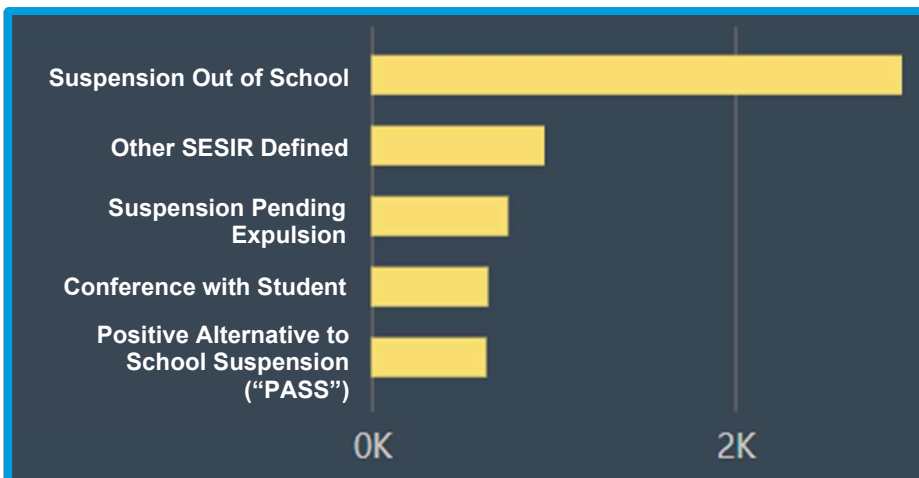
Referrals per Student – SESIR Violations



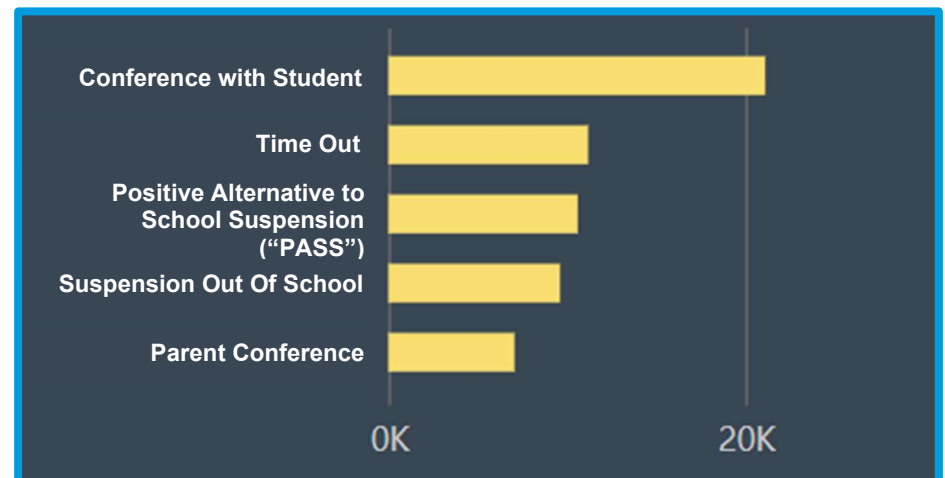
Referrals per Student – Locally-Defined Violations



Consequences – SESIR Violations



Consequences – Locally-Defined Violations



*Data was obtained from the Focus for the 2022/23 school year. Note that while Focus uses the terminology 'Infractions', VCS' Student Discipline Policies refers to 'Violations.' Data is unaudited.

BACKGROUND (CONTINUED)

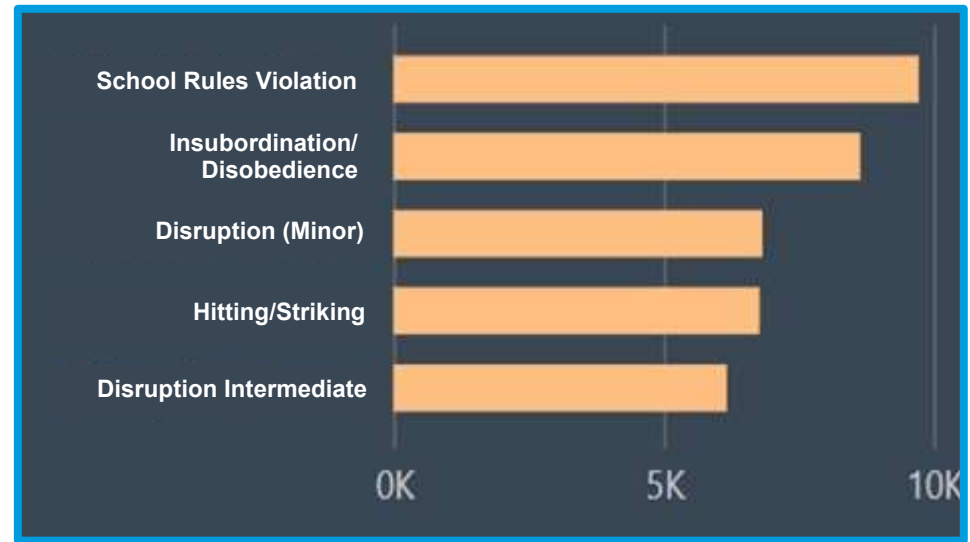
Data Analytics (Continued)

The below charts represent the most frequently occurring and recorded SESIR and locally-defined behavior violations within our audit period.

