

APPENDIX A

SESIR definitions—1999-2000 School Year

ALC ALCOHOL (possession, use or sale)

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages. Use should be reported only if the person is caught in the act of using or is discovered to have used in the course of the investigation.

- ***Examples:***

Testing positive by law enforcement or admission by the person. Examples of possible intoxication, which should be reported, are a student with slurred speech or red, glassy eyes, or an individual who is unsteady on his/her feet. Law enforcement should be called if someone of authority observes a student who appears to be intoxicated, getting out of a car, after driving.

- ***Non-Examples:***

Suspicion of alcohol without substantiated proof, a student with only the slight odor of alcohol.

ARS ARSON (intentionally setting a fire on/with school property)

To willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damage or cause to be damaged: any dwelling, structure or conveyance, whether occupied or not, or its contents; and any other structure that the person knew or had reasonable grounds to believe was occupied by a human being.

- ***Examples:***

Deliberate burning of school textbooks.

- ***Non-Examples:***

Unintentional trash can fires, such as a fire started from a cigarette.

BAT BATTERY (physical attack/harm)

The willful and unlawful use of force or violence upon the person of another. Three primary elements must be present for a *Battery* to occur: (1) there must be an aggressor (suspect), who (2) intended to cause physical harm, to (3) an innocent person (victim). Includes an attack with a weapon that fits the aforementioned description.

- ***Examples:***

Initially a mutual combat, such as when two persons are actively engaged in a fight, but it becomes a *Battery* when one stops fighting or is no longer able to fight back and the other continues to beat the victim.

- ***Non-Examples:***

Mutual combat by two persons who are both actively engaged in a fight, or a situation in which an aggressor hits another person and the “victim” strikes back and becomes engaged in a fight with the aggressor.

BRK BREAKING AND ENTERING/BURGLARY (illegal entry into a facility)

The unlawful entry with or without force into a building or other structure, remaining behind or conveyance with the intent to commit a crime to property.

- ***Examples:***

Breaking and entering into a building during an athletic events, school buses, or a residential garage that is being used for a school sponsored event such as to build a school float; willfully remaining within a building after it has been secured and committing a crime, such as vandalism or theft.

- ***Non-Examples:***

A student found wandering the halls, after hours, who entered through an unlocked door; teenagers who entered an unlocked gym, without permission, and used the basketball court (Refer to *Trespassing* as a possible incident definition).

DOC DISORDERLY CONDUCT (*serious* campus disruption)

Any disruptive behavior that poses a serious threat to the learning environment, health, safety, and/or welfare of others.

- ***Examples:***

Situations where order is not easily restored, disruptive demonstrations, inciting a riot, pulling a fire alarm, bomb threats.

- ***Non-Examples:***

Less serious incidents such as defiance of authority, disobeying or showing disrespect to others, using obscene or inappropriate language or gestures.

DRG DRUGS - EXCLUDING ALCOHOL (illegal drug possession, sale or use/under the influence)

The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug, narcotic substance, or any substances represented as drugs (such as designer drugs, caffeine pills, herbs, foods). Use should be reported only if the person is caught in the act of using or is discovered to have used in the course of the investigation.

- ***Examples:***

Being under the influence of drugs or substances at school, at school-sponsored events or on school transportation: misrepresenting substances as drugs.

- **Non-Examples:**

Using or possessing over the counter medications, having drug paraphernalia free of residue.

HOM HOMICIDE (murder, manslaughter)

The unlawful killing of one human being by another.

- **Examples:**

Any homicide (student, non-student, or adult) that occurs on school campuses, school-sponsored events, or school transportation, whether the assailant is known or not.

- **Non-Examples:**

Accidental death or suicide.

KID KIDNAPPING (abduction of an individual)

Forcibly, secretly, or by threat confining, abducting, or imprisoning another person against their will and without lawful authority.

- **Examples:**

Holding a person for ransom or reward, as a shield, or as a hostage; non-custodial caregiver with a retraining order picks up a student.

- **Non-Examples:**

A student runs away with her boyfriend after he picks her up from school.

MVT MOTOR VEHICLE THEFT (actual or attempted taking of a vehicle)

Theft or attempted theft of a motor vehicle.

- **Examples:**

Theft of car, truck, motorcycle, golf cart, dune buggy, RV or anything that is self-propelled and motorized.

- **Non-Examples:**

A mother sees an unknown person driving her son's car during school hours and reports the car as being stolen, later to discover that the son lent his car to a friend without the parent's knowledge.

ROB ROBBERY (using force to take something from another)

The taking or attempted taking of anything of value that is owned by another person or organization, under the confrontational circumstances of force or threat of force or violence and/or by putting the victim in fear.

