

**2013-2014
School Safety and Discipline Report
Instructions
Version 2**

This report tracks all offense types for all students (both Students with Disabilities and General Education students)

Questions concerning this report should be referred to:
THE MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Information Services/Data Collection
781-338-DATA (3282)

Purpose:

This two-part offense report gathers information on:

- 1. all offenses involving drug, violent, or criminal-related offenses on school property and the resulting disciplinary actions imposed on the student offender or offenders involved, and**
- 2. any other suspensions or expulsions for non-drug, non-violent or non-criminal related offenses and the resulting disciplinary actions imposed on the student offender or offenders involved.**

Please note that the School Safety and Discipline Report now includes all offenses whether they are drug, violent or criminal-related or non-drug, non-violent or non-criminal-related.

If an offense involving drugs, violent or criminal-related offenses does not result in at least one day suspension for a disciplinary action, the offense must still be reported.

Each time a drug, violent or criminal-related or non-drug, non-violent or non-criminal-related offense occurs on school property, all public schools in Massachusetts are required to file a report of the offense consisting of (1) a single Offense Report and (2) a Student Discipline Record for each student offender reported. If a drug, violent or criminal-related offense did not result in at least one day suspension or any other disciplinary action it must still be reported.

Background:

Various federal and state statutes require the collection, monitoring and reporting of data relative to school safety, student behavior and discipline:

The Federal Gun-Free Schools Act (Section 14601 of the Improving America's Schools Act) includes re