SESIR Violations



Locally-Defined Violations



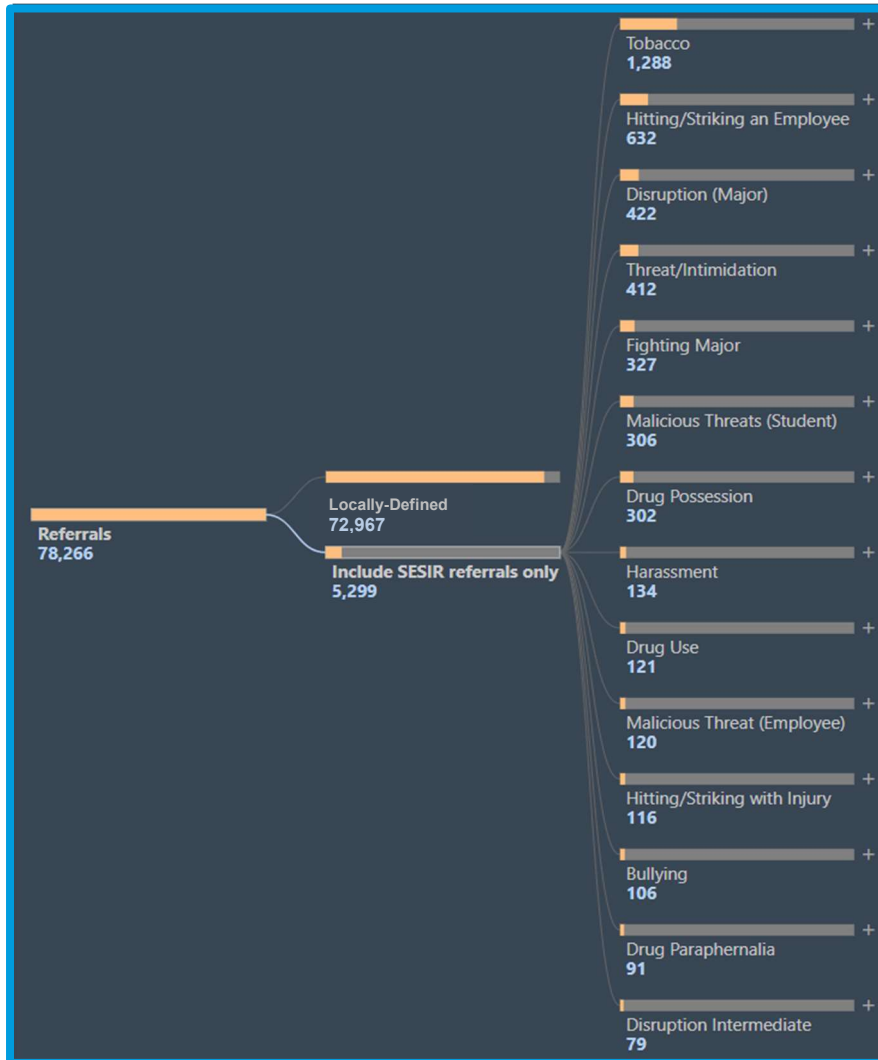
*Data was obtained from the Focus for the 2022/23 school year. Note that while Focus uses the terminology 'Infractions', VCS' Student Discipline Policies refers to 'Violations.' Data is unaudited.

BACKGROUND (CONTINUED)

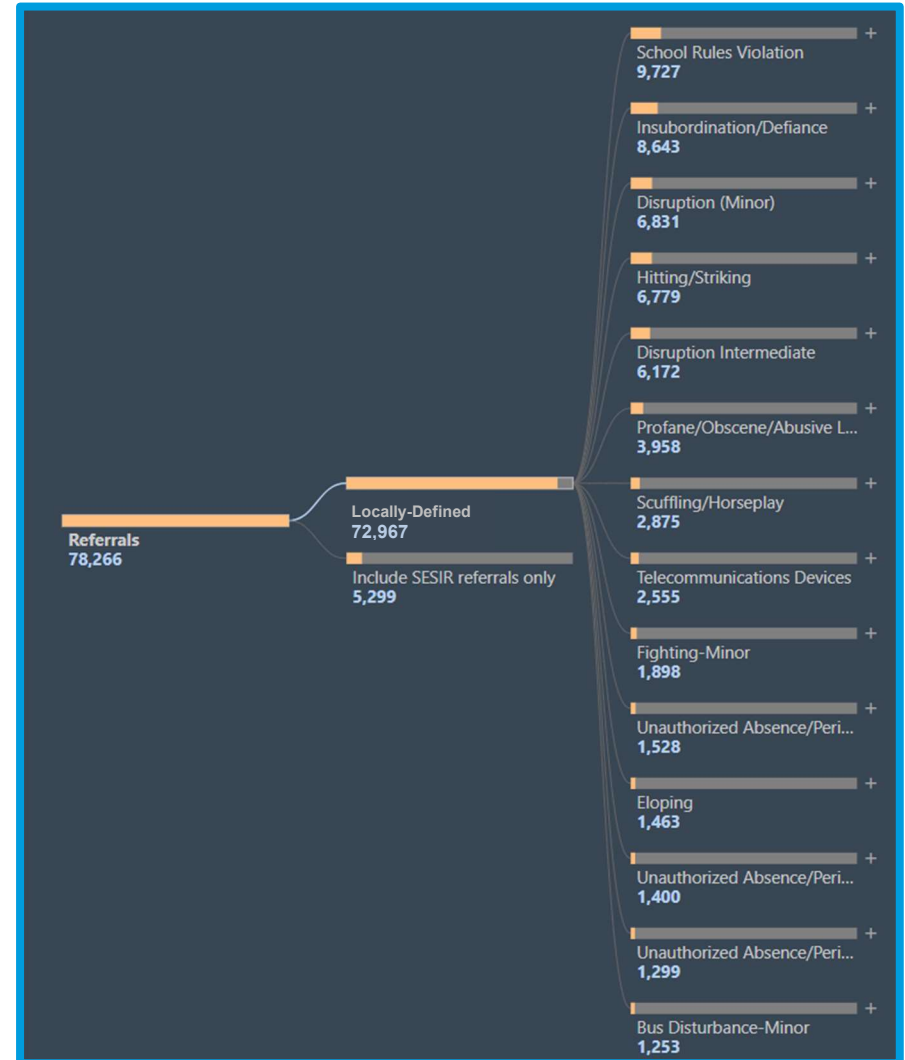
Data Analytics (Continued)

The below graphics show a detailed view of the most frequently occurring SESIR and locally-defined referrals for our audit period.

Referral Type – SESIR Violations



Referral Type – Locally-Defined Violations



*Data was obtained from the Focus for the 2022/23 school year. Note that while Focus uses the terminology 'Infractions', VCS' Student Discipline Policies refers to 'Violations.' Data is unaudited.

