

APPENDIX P
DEFINITIONS FOR INCIDENT REPORTING

CODE

DEFINITION

ALC*

ALCOHOL (possession, use or sale) - Possession, sale, purchase, or use of 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 an investigation.

Examples: Student testing positive for alcohol by law enforcement. Student possessing, using, or selling alcohol. Student smelling strongly of alcohol and showing signs of possible intoxication including, but not limited to: slurred speech, red or glassy eyes, unsteady on his/her feet, or vomiting.

Non-Examples: Student being suspected of using alcohol without evidence. Student smelled of alcohol, and after investigation, was found to be diabetic.

Law enforcement should be called any time someone in authority observes a student who exhibits signs of possible intoxication. A trained law enforcement officer should conduct the assessment. Since many medical conditions present similar signs to intoxication, it is important that a thorough assessment is completed. Law enforcement should be called any time someone in authority observes a student who exhibits signs of possible intoxication, getting out of a car after he/she was just seen driving it, or getting into the driver's seat.

ARS*

ARSON (intentionally setting a fire on/with school property) - To damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents.

Examples: Student or other deliberately burning school textbooks.

Non-Examples: Student or other unintentionally starting a fire.

Note: Report all fires to authorities so they can be investigated for intent. Report only intentionally set fires to SESIR.

BAT*

BATTERY (physical attack/harm) - The physical use of force or violence by an individual against another.

Examples: Student hitting another with a heavy object over the head. Student jabbing a pen into another's arm. Student or other engaging in mutual physical altercation with another and continuing to hit/beat that person even after that person stops fighting, or is no longer able to fight back.

Non-Examples: Student or other delivering a single poke to the chest. Student or other delivers a single, non-injuring strike to the arm of another. Student or others actively engaging in a fight with each other. Student or other striking back when hit by an aggressor and becoming engaged in a fight with the aggressor. (Refer to *Fighting* code as a possible code.)

To distinguish from *Fighting*, report an incident as *Battery* only when the force or violence is carried out against a person who is not fighting back.

APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)

CODE

DEFINITION

BRK*

BREAKING AND ENTERING/BURGLARY (illegal entry into a facility) - The unlawful entry with force, or unauthorized presence in a building or other structure, or conveyance with evidence, of the intent to damage or remove property or harm a person(s).



Examples: Student or other breaking and entering into: a school building during athletic events, a school bus, or a residential garage that is being used for a school-sponsored event. Student or other willfully remaining within a building after it has been secured and committing a crime, such as vandalism or theft.

Non-Examples: Student or other entering an unlocked gym, without permission, and using the basketball court. Student or other wandering the halls, after hours, after entering through an unlocked door.

If entry was by force, resulting in facility damage, the incident should be coded as *Breaking and Entering/Burglary*.

DOC*



DISRUPTION ON CAMPUS—MAJOR (significantly_disrupts all or portions of the campus activities, school sponsored events or school bus transportation) - Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others.

Examples: Student or other making a bomb threat. Student engaging in disruptive behavior that causes the bus driver to stop the bus to ensure the safety of the group. Student or other causing an incident that results in closing the cafeteria. Student or other inciting a riot. Student or other pulling a fire alarm. Student or other deliberately crashing the school computer system. Student or other causing an incident that prevents other students from proceeding to the next class or prevents egress.

Non-Examples: Disruption of a single classroom. Student defying authority. Student talking loudly on a moving bus. Student not sitting in seat while school bus is moving. Student disobeying or showing disrespect to others. Student or other using obscene or inappropriate language or gestures



Incidents that affect a single classroom during a single class period should not be reported in SESIR. Schools may want to document these types of incidents on their local student discipline referral form.

Bomb threats and false bomb reports as defined in Section 790.162.163, Florida Statutes, are considered felony offenses and require expulsion for at least one year and referral for prosecution. Bomb threats fall under the zero tolerance policy (Section 1006.13(2) (b), Florida Statutes).