- **Examples:**
Snatching a gold chain off someone's neck, extortion of lunch money.
- **Non-Examples:**
Taking money from an unattended purse (Refer to *Theft* as a possible incident definition).

STL LARCENY/THEFT (taking of property or from a vehicle on school property)

The unlawful taking, carrying, riding away or concealing the property of another person, without threat, violence or bodily harm, with the intent to prevent or deprive the rightful owner of its use (The item must be \$50 or more to report in SESIR).

- **Examples:**
Embezzlement of public funds, stealing an item worth \$50 or more.
- **Non-Examples:**
Borrowing an item without permission, robbery, stealing an item less than \$50.

SXB SEXUAL BATTERY (attempted or actual forcible penetration)

Forced oral, anal or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object.

- **Examples:**
Rape, attempted rape.
- **Non-Examples:**
Consensual sex (Refer to *Sexual Offense* as a possible incident definition).

TRE THREAT/INTIMIDATION (instilling fear in others)

To unlawfully place another person in fear of harm (emotional or physical) with or without the use of a weapon. Must have all three elements to be considered a threat: (1) intent; (2) fear; and (3) capability.

- **Examples:** Stalking, violation of a restraining order.
- **Non-Examples:**
Mutual combat, actual use of force or violence against another (Refer to *Battery* or *Fighting* as possible incident definitions).

TRS TRESPASSING (illegal entry onto campus)

To enter or remain on a public school campus, at a school function or on any school board property without authorization or invitation and with no lawful purpose for entry.

- **Examples:**
Entering on campus by any unauthorized persons, remaining on property after being directed to leave by the chief administrator or designee.
- **Non-Examples:**
A parent entering the building to pick up his/her child without getting clearance through the office first, searching for a phone at a school facility after a car has broken down.

VAN VANDALISM (destruction, damage, or defacement of school or personal property)

The unlawful and/or malicious destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it (The amount of damage must be \$100 or more to report in SESIR, including time and labor).

- **Examples:**
Leaving graffiti, keying a car, or trashing a room resulting in damages of \$100 dollars or more.
- **Non-Examples:**
Causing damages under \$100.

WPO WEAPONS POSSESSION (possession of firearms and other instruments which can cause harm)

Possession, use or intention of use of any instrument or object (as defined by F.S. 790.001 or district code of conduct) that can inflict harm on another person or to intimidate any person.

- **Examples:**
Using a firearm, knife, mace, or replica of an authentic weapon such as a gun.
- **Non-Examples:**
Using items not covered under law or district policy such as pointed instruments, pens, or pencils).

OMC OTHER MAJOR (major incidents that do not fit within the other 16 criminal definitions)

Any major incident resulting in the need for law enforcement intervention not previously classified.

FIT FIGHTING (mutual combat, mutual altercation)

When two or more persons mutually participate in physical violence that requires physical restraint and/or results in injury.

- **Examples:**

An altercation which ends up a mutual combat, one person hitting another person and the “victim” strikes back and becomes engaged in a fight with the aggressor.

- **Non-Examples:**

Battery, verbal confrontations, shoving that is easily stopped, or “horse play” (Refer to *Battery* as possible incident definition).

SXH SEXUAL HARASSMENT (undesired sexual behavior towards another)

Unwanted or repeated verbal or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation or creates a hostile environment. The following types of conduct by any adult or student constitute sexual harassment:

(1) **Creating A Hostile Environment** - Sexually harassing conduct (which can include unwelcome sexual advances; and other verbal, nonverbal or physical behavior of a sexual nature) by an individual that is sufficiently severe, persistent, or pervasive enough to create a hostile or abusive educational environment; or

(2) **Quid Pro Quo** - To condition, explicitly or implicitly sexual favors for participation in an educational program or activity or in determining an educational decision (In some cases, severe incidents of sexual harassment which includes violent physical contact may be considered a *Battery*; or with physical penetration, a *Sexual Battery*).

- **Examples:**

Unwanted and ongoing episodes of leering, pinching, grabbing, suggestive comments or jokes or actions of a sexual nature. Pressure to engage in sexual activity.

- **Non-Examples:**

Consensual sex between students, hugs from a coach after scoring a goal, hugs for a kindergartner for a skinned knee.

SXO SEXUAL OFFENSES (lewd behavior, indecent exposure)

Sexual contact, including intercourse, without force or threat of force and where victim is capable of giving consent. Exposing an individual to lewd, sexual behavior or actions.

- **Examples:**

Exposing oneself in an indecent manner (exposure of private body parts to the sight of another person in a lewd or indecent manner in a public place); making obscene remarks (conduct which by community standards is deemed to corrupt public morals by its indecency and/or lewdness).