BACKGROUND (CONTINUED)

Key Regulatory Requirements

The District is required to adhere to and comply with a variety of Federal, State, and local school board regulations which govern student discipline. The regulatory environment includes, but is not limited to, the following:

Federal Regulation

- Individuals with Disabilities Education Act (“IDEA”) – *Federal law that provides all children with disabilities receive special education and related services*
- Section 504, Rehabilitation Act of 1973 (“Section 504”) – *Civil rights law that allows for special accommodations provided to students with disabilities*
- Title IX of the Education Amendments Act of 1972 (2018) – *Prohibits sex discrimination in a school’s activities and programs*
- American with Disabilities Act of 1990 (“ADA”) – *Civil rights law that prohibits discrimination based on disability*

State of Florida Regulation

- Florida Administrative Code (F.A.C.) 6A-1.0014 Comprehensive Management Information – *Requires that each school district and the department develop and implement an automated information system component*
- Florida Administrative Code (F.A.C.) 6A -1.0017 School Environmental Safety Incident Reporting (“SESIR”) – *Details reporting requirements for all school districts when reporting disruptive or criminal incidents*
- Florida Administrative Code (F.A.C.) 6A-6.03019 Special Instructional Programs for Students who are Gifted – *Details programs for gifted students*
- Florida Administrative Code (F.A.C.) 6A- 6.03311 Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities – *States that each school district must establish, maintain, and implement procedural safeguards detailed in this rule*
- Florida Administrative Code (F.A.C.) 6A - 6.03312 General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation, and the Provision of Exceptional Student Education Services – *Outlines disciplinary procedures for students with disabilities*
- Florida Administrative Code (F.A.C.) 6A - 6.03028 Provision of Free Appropriate Public Education (“FAPE”) and Development of Individual Educational Plans for Students with Disabilities – *Provides definition and overview of the FAPE program and individual educational plans for students with disabilities*
- Florida Administrative Code (F.A.C.) 6A-19.008 Educational and Work Environment – *Requires educational environments to be free of harassment*
- § Title 47, Chapter 985.04 Fla. Stat. Oaths; records; confidential information – *Details criminal procedures and corrections in relation to recording keeping and confidentiality requirements*
- § Title 48, Chapter 1001.42 Fla. Stat. Powers and duties of the district school board – *Details responsibilities for the district school board*
- § Title 48, Chapter 1001.51 Fla. Stat. Duties and responsibilities of district school superintendent – *Details responsibilities for school district superintendents*
- § Title 48, Chapter 1002.40 Fla. Stat. The Hope Scholarship Program – *Provides details and definitions around the Hope Scholarship Program*
- § Title 48, Chapter 1003.32 Fla. Stat. Authority of teacher; responsibility for control of students; district school board and principal duties – *Details various responsibilities, duties, and authority for teachers, district school board, and principal.*
- § Title 48, Chapter 1006, Section C, Fla. Stat. Student Discipline and School Safety – *Details the district staff and board members’ duties relating to student discipline and school safety, Florida Safe Schools Assessment Tool, and other guidelines*
- § Title 48, Chapter 1012.796 Fla. Stat. Complaints against teachers and administrators; procedure; penalties – *Provides procedural details for complaints*
- 34 CFR § 300.530 Authority of school personnel – *Outlines general authority guidelines for school personnel*
- 34 CFR §300.226 Early Intervening Services – *Details funding for local education agencies pursuant to Part B of the Act for any fiscal year*
- 34 CFR §300.647 Determining significant disproportionality – *Provides definitions relating to calculating disproportionality*

BACKGROUND (CONTINUED)

Key Regulatory Requirements (Continued)

Internal District regulation includes, but is not limited to, the following:

Volusia County Schools Policies and Procedures (“Student Discipline Policies”)

- School Board Policy 208E & 208S – Code of Student Conduct and Discipline
- School Board Policy 507 – Non-Discrimination and Educational Equity
- School Board Policy 509 – Prohibition of Harassment
- School Board Policy 525 – Policy Against Bullying and Harassment

OBJECTIVES AND APPROACH

Objectives

The primary objective of this internal audit was to evaluate the District and the Schools' compliance with the Student Discipline Policies and Florida regulations.

Approach

Our approach consisted of the following phases:

Understanding and Documentation of the Process

The first phase of this internal audit consisted primarily of inquiry and walkthroughs in an effort to obtain an understanding of the District's current operating policies and procedures, monitoring functions, and control structures as they relate to the processes within our scope. The following was performed as part of this phase:

- Conducted interviews with the appropriate representatives to discuss the scope and objectives of this audit, obtain preliminary data, and establish working arrangements;
- Reviewed the applicable Board policies, procedures, and reports related to this project
- Performed walkthroughs to gain a detailed understanding of the function and assess the design of the District-wide student discipline process; and
- Developed a work plan to evaluate compliance with District-wide student discipline policies based on the information obtained through our review, inquiry, and walkthrough procedures.

Evaluation of the Process and Controls Design and Testing of Operating Effectiveness

The purpose of this phase was to evaluate and assess the design of the process and test the operating effectiveness of key internal controls. We utilized sampling and other auditing techniques to meet our audit objectives. Our sample population was selected from a dataset population provided by ITS from Focus. The dataset represented all referrals documented in the SIS during the 2022/23 school year, spanning from August 10, 2022 through June 1, 2023. Our sample was selected on a pro-rated basis for general education and exceptional student education SESIR incidents.

Our total sample size was 66 referrals across nine (9) elementary schools, six (6) middle schools, and eight (8) high schools. To select the 66 samples, the proportion of each school's reported SESIR violations relative to VCS' total SESIR violations was calculated. Using this pro-rated school site allocation, we judgmentally selected student discipline referrals representing a variety of discipline violation classifications, grade levels, and violation dates. Emphasis was placed on more severe behaviors however all severity levels were covered in our testing. No individual student was sampled more than once.

We conducted the following testing and other procedures as deemed necessary

- Determined compliance with policy, regulations, and procedures as it pertains to student discipline within the District;
 - Selected a sample of sixty-six (66) SESIR violation referrals from the 2022/23 school year, including both twenty-five (25) ESE and forty-one (41) general education students, and evaluated compliance with student disciplinary consequences that can be imposed on students, as specified in the Student Discipline Policies, requirements approved by the school board. Procedures included the following:
 - Verified Discipline Referral form was completed for all input fields, including related elements and injury-related elements;
 - Verified documentation to evidence all disciplinary consequence completions;
 - Evaluated the completeness of the discipline referral documentation; and
 - Evaluated the timeliness between the actual violation date and the violation documentation date.