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<u>CODE</u>	<u>DEFINITION</u>
DRD*	<p><u>DRUG SALE/DISTRIBUTION--EXCLUDING ALCOHOL</u> - (illegal sale or distribution of drugs) - The manufacture, cultivation, sale or distribution of any drug, narcotic, controlled substance or substance represented to be a drug.</p> <p>Examples: Student passing a marijuana cigarette around in the school bathroom. Student giving prescription drugs prescribed for someone else. Student selling cocaine to another. Student or other misrepresenting substances as illegal drugs.</p> <p>Non-Examples: Student taking medication prescribed for him/her. Student smoking a marijuana cigarette alone. (Refer to Drug Use/Possession.). Student found with a single marijuana cigarette in backpack. (Refer to Drug Use/Possession)</p>
DRU*	<p><u>DRUG USE/POSSESSION--EXCLUDING ALCOHOL</u> - (illegal drug possession or use) – The use or possession, of any drug, narcotic, or controlled substance.</p> <p>Examples: Student or other possessing or being under the influence of illegal drugs at school, at school-sponsored events, or on school transportation. Student possessing prescription drugs that are not prescribed for him/her. Student observed swallowing pills from a container with prescription or illegal pills that belong to someone else.</p> <p>Non-Examples: Student possessing or using over-the-counter medications in dosage prescribed. Student using inhalers for asthmatic condition. Student giving an aspirin or other over the counter medication to another in dosage prescribed.</p> <p>Behavioral evidence alone should not be used as a basis for reporting drug use. Although a student giving another an over-the-counter medication may violate school code, it is not reported as a SESIR incident.</p>
FIT**	<p><u>FIGHTING</u> (mutual combat, mutual altercation) - When two or more persons mutually participate in use of force or physical violence that requires physical restraint or results in injury.</p> <p>Examples: Student or other engaging in a fight/combate with another and physical restraint is necessary to stop it. Student becoming engaged in a fight which results in the need for first aid or medical attention for one or both of the participants.</p> <p>Non-Examples: Student engaging in "horseplay." Student verbally confronting another student/teacher. Student or other engaging in pushing and shoving who is easily separated or stopped. Student or other engaging in a fight which is resolved without injury or need for physical restraint.</p> <p>Note: Schools may want to document lower levels of fighting such as the non-examples listed here on their <u>local</u> student discipline referral form.</p> <p>SERIOUS incidents involving mutual participation should be reported as <i>Fighting</i>, without regard to who was the original aggressor, unless the guidelines for reporting the incident as a <i>Battery</i> apply. Fighting should be reported to SESIR if at least one of the following occurs: (1) <i>Verbal intervention does not stop the fighting and physical restraint is required.</i> For guidance as to who should intervene by using physical restraint, staff should follow local school board policies and procedures. (2) <i>Someone is injured, requiring immediate first aid or subsequent medical attention as a result of the fight.</i></p>

APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)

CODE

DEFINITION

HOM*

HOMICIDE (murder, manslaughter) - The unjustified killing of one human being by another.

Examples: Student or other person, known or unknown, committing any homicide on school campus, at school-sponsored events, or on school transportation.

Non-Examples: Student or other accidentally dying. Student or other committing suicide.

KID*

KIDNAPPING (abduction of an individual) - Forcibly, or by threat, confining, abducting, or imprisoning another person against his/her will and without lawful authority.

Examples: Student or other holding another person for ransom or reward, as a shield, or as a hostage. Non-custodial caregiver, with a restraining order, picking up a student.

Non-Examples: Student running away with her boyfriend after being picked up from school by him.

OMC*

OTHER MAJOR (major incidents that do not fit within the other definitions) - Any serious, harmful incident resulting in the need for law enforcement intervention not previously classified.

Examples: Student produces or knowingly uses counterfeit money. Student uses a picture phone to take a picture of a student using the bathroom and places it on the web. Student participates in gambling activities, i.e., throwing quarters for money. Student possesses pornographic materials depicting others under the age of 18.

Non-Examples: Student violating probation. Student or other committing crimes off-campus.