- **Non-Examples:**
Kissing, swearing.

TBC TOBACCO (cigarettes or other forms of tobacco)

The possession, use, distribution or sale of tobacco products on school grounds, school-sponsored events, and on school transportation by any person under the age of 18.

- **Examples:**
A 17-year-old student possessing cigarettes.
- **Non-Examples:**
An 18-year-old student smoking a cigar on campus.

APPENDIX B

SESIR Definitions—1997-1998 and 1998-1999 School Years

ALC **ALCOHOL** (liquor law violations, possession, use sale) - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating alcoholic beverages. This would include intoxication at school, school-sponsored events, and on school-sponsored transportation or substances represented as alcohol. Use should be reported only if students are caught in the act of using, are tested, and use found by an officer/after arrest or is discovered to have used in the course of investigating the incident. THIS DOES NOT MEAN THAT SCHOOLS WILL TEST FOR THIS. SUSPICION OF USE OF ALCOHOL WILL NOT BE REPORTED.

ARS **ARSON** (setting a fire on/in school property) - To willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damage or cause to be damaged: any dwelling, whether occupied or not, or its contents; any structure, or contents thereof, where persons are normally present; and any other structure that the person knew or had reasonable grounds to believe was occupied by a human being (Section 806.01 (1)(a) (c), F.S.).

Examples include: firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to damaging fire. Without a fire, firecrackers and fireworks are included in the weapons category. This category does not include a simple act of lighting a match.

BAT **BATTERY** (physical attack/harm) - An actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual. When one individual physically attacks or “beats up on” another individual. Includes an attack with a weapon that causes serious bodily harm to the victim. This category also includes the placement of a bomb or one sent through the mail, regardless of whether the bomb explodes.

Examples include striking that causes bleeding, broken nose, kicking while a student is down.

BRK **BREAKING & ENTERING/BURGLARY** (school building) - The unlawful entry into a building or other structure with the intent to commit a crime. This applies to school buildings or activities related to a school function.

DOC DISORDERLY CONDUCT (serious class or campus disruption, etc.) - Any act that substantially disrupts the orderly conduct of a school function, behavior that substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. If the action results in a more serious incident, report in the more serious incident category.

Examples include: serious instances of classroom or campus disruption, such as pulling the fire alarm, defiance of authority, disobeying or showing disrespect to others, using obscene or inappropriate language or gestures and disruptive demonstrations.

DRG DRUGS – EXCLUDING ALCOHOL (illegal drug possession, sale, use/under the influence) - The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance or equipment, and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, at school-sponsored events, or on school transportation or substances represented as drugs. Use should be reported only if students are caught in the act of using, are tested, and use found by officer during/after arrest or is discovered to have used in the course of investigating the incident. **THIS DOES NOT MEAN THAT SCHOOLS WILL TEST FOR THIS.** Category includes over-the-counter medications if abused by the student. Category does not include tobacco.

FIT FIGHTING (mutual altercation) - Mutual participation in a fight involving physical violence, where there is no one main offender and no major injury. Does not include verbal confrontations, tussles, or other minor confrontations.

HOM HOMICIDE (murder, manslaughter) - Murder and non-negligent manslaughter, killing of one human being by another, killing a person through negligence.

KID KIDNAPPING (abduction) - Forcibly, secretly, or by threat confining, abducting, or imprisoning another person against their will and without lawful authority, with intent to: (1) hold for ransom or reward or as a shield or hostage; (2) commit or facilitate commission of any felony; (3) inflict bodily harm upon or to terrorize the victim or another person; and (4) interfere with the performance of any governmental or political function (Section 787.01(1)(a)1-4,F.S.).

MVT MOTOR VEHICLE THEFT (including attempted) - Theft or attempted theft of a motor vehicle.

Examples include theft of car, truck, motorcycle, dune buggy, RV, or anything that is self-propelled.

ROB ROBBERY (using force) - The taking, or attempting to take, anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and larceny is that a threat or battery is involved in a robbery.

Examples include extortion of lunch money.

STL LARCENY/THEFT - (personal or school property or from vehicle on school property) The unlawful taking, carrying, leading, or riding away of property of another person without threat, violence, or bodily harm. Included are pocket picking, purse or backpack snatching if left unattended or no force used to take it from owner, theft from a building, theft from a motor vehicle or motor vehicle parts or accessories, theft of bicycles, theft from a machine or device operated or activated by the use of a coin or token, and all other types of larcenies. Category includes theft of such things as a car stereo, speakers, or hub caps.