OBJECTIVES AND APPROACH (CONTINUED)

Approach (Continued)

Evaluation of the Process and Controls Design and Testing of Operating Effectiveness (Continued)

- Selected a sample of twenty-five (25) ESE student SESIR behavioral infractions and evaluated compliance with DOE Rule 6A-6.03312(3) through (5) because of disciplinary removal of students with disabilities through verification of the following:
 - Performance of Functional Behavioral Assessment (FBA) was documented as required under F.A.C Rule 6.03312(3)(c) 1-2;
 - Performance of Functional Behavioral Assessment was timely (before the 11th day of suspension, as applicable);
 - Performance of Behavioral Intervention Plan (BIP) was documented as required under F.A.C Rule 6.03312(3)(c)1-2;
 - Performance of Behavioral Intervention Plan for change of placement was timely (before the 11th day of suspension, as applicable);
 - Performance of Manifestation Determination Review was timely (within 10 days of any decision to change the placement of student);
 - Performance of an IEP Review was documented (as applicable); and
 - Performance of student's file was reviewed and documented.
- Evaluated the accuracy of the Discipline Plan Level assigned and reported for each sampled violation, as required by Florida DOA Rule 6A-1.0017 School Environmental Safety Incident Reporting (SESIR);
- Evaluated whether student discipline-related reporting is accurate and timely submitted, based on the requirements described in Florida DOA Rule 6A-1.0017 School Environmental Safety Incident Reporting (SESIR);
- Documented the reporting structure and employee roles for the student discipline process;
- Assessed user access appropriateness for profiles with view and edit capabilities within the District's student information system, Focus;
- Selected a sample of ten (10) arrest reports and verified the communication of student arrests were distributed to the Superintendent, as required by section 985.04 of Florida Statute;
- Performed data analytics to benchmark student discipline metrics to comparable school districts; and
- Interviewed principals and discipline administrators from each of the twenty-three (23) District school represented in our sample selection, including high schools, middle schools, and elementary schools.

Reporting

At the conclusion of this internal audit, we summarized our findings into this written report. We have reviewed the results with appropriate Management personnel and have incorporated Management response into this report.