Sometimes arrests are made on school campuses for incidents that occurred off campus or for circumstances that are not school-related. These non-examples include arrests for breaking and entering into an off-campus home or building or arrests for violation of probation. **These are not to be reported as SESIR incidents.**

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 Student or other snatching a gold chain off someone's neck. Student or other extorting lunch money. Student or other engaging in "carjacking."

Non-Examples: Student or other taking money from an unattended purse. (Refer to *Larceny/Theft* code as a possible SESIR code)

APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)

<u>CODE</u>	<u>DEFINITION</u>
STL*	<p><u>LARCENY/THEFT</u> (taking of property from person, building, or a vehicle) - The unauthorized taking, carrying, riding away, or concealing the property of another person, including motor vehicles, without threat, violence, or bodily harm.</p> <p>Examples: Student or other embezzling public funds. Student or other stealing an item worth \$300 or more. Student finding a checkbook, signing owner's name, and making a purchase. Student or other stealing a car or motorcycle.</p> <p>Non-Examples: Student or other borrowing an item without permission. Student or other committing robbery (code as <i>Robbery</i> instead). Student or other stealing an item less than \$300.</p> <p>The item must be valued at \$300 or more to report in SESIR. However, it is important for schools to document lower-level theft incidents on their <u>local</u> student discipline referral form.</p> <p>Note: The threshold amount for years prior to and including 2004-2005 was \$50.</p>
SXB*	<p><u>SEXUAL BATTERY</u> (attempted or actual) - Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or object.</p> <p>Examples: Student or other raping someone. Student or other attempting to rape someone.</p> <p>Non-Examples: Students engaging in consensual sex acts. (Consensual sex is not Sexual Battery. Refer to <i>Sexual Offense (Other)</i> as a possible SESIR code).</p>
SXH**	<p><u>SEXUAL HARASSMENT</u> (undesired sexual behavior) - Unwanted and repeated verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance or participation. {6A-19.008(1) SBE Rule} An incident when one person demands a sexual favor from another under the threat of physical harm or adverse consequence.</p> <p>Examples: Student or other causing unwanted and ongoing episodes of leering, pinching, grabbing. Student or other making repeated suggestive comments, jokes, or actions of a sexual nature. Student or other pressuring one to engage in sexual activity. Teacher threatening to lower a student's grade if sexual favors are not given. Student or other repeatedly showing a photograph, poster or other visual image of nudity, lewd or sexual activity. Student or other pressuring another student for sexual favors by threatening to prevent him/her from participating in a school activity.</p> <p>Non-Examples: Students engaging in consensual sex. (Refer to <i>Sexual Offense (Other)</i> code as a possible SESIR code.) Student unintentionally brushing up against another in the hallway. A single incident of a kiss that may be unwanted.</p> <p>Unwanted kissing becomes sufficiently pervasive to report when an individual kisses several others or when an individual kisses another several times.</p>

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DEFINITIONS FOR INCIDENT REPORTING (Continued)