SXB SEXUAL BATTERY (forcible sex offenses, includes attempted) - Oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object (Section 794.011 (1)(h), F.S.).

SXH SEXUAL HARASSMENT - (1) To discriminate against a student in any course or program of study in any educational institution, in the evaluation of academic achievement, or in providing benefits, privileges, and placement services on the basis of that student's submission to or rejection of sexual advances or requests for sexual favors by administrators, staff, teachers, students, or other school board employees; or (2) To create or allow to exist an atmosphere of sexual harassment, defined as deliberate, repeated, and unsolicited physical actions, gestures, or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment. (Massachusetts Legislation).

Keys to Definition: Unwanted, repeated, verbal or physical sexual behavior, which is offensive and objectionable to the recipient, causes discomfort or humiliation, and interferes with school performance.

Examples include behaviors such as leering, pinching, grabbing, suggestive comments or jokes, pressure to engage in sexual activity, and the following:

- Using the computer to leave sexual messages or playing computer sex games;
- Rating an individual – for example, on a scale from 1 to 10;
- “Wedgies – pulling underwear up at the waist so it goes between the buttocks;
- Making kissing sounds or smacking sounds; licking the lips suggestively’;
- “Spiking” – pulling someone’s pants down;
- Howling, catcalls, whistles;
- Touching (breast, buttocks, etc.);
- Verbal comments (about parts of the body, clothing, etc.);
- Spreading sexual rumors;
- Sexual or dirty jokes;
- Massaging the neck and shoulders;
- Touching oneself sexually in front of others.

SXO SEX OFFENSES (lewd behavior, indecent exposure) - This includes sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force and where the victim is capable of giving consent. Includes indecent exposure (exposure of private body parts of the sight of another person in a lewd or indecent manner in a public place); and obscenity (conduct which by community standards is deemed to corrupt public morals by its indecency and/or lewdness; such as phone calls or other communication, unlawful manufacture, publishing, selling, buying, or possessing materials, such as literature or photographs).

Examples include: Entering or downloading pornographic content (words or pictures) onto school computers. This category does not include mooning, kissing or swearing.

TRE THREAT/INTIMIDATION (physical or verbal threat or intimidation) - To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack.

TBC TOBACCO (possession, use) - The possession, use, distribution, or sale of tobacco products on school grounds, school-sponsored events, and on transportation to and from school or other school transportation.

TRS TRESPASSING (school property and school function) - To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion, and unauthorized persons who enter or remain

on campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus, or function.

VAN VANDALISM (damage to or destruction of school or person property) - The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. This category includes graffiti.

WPO WEAPONS POSSESSION (includes firearms and other weapons) - Firearms (defined in Section 921 of Title 18 of the United States Code):

- Any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive.
- Any weapon which will, or may readily be converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.

Firearm component or attachment:

- Any combination of parts either designed or intended for use in converting any device that expels a projectile, or any explosive, incendiary or poison gas and from which a destructive device may be readily assembled.
- The frame or receiver of any weapon designed to or be converted to expel a projectile.
- Any firearm mufflers or firearm silencer.
- Explosive, incendiary or poison gas:

An explosive is any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon dynamite, nitroglycerin, trinitrotoluene or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps and detonators (Section 790.001(5), F.S.). This category does not include Class-C common fireworks

- Any explosive, incendiary or poison gas:
 - 1) Bomb
 - 2) Grenade
 - 3) Rocket having a propellant charge of more than four ounces,
 - 4) Missile having an explosive or incendiary charge of more than one-quarter ounce,

- 5) Mine, or
- 6) Similar device

Other Weapons: Possession, use, or intent to use any instrument or object to inflict harm on another person or to intimidate any person. Included in this category are all types of knives, chains (any not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), razor blades or similar instruments with sharp cutting edges, ice picks, dirks, other pointed instruments (including pencils, pens) numchuks, brass knuckles, Chinese stars, billy clubs, tear gas guns, electrical weapons or devices (stun gun), BB or pellet guns, explosives or propellants. Possession of any types of knife (including a pocket or penknife) is included here.

Examples include: any type of firearm, might include toy guns if they are authentic replicas or are used in a threatening manner, firecrackers, fireworks, M80's and mace and pepper gas.

OMC OTHER MAJOR OFFENSES/UNCLASSIFIED (such as forgery, extortion, possession of an electronic beeper) - Any major incident resulting in disciplinary action not classified previously, including but not limited to bribery, fraud, embezzlement, forgery, gambling, extortion/blackmail, stolen property, driving under the influence, possession of beepers, or other action not included in any other major incident category. Also includes possession of school-defined contraband. Includes possession of beepers and/or phones.

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