OBSERVATIONS MATRIX

Observation	1. Student Discipline Policy Non-Compliance
High	<p>In our performance of detailed testing of sixty-six (66) sampled SESIR referrals, we noted sixty-four (64) samples, or 96.7%, did not assess the minimum expected mandatory disciplinary consequences as outlined through the discipline matrix. Thus, we identified non-compliance with the Student Discipline Policies which resulted in the under-discipline of both ESE and general education students per the District's discipline matrix requirements.</p> <p>Per Section 1415(k)(1)(B) of IDEA and 34 C.F.R. 300.519, a behavior intervention plan and functional behavior assessment are expected to be completed and considered in the application of disciplinary consequences for ESE students when recommended by the school psychologist, counselor, or designated administrator. Additionally, DOE Rule 6A-6.03312 stipulates that if ten (10) out-of-school suspension days are accumulated by an ESE student over the duration of a school year, a functional behavioral assessment is required to be performed. In instances where ESE students are permitted a lesser out-of-school suspension term, this threshold may not be exceeded and an FBA would not be performed as required.</p> <p>The District has established a discipline matrix that outlines each behavioral violation and the mandatory and optional disciplinary consequences to violations of the Student Discipline Policies (See Appendix A). Principals at each school site are responsible for accurately identifying the student behavior violation and implementing each mandatory disciplinary consequence to the behavioral violation. Principals may additionally elect to select other optional disciplinary consequence as identified within the Student Discipline Policies. As a result, multiple disciplinary consequences may be performed for each violation of the Student Discipline Policies. The matrix provides that per School Board Policy 208, a student's IEP or 504 plan must be considered when determining the disciplinary consequence. In addition, per the settlement agreement with the United States Department of Justice, the District must consider whether any behavioral violation is a manifestation of a disability for all students qualified as a student with a disability.</p> <p>Without consistent application of the mandatory disciplinary consequences assigned to each behavior violation, the District risks unequitable application of discipline amongst students. While modifications to the mandatory disciplinary consequences to account for a manifestation of a disability for students with disabilities may be permitted, the District does not currently maintain documentation to substantiate the allowability of deviation from the Student Discipline Policies within Focus for students with disabilities, and therefore an audit trail is not maintained.</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	1. Student Discipline Policy Non-Compliance (Continued)
<p>Recommendation</p>	<p>It is possible that the culture of under-disciplining we noted in our audit was cultivated inadvertently and was in response to the District's DOJ settlement. The culture must be righted to comply with District policies, while still maintaining compliance with the DOJ settlement. To mitigate the risk of inequitable treatment between students for behavior violations, we recommend that the District uphold and enforce the minimum discipline standards as defined within its Discipline Policies as aligned with the discipline matrix. These expected disciplinary consequences should be clearly communicated to the sites to determine equitable treatment between students.</p> <p>Through discussion with Student Services, we understand that the nature of Elementary student behavioral violations is generally understood to be less severe, and consideration is encouraged to minimize the disciplinary consequence's effect on classroom learning. If the District desires, VCS could consider bifurcating into Elem/Secondary matrices for increased flexibility. Any updated matrix should be reinforced with training and monitoring as the expectation of the minimum disciplinary consequence(s) associated with each categorized behavioral violation to maintain a consistency in minimum level of disciplinary consequence to identified student violations. Each corresponding matrix should take into consideration the age and environment of the academic level, of which disciplinary consequences should be accordingly appropriate.</p> <p>We understand that there is no 'one size fits all' approach to discipline, and as school principals' ultimately determine the disciplinary consequences administered, the discipline matrices should be used as a standardized minimum of disciplinary consequences. Principals maintain the responsibility to identify appropriate levels of disciplinary consequence situational and dependent on each behavior violation, and thus may increase discipline appropriately beyond the minimum standards of the matrices.</p>
<p>Management Action Plan</p>	<p>Response: Last year's Matrix did include a note that ESE and 504 students should receive consideration when dealing with student discipline, there was communication at principal and assistant principal meetings that allowed schools to utilize judgment, specifically to use lesser responses. It was implied that you could go lower, but not higher. This year Matrix offers flexibility for length of actions and has been updated to include the recommendations here. We are also currently developing a separate Elementary Matrix that will go into full effect next school year.</p> <p>Responsible Party: Student Services Discipline Team</p> <p>Estimated Completion Date: May, 2024</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	2. Retention of Discipline Documentation
High	<p>Specific disciplinary consequence steps and statutory requirements apply to ESE students in administering discipline. In addition to the standard referral and notice of suspension (as applicable). ESE students may require the following:</p> <p><u>Exceptional Student Education</u></p> <ol style="list-style-type: none"> 1. A Behavioral Intervention Plan (“BIP”) is expected to be completed if identified as appropriate by ESE coordinators to address learning difficulties for ESE students; 2. A Functional Behavioral Assessment (“FBA”) is expected to be completed if identified as appropriate by ESE coordinators or if ten (10) out-of-school suspension days are accumulated during a school year; and <p>These documents are currently expected to be uploaded and retained in Focus, with a physical copy additionally retained with the student’s file at each school. Of our sampled twenty-five (25) referrals of ESE students, we noted the following:</p> <ul style="list-style-type: none"> • Four (4), or 16% of our sample population did not initiate, upload, or retain a paper copy of an FBA as required by statute. <p>Without appropriately identifying the need for an FBA and completion of the FBA after a significant change of placement for the student, the District is out of compliance with statute.</p> <p><u>Discipline Documentation</u></p> <p>In addition to an electronic referral entered within Focus, all schools are encouraged by management to retain a physical copy of the District referral, with a copy provided to the student and parent to serve as an official communication and notice regarding the student’s involvement in a behavioral violation. There is not currently a District-wide policy for the distribution of referral documents to the parent or guardian of the child (see Observation #4). As a result, the distribution of the referral varies by school, but in most instances, a physical copy is sent home with the student for the parental guardian. Schools may also send home an additional copy of the referral either by mail or by email. Finally, schools may attempt to reach the guardian by phone to notify them of the violation. The referral contains two fields, one for the signature and date by the administrator and one for the signature and date of the guardian to attest to the receipt of the referral.</p> <p>For instances that result in an out-of-school suspension, a physical copy of the Notice of Suspension form is printed and sent home to the guardian in addition to the referral. Notices of Suspension are not retained electronically within Focus. This document does not contain a field for the guardian to sign, however, it does denote the attempted methods of communication to reach the guardian, the period of suspension, and a field for the signature and date by the principal, as well as the contact should the guardian wish to dispute the charges.</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	2. Retention of Discipline Documentation (Continued)
	<p>Although outlined as a requirement for disciplinary consequence within the Student Discipline Policy we noted in our performance of detailed testing that the parental and student conferences were rarely recorded as being conducted within Focus. The results of our detailed testing are as follows:</p> <p>The following exceptions were identified across the sixty-six (66) samples for general education and ESE population students.</p> <p><u>Referrals:</u></p> <ul style="list-style-type: none">• Thirty (30), or 45.5% of our sample selection did not retain a copy of the physical referral issued to the student; and• Thirty-two (32), or 48.5% of our sample selection retained a copy of the physical referral that was incomplete. Of these:<ul style="list-style-type: none">○ Seventeen (17) were missing a parental signature;○ Thirteen (13) were missing a school administrator signature; and○ Twelve (12) were missing both a parental and school administrator signature. <p><u>Notice of Suspension:</u></p> <ul style="list-style-type: none">• Twenty-one (21) or 31.8% of our sample selection did not retain a physical copy of the notice of suspension issued to the student; and• Five (5) or 7.6% of our sample selection retained a copy of the notice of suspension that was incomplete, missing the principal or administrator signature as well as the details of the attempted communication to the parental guardian. <p><u>Parental Conferences:</u></p> <ul style="list-style-type: none">• Forty-eight (48) or 72.7% of our sample selection did not retain evidence or document a parent conference occurring when required by the discipline matrix; and• Fifty-one (51) or 77.3% of our sample selection did not retain evidence or document a student conference occurring when required by the discipline matrix. <p>To facilitate communication between the school and the parental guardian, maintain accurate student records, and establish a clear and consistent audit trail, accurate records should be kept as they relate to the student's behavioral violation. Without complete document retention, the District risks being unable to support the appropriateness of the disciplinary consequences taken to address each behavioral violation.</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	2. Retention of Discipline Documentation (Continued)
<p>Recommendation</p>	<p>In order to optimize the retention of disciplinary consequence and referral documents, we recommend the District explore existing Focus capabilities as a document repository and establish standard operating procedures (see Observation #4) to standardize the electronic document retention practice. Additionally, fields should be added to designate when conferences with parents and students occurred, as well as outcome of each conference.</p> <p>The District may also consider Focus capabilities to distribute referral and notice of suspension documentation electronically. Each document could be virtually signed by the appropriate administrator, timestamped, and then emailed or printed to be provided to the student and the parent/guardian without the need to reupload any documentation. The District may additionally consider Focus capabilities to provide electronic signature capabilities for submission of documents to parents or guardians, indicating the receipt of provided documents.</p>