<u>CODE</u>	<u>DEFINITION</u>
SXO*	<p><u>SEX OFFENSES (Other)</u> – 1) Other sexual contact, including intercourse, without force or threat of force, and where victim is under 16. 2) Subjecting an individual to lewd sexual gestures, comments, sexual activity, or 3) Exposing private body parts in a lewd manner.</p> <p>Examples: Student or others participating in sexual activity in front of a student under 16. Student or other intentionally exposing genitals. A 15-year-old student having sexual activity with a 16-year-old person, or older. 16-year-old students engaging in sexual activity in janitor's closet. Student or other soliciting or encouraging a person under 16 to commit a sexual act. Student or other touching the buttocks of another in a lewd, lascivious manner. Student or other intentionally making obscene remarks (conduct, which by community standards, is deemed to corrupt public morals by its indecency and/or lewdness).</p> <p>Non-Examples: Students kissing consensually. Student swearing. A kindergarten child relieving himself publicly. A first grade student hugging another. Student inadvertently touching breasts or buttocks of another.</p> <p>1. The legal age of consent for sexual activity is the 16th birthday. A 15-year-old or younger person cannot legally give consent to sex. (See Section 800.04-07 Florida Statutes) Sexual activity between students 16 or older should also be reported to law enforcement immediately so investigation can be conducted regarding illegal conduct. 2. Consideration should be given to developmentally age appropriate behaviors in coding sexual offenses for students. Young children and students with exceptionalities may expose themselves without conscious sexual intent. 3. Consult school district student services or psychologist for assessing acting out sexual behaviors that might be indicators of abuse, and use the findings to help determine whether to report the incident as a SESIR incident. Obtain input: when the principal is unable to determine if the behavior involving young children is of a sexual nature beyond developmentally appropriate age expectation, or when the incident is serious enough to require further investigation, or when students in special education are involved.</p>
TBC**	<p><u>TOBACCO</u> (cigarettes or other forms of tobacco) - The possession, use, distribution, or sale of tobacco products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 18.</p> <p>Examples: A student under 18 possessing cigarettes. A student under 18 smoking a cigarette. A student using smokeless tobacco.</p> <p>Non-Examples: An 18-year-old student smoking a cigar on campus.</p> <p><i>Although district codes of student conduct may make it against the <u>district</u> code for students age 18 and older to be smoking on school campus, it still is not in violation of the state statute and should <u>not</u> be reported in SESIR.</i></p> <p>Tobacco incidents should be coded as "Reported to Law Enforcement" any time a civil citation is written, whether it is by a law enforcement officer or the "designee." (See Section 569.12, Florida Statutes)</p>

APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)

CODE

DEFINITION

TRE*

THREAT/INTIMIDATION (instilling fear in others) - A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements: (1) intent--an intention that the threat is heard or seen by the person who is the object of the threat; (2) fear--a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and (3) capability--the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained.

Examples: Student or other willfully and repeatedly following another or stalking with intent to cause the person to fear for his/her safety. Student or other who willfully and repeatedly uses email to cause another to fear for his/her safety or cause substantial emotional distress (cyber- stalking). Student or other making repeated, malicious, credible threats in person or by telephone causing the person to fear for his/her safety. Student telling another he/she could kill or knows people who could kill his/her kind. Student or other violating a restraining order.

Non-Examples: Student or other engaging in mutual combat with another. Refer to *Battery or Fighting* codes as possible SESIR code) Student or other actually using force or violence against another. (Refer to *Battery or Fighting* codes as possible SESIR code.) Student waving to another student in the hallway, waiting after class to talk to him/her and calling to ask him/her out.

→ Any threat of violence towards the school, targeted groups, or individuals that does not contain the three elements of intent, fear, and capability, but does result in school disciplinary action and a police investigation, should be coded as *Disruption on Campus Major* if it causes a significant campus disruption.

→ Note: A person following another without the intent or result of putting the person in fear of death or bodily injury is a less serious behavior than a person who willfully, maliciously and repeatedly follows, harasses and makes a credible threat with intent to place that person in reasonable fear of death or bodily injury (aggravated stalking). (See 784.048(3) Florida Statutes.)

→ **NOTE:** Bullying is a form of aggression that can be a precursor to violence. Schools may want to collect information on bullying at the local level, but bullying should not be reported to SESIR unless meets the criteria of intent, fear, and capability for *Threat/Intimidation*.

TRS*

TRESPASSING (illegal entry onto campus) - To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event/off campus without authorization or invitation and with no lawful purpose for entry.

Examples: Any unauthorized person entering the campus. Any unauthorized person remaining on property after being directed to leave by the chief administrator or designee.

→ **Non-Examples:** Parent entering the building to pick up his/her child without getting office "OK" first. Person searching for a phone at a school facility after his/her car has broken down.