<p>Management Action Plan</p>	<p>Response: Since last year, the District has established regular virtual meetings for all administrators who handle discipline. It has been re-emphasized and documented on agendas, the necessity to maintain accurate physical records, as well as documentation of parent phone calls. Currently, in collaboration with Student Services, the discipline team is updating the referrals in FOCUS to allow for easy parent phone call documentation. We are also implementing a method of using Focus to upload all student statements, to help standardize our electronic storage practices. With this in mind, we are in the process of updating the Code of Conduct to reflect all our changes for next year.</p> <p>Responsible Party: Student Services Discipline Team</p> <p>Estimated Completion Date: July, 2024</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	3. Accuracy and Completeness of Discipline Documentation
High	<p>A referral contains multiple data fields to capture necessary information about the student and situation, including violation location, violation date, time, SESIR related elements, and a narrative of the event by the school staff. In our performance of detailed testing, we noted the following instances of incorrect or inconsistent data entry:</p> <p>Of the sixty-six (66) referral samples selected, fourteen (14), or 21.2% of our sample population were identified as missing one or more of the required fields, or the fields were completed incorrectly.</p> <ul style="list-style-type: none"> Seven (7) or 10.6% of our sample population had an absent or insufficient narrative that did not adequately support the coded behavior; Two (2) or 3% of our sample population had a referral narrative that described behavior that did not agree with the selected SESIR behavior code; One (1) or 1.5% of our sample population where an ESE student was incorrectly classified as general education; and One (1) or 1.5% of our sample population where the date listed for the disciplinary consequence initiated and completed pre-dated the violation occurrence. <p>Prior to SESIR incident data reporting to the state, Student Services and ITS review data entries and performs edits as necessary to correctly and accurately report all SESIR incidents. However, during our testing, we identified instances in which these edits were only applied to the reported data sent to the State, and not corrected on the source referral documentation within Focus.</p> <p>Three (3) samples or 4.5% of our sample population did not receive edits to the source referrals:</p> <ul style="list-style-type: none"> <i>Incident 588523</i> had a behavior violation code recorded as 'Forgery,' however, the incident type was recorded in the Focus referral as 'Other Major Unclassified Offenses'. <i>Incident 602613</i> had a behavior violation code recorded as 'Forgery,' however, the incident type was recorded in the Focus referral as 'Other Major Unclassified Offenses'. <i>Incident 603671</i> had a behavior violation code recorded as 'Cyberstalking,' however, the incident type was recorded in the Focus referral as Harassment. <p>Incorrect, incomplete, or inconsistent reporting of behavioral violations through referral data entry risks incorrect disciplinary consequences being administered per the discipline matrix. In addition, incorrect or unsupported behavioral coding of the violation may incorrectly categorize a locally-defined violation as SESIR, or vice-versa, and result in an incomplete audit trail to substantiate the reported data.</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	3. Accuracy and Completeness of Discipline Documentation (Continued)
Recommendation	<p>We recommend the District perform the following:</p> <ul style="list-style-type: none"> • Provide training to reinforce the requirement for all schools to determine that the information that is reported in Focus is accurate and that each behavioral code is sufficiently supported through violation narratives. • Monitor Focus data on a regular basis for compliance, completeness, and accuracy and provide support to the schools in implementing the District’s discipline policies and procedures.
Management Action Plan	<p>Response: This was a finding based on last year’s data. In collaboration with student support, we are updating referrals to document if a referral receives a consequence less than recommended. We have also been working with Student Support to manage all the constant updates coming from the State. The changes made to the referral document will address this finding. The Focus system has been updated to reflect this.</p> <p>Responsible Party: Student Services Discipline Team</p> <p>Estimated Completion Date: Complete</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	4. Standard Operating Procedures
<p>Moderate</p>	<p>The District maintains student discipline standard operating procedures (“SOP’s”) which are reviewed and updated on an annual frequency. There is opportunity to enhance existing written guidance for the performance of everyday activities within departments that support the discipline processes. Upon inspection of these procedures, we identified the following functions that are currently performed, but are not included as part of existing written guidance for Student Services and Schools:</p> <p><u>Student Services Department-Level Procedures</u></p> <ul style="list-style-type: none"> • Review and approval of long-term suspension and expulsions; • The performance, roles, and responsibilities in facilitating administrative hearings; • The performance of school personnel training; • Ongoing violation and disciplinary consequence monitoring processes; and • Communication cadence and practice with law enforcement. <p><u>School-Level Procedures</u></p> <ul style="list-style-type: none"> • Violation supporting documentation retention (see Observation #2); • Distribution of referrals to students, parents, and guardians; and • Timeliness expectations for referral entry and performance of disciplinary consequences. <p>Well-defined standard operating procedures are essential for promoting compliance with relevant laws, regulations, and policies governing discipline and disciplinary consequences. A lack of clear procedures increases the risk of non-compliance, leading to inconsistencies and inefficiencies in the management or application of student discipline related processes.</p>
<p>Recommendation</p>	<p>We recommend that the District perform a review of and enhance its existing standard operating procedure guidance to incorporate procedures currently performed that are not formally incorporated into SOP documentation and any additional processes that the District expands on in the future. Regular training and communication should accompany the implementation of standard operating procedures to facilitate staff members’ understanding and adherence to the defined processes. Standard operating procedures should be reviewed and updated on a periodic basis to account for any changes in laws or regulations.</p>
<p>Management Action Plan</p>	<p>Response: Under the direction of the Assistant Superintendent, a discipline team was created that is monitoring the weekly discipline data and trends. High-need schools are receiving immediate attention, through members of the team, who are providing recommended solutions. All of this is being reported to the superintendent regularly through direct reports and cabinet meetings. Data is monitored monthly and reported. Action plans are created from the data gathered.</p> <p>Responsible Party: Student Services Discipline Team</p> <p>Estimated Completion Date: Complete</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	5. Formalized Monitoring Processes
<p>Moderate</p>	<p>During our review of the District’s student discipline processes, we noted that evidence of centralized monitoring of the student discipline data is not currently formalized or retained. While Focus provides dashboard reporting and data visualization capabilities, the expectations for review of data by Student Services personnel, roles and responsibilities, and reporting requirements are not defined or documented. Data is analyzed on an ad hoc basis, on individual cases as needed/requested, or in response to specific questions/initiatives of stakeholders. Monitoring and reporting functions should include, but are not limited to:</p> <p><u>Disciplinary Consequences:</u> Through analysis of the population of violations in Focus, we noted behavior violations in which the documented disciplinary consequence(s) severity level did not appear to comply with the Student Discipline Policies. The documented disciplinary consequences were less severe than the observed behavior (see Observation #1). There is no formal centralized monitoring of the use of disciplinary consequences to identify outliers and perform follow-up on real-time incident management.</p> <p><u>Reporting to Leadership/Board:</u> VCS should define its key performance metrics and determine to whom and how often these performance metrics are reported. For example, metrics could include the time it takes to complete a referral, time it takes to assign and/or complete disciplinary consequence, disciplinary consequences taken for each behavior violation, violations by student (in quantity and severity), trends by school/school type/grade/etc., and more. These capabilities are currently present within Focus, but evidence of formal monitoring or reporting procedures is not retained.</p> <p><u>Timeliness of Process:</u> We noted in our detailed testing that there is no formal requirement or expectation for timeliness of completion of certain processes (see Observation #4). As a result, there is no documented formal centralized monitoring of the overall population of data for timeliness of the performance of these processes.</p> <p><u>Turnover and Vacancies in Key Roles:</u> As many school districts nationally face increased staffing challenges, it is necessary to be able to identify trends in key position turnover. The complexity of the student discipline process increases the risks around non-compliance for schools in which turnover in key roles occurs. There is no currently written guidance or expectation for Student Services to coordinate with Human Resources and Schools to identify turnover in student discipline related positions in a timely manner.</p> <p><u>Monitoring Processes:</u> It is the responsibility of Student Services to perform monitoring of all Focus data entries, however, current departmental standard operating procedures do not identify roles, responsibilities, and expectations for ongoing data monitoring (See Observation #4). Data may be analyzed on an inconsistent basis, on individual cases as needed/requested, or in response to specific questions/initiatives of stakeholders; however, VCS does not have overall defined performance metrics or formal reporting practices to leadership and the Board. Centralized monitoring and formalized reporting of student discipline data will provide transparency and consistency while assisting all parties in identifying trends and outliers that warrant further attention. Ongoing monitoring should include procedures to verify the accuracy and completeness of violation and disciplinary consequence data.</p>
<p>Recommendation</p>	<p>We recommend VCS define roles and responsibilities which includes a cadence for monitoring student behavior violations, disciplinary consequences and key metrics. Additionally, Student Services should coordinate with the Information Technology Services division to identify key data elements that need to be reported to each stakeholder group for a variety of monitoring purposes to communicate existing reports within Focus that can be utilized and accessed by VCS and school staff.</p>

OBSERVATIONS MATRIX (CONTINUED)

Observation	5. Formalized Monitoring Processes (Continued)
Management Action Plan	<p>Response: Under the direction of the Assistant Superintendent, the discipline team meets weekly to analyze data and adjust support plans. The team will continue to coordinate with Student Support to better define what elements can be monitored through our robust Focus system discipline.</p> <p>Responsible Party: Student Services Discipline Team</p> <p>Estimated Completion Date: Complete</p>

PROCESS IMPROVEMENT OPPORTUNITY

Discipline Structure and Governance

Staffing

The District formally employed a code compliance officer position within the Student Services Department, however that position is currently vacated. The position oversaw the process by which students adhere to established rules, fostering a conducive atmosphere for education. By addressing disciplinary issues promptly, this officer contributes to the overall effectiveness and well-being of the students. Roles performed by the code compliance officer included, but are not limited to:

- Perform ongoing, independent monitoring of compliance with internal policy and existing statutes and identification of regulatory changes that may impact discipline procedures.
- Creating a Positive Learning Atmosphere: Discipline is essential for creating an environment where students feel comfortable, respected, and focused on their studies. Compliance with a code of conduct fosters a positive school culture that values responsibility and respect.
- Supporting Teachers and Staff: Code compliance officers may assist teachers by addressing behavior issues, allowing educators to concentrate on teaching. This collaborative effort helps create a more effective teaching and learning environment.
- Preventing Escalation of Issues: Addressing disciplinary matters promptly can prevent minor issues from escalating into more significant problems. Timely intervention by this officer helps maintain a harmonious school community.

While this position remains vacated, the responsibilities previously performed within the role have been absorbed by existing staff within Student Services. We recommend the District assess current staff workload and determine if this position is/is not necessary for optimum department performance.

Discipline Committee

Behavior is constantly evolving, as is cultural practices within schools and in the community. To stay abreast of evolving changes, the District could consider establishing a formal student discipline committee or workgroup, comprised of representation from various stakeholders to perform targeted and comprehensive feedback to Student Services on student behavior and discipline practices and collaborate on existing and proposed discipline processes and documentation. As a comparison, committees in other districts include representation from teachers, administrators, students, union members, bus drivers, and parents. This committee should be governed by written guidance defining its role, which may include, but is not limited to:

- Establishment of committee positions;
- Define position appointments and rotation of committee personnel within each position;
- Establish working arrangements and meeting frequency expectations; and
- Definition of the scope of the committee's purview including roles and responsibilities.