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AUTOMATED STUDENT DATA ELEMENTS

APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)

<u>CODE</u>	<u>DEFINITION</u>
VAN*	<p><u>VANDALISM</u> (destruction, damage, or defacement of school or personal property) - The intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it.</p> <p>Examples: Student or other defacing with graffiti. Student or other keying or scratching a car. Student or other trashing a room resulting in damages of \$1000 dollars or more.</p> <p>Non-Examples: Student or other accidentally damaging chemistry lab equipment. Student or other causing damages under \$1,000.</p> <p>→ The amount of damage must be \$1,000 or more to be reported in SESIR, including time and labor. It is important for schools to document lower-level vandalism incidents on their local student discipline referral form.</p> <p>Note: Previous amount of damage threshold through 2004-2005 school year was \$100.</p>
WPO*	<p><u>WEAPONS POSSESSION</u> (possession of firearms and other instruments which can cause harm) - Possession of any instrument or object (as defined by Section 790.001(13), Florida Statutes, or district code of conduct) that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.</p> <p>→ Examples: Student or other possessing a firearm or knife. Student or other using a knife, pocketknife, or other sharp or pointed implement to harm another.</p> <p>Non-Examples: Student after investigation found to possess a common pocketknife or eating utensil with no intent to harm. Student possessing items not covered under law or district policy such as pointed instruments, pens, or pencils. Student possessing a cutting tool that is being used in art, shop or other class.</p> <p>Offenses in this category fall under the zero tolerance policy (Section 1006.13(2) (b), Florida Statutes). Students found committing this offense are to be expelled for one year and referred for criminal prosecution.</p> <p>→ Effective January 7, 2003, the Legislature amended section 1006.07(2)(f), Florida Statutes, to remove reference to a knife, and instead references "a weapon as defined in chapter 790..." The definition in Section 790.001(13), Florida Statutes, contains those items required to be in a district's code of student conduct and exempts "common pocket knife". It is the legislative intent that districts enforce policies that allow for discretion in determining whether to punish students found to be in possession of items such as pocketknives, plastic utensils, butter knives, etc.</p> <p>→ Possession of any weapon or knife (including pocketknife) should be reported to law enforcement for investigation. Pocketknives found to be intended to use to harm another should be reported to SESIR. (continued)</p>

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APPENDIX P (Continued)
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CODE

DEFINITION

WPO*

WEAPONS POSSESSION (continued)

*Incidents that must be reported to SESIR and ARE EXPECTED to be reported to law enforcement. **Reported to Law Enforcement** means that an official action was taken by a School Resource Office (SRO) or local law enforcement officer such as: a case number was assigned, a report was filed, an affidavit was filed, an investigation was conducted, or an arrest was made. The presence of, or consultation with, a law enforcement officer or SRO is not sufficient for an incident to be coded as "Reported to Law Enforcement."

**Incidents that must be reported to SESIR, but MAY NOT NEED to be reported to law enforcement.



Related Elements: Report any related elements that apply to each incident. Hate-related, gang-related, weapon-related, drug-related, and alcohol-related. Complete the weapon description for all weapon-incidents. Every weapon possession incident should be codes as weapon-related.

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AUTOMATED STUDENT DATA ELEMENTS**

**APPENDIX P (Continued)
DEFINITIONS FOR INCIDENT REPORTING (Continued)**

PRELIMINARY RANK ORDERING OF INCIDENT TYPES FOR SCHOOL REPORTING
MOST SERIOUS TO LEAST SERIOUS
(Most Serious-Level I to Least Serious-Level IV)

INCIDENT TYPE
LEVEL I
Arson*
Battery*
Homicide*
Kidnapping*
Sexual Battery*
LEVEL II
Breaking & Entering/Burglary*
Drug Sale/Distribution-Excluding Alcohol*
Robbery*
Weapon Possession*
LEVEL III
Drug Use/Possession-Excluding Alcohol*
Disruption On Campus-Major
Fighting**
Larceny/Theft*
Other Major Incidents*
Sexual Harassment**
Sexual Offenses (Other)*
Threat/Intimidation*
Trespassing*
Vandalism*
LEVEL IV
Alcohol*
Tobacco**

General Rule: If a decision must be made, the incident that caused the most injury or the highest loss of property or monetary cost should be reported.

Source: Florida Department of Law Enforcement, Uniform Crime Reporting System