APPENDIX A



2023-2024 Discipline Matrix

		LEVEL 1																																									
INFRACCTIONS	CODES	LEVELS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39		
Bus Disturbance (Minor)	B1	L1			O				M	O		O										M	O	O														O	O			1. Alternative Education Placement	
Disruption (Minor)	D1	L1			O				M	O		O										M	O	O														O	O			2. Baker Act	
Dress Code Violation	DC	L1			O				M	O		O										M	O	O													O	O			3. Behavior Contract		
Eloping	EP	L1			O				M	O		O										M	O	O													O	O			4. Cafeteria Restriction		
False Document	FX	L1			O				M	O		O										M	O	O													O	O			5. Civil Citation Program		
Horseplay	HP	L1			O				M	O		O										M	O	O													O	O			6. Community Service		
School Rule	SR	L1			O				M	O		O										M	O	O													O	O			7. Conference (Student)		
Tardy (T1-T7)	TA	L1			O				M	O		O										M	O	O													O	O			8. Detention		
Vehicle Violation (Minor)	VO	L1			O				M	O		O										M	O	O													O	O			9. Expulsion		
		LEVEL 2																																									
Bus Disturbance (Intermediate)	B2	L2			O				M	O		O										M	O																O	O			10. Bus Expulsion
Cheating/Academic Dishonesty	CT	L2			O				M	O		O										M	O																O	O			11. Extended Detention
Disruption (Intermediate)	D2	L2			O				M	O		O										M	O															O	O			12. Law Enforcement	
Failure to Complete Com Serv	CX	L2			O				M	O		O										M	O															O	O			13. MTSS	
Gambling	GB	L2			O				M	O		O										M	O															O	O			14. Other SESIR Defined	
Insubordination	IN	L2			O				M	O		O										M	O															O	O			15. P.A.S.S 1-3 Days	
Intro Foreign Substance (non-toxic)	NI	L2			O				M	O		O										M	O															O	O			16. P.A.S.S. 3-5 Days	
Laser Light	LL	L2			O				M	O		O										M	O															O	O			17. P.A.S.S. Receiving Services 1-3 Days	
Matches/Lighter/Flammables	ML	L2			O				M	O		O										M	O															O	O			18. P.A.S.S. Receiving Services 3-5 Days	
No Show Detention	ND	L2			O				M	O		O										M	O															O	O			19. Parent Conference/Contact	
No Show Extended Detention	NE	L2			O				M	O		O										M	O															O	O			20. Parent/Guardian Visit	
No Show Saturday	NS	L2			O				M	O		O										M	O															O	O			21. Peer Mediation	
Possession Chem. Spray < .5 oz.	PS	L2			O				M	O		O										M	O															O	O			22. Restitution	
Profane Language	PR	L2			O				M	O		O										M	O															O	O			23. Restriction	
Refusal Extended Detention	RD	L2			O				M	O		O										M	O															O	O			24. Saturday School	
Refusal Saturday School	RX	L2			O				M	O		O										M	O															O	O			25. School Related Arrest	
Scuffling	SH	L2			O				M	O		O										M	O															O	O			26. Student Intervention Program	
Tobacco *	TO	L2			O				M	O		O										M	O															O	O			27. Suspend Privilege	
Toy Gun	TG	L2			O				M	O		O										M	O															O	O			28. Suspension Bus	
Toy Knife	TK	L2			O				M	O		O										M	O															O	O			29. Suspension Driving	
Unauthorized Absence	UA	L2			O				M	O		O										M	O															O	O			30. Suspension Out of School 1-3 Days	
Unauthorized/Class	UI	L2			O				M	O		O										M	O															O	O			31. Suspension Out of School 3-5 Days	
Unclassified Events	UE	L2			O				M	O		O										M	O															O	O			32. Suspension Out of School 5 Days	
Vape *	VP	L2			O				M	O		O										M	O															O	O			33. Suspension Out of School 10 Days	
Vehicle Violation/Traffic Citation	TC	L2			O				M	O		O										M	O															O	O			34. Suspension Pending Expulsion	
		LEVEL 3																																									
Alcohol Possession *	PA	L3			O				M																														M	O			35. Threat Assessment
Alcohol Usage *	AU	L3			O				M																														M	O			36. Time Out
Ammunition	AM	L3			O				M																														O	O			37. Tobacco Citation
Bullying *	BY	L3			O				M																														M	O	O	M	38. Vehicle Restriction
																																											39. Warning

*HOPE SCHOLARSHIP M=MANDATORY CONSEQUENCES O=OPTIONAL CONSEQUENCES
Per Policy 208: A student's IEP or 504 plan must be considered when determining the response to a disciplinary action.

APPENDIX A (CONTINUED)

		LEVEL 3																																																					
INFRACTIONS	CODES	LEVELS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40													
Toxic Plants Dist./Sale/Use	TP	L3			O				M					M																						M	O								1. Alternative Education Placement										
Trespassing *	TR	L3			O				M					M																					M	O	O										2. Baker Act								
Vandalism Under \$1000	V3	L3			O				M					M																					M	O	O											3. Behavior Contract							
Walkie-Talkies	WT	L3			O				M					M																					M	O	O	O										4. Cafeteria Restriction							
		LEVEL 4																																																					
Alcohol Distribution	AD	L4			O				M	O				M																																			5. Civil Citation Program						
Alcohol Sale *	AS	L4			O				M	O				M																																				6. Community Service					
Alcohol, Attempted Sale	AA	L4			O				M	O				M																																				7. Conference (Student)					
Arson *	AR	L4			O				M	O				M																																					8. Detention				
Assault on Employee	AE	L4			O				M	O				M																																					9. Expulsion				
Assault on Student *	AP	L4			O				M	O				M																																						10. Bus Expulsion			
Battery on Employee	BE	L4			O				M	O				M																																						11. Extended Detention			
Battery on Student	BS	L4			O				M	O				M																																						12. Law Enforcement			
Bomb Threat	BO	L4			O				M	O				M																																							13. MTSS		
Disorderly Conduct	DO	L4			O				M	O				M																																							14. Other SESIR Defined		
Drug Distribution *	D3	L4			O				M	O				M																																						15. P.A.S.S 1-3 Days			
Drug Use *	DA	L4			O				M	O				M																																							16. P.A.S.S. 3-5 Days		
Drugs, Attempted Sale	DA	L4			O				M	O				M																																							17. P.A.S.S. Receiving Services 1-3 Days		
Drugs, Sale *	DS	L4			O				M	O				M																																							18. P.A.S.S. Receiving Services 3-5 Days		
Explosives	EO	L4			O				M	O				M																																							19. Parent Conference		
Firearm Distribution	FD	L4			O				M	O				M																																							20. Parent/Guardian Visit		
Firearm Possession *	FP	L4			O				M	O				M																																								21. Peer Mediation	
Firearm Sale	FS	L4			O				M	O				M																																								22. Restitution	
Firearm Use	FU	L4			O				M	O				M																																								23. Restriction	
Homicide *	HO	L4			O				M	O				M																																								24. Saturday School	
Kidnapping *	KD	L4			O				M	O				M																																								25. School Related Arrest	
Principal/Criminal Act/Level 4	P4	L4			O				M	O				M																																								26. Student Intervention Program	
Riot	RI	L4			O				M	O				M																																								27. Suspend Privilege	
Robbery *	RO	L4			O				M	O				M																																								28. Suspension Bus	
Sexual Assault *	XA	L4			O				M	O				M																																								29. Suspension Driving	
Sexual Battery *	XB	L4			O				M	O				M																																									30. Suspension Out of School 1-3 Days
Synth. /Count. Drug Distribution *	SD	L4			O				M	O				M																																								31. Suspension Out of School 3-5 Days	
Synth. /Count. Drugs, Attempt Sale	SA	L4			O				M	O				M																																									32. Suspension Out of School 5 Days
Vandalism over \$1000 *	V4	L4			O				M	O				M																																								33. Suspension Out of School 10 Days	
Vehicle Theft	VT	L4			O				M	O				M																																								34. Suspension Pending Expulsion	
Weapon Possession/BB	UB	L4			O				M	O				M																																								35. Threat Assessment	
Weapon Possession/Knife	UK	L4			O				M	O				M																																								36. Time Out	
Weapon Possession/Other	UO	L4			O				M	O				M																																								37. Tobacco Citation	
																																																					38. Vehicle Restriction		
																																																						39. Warning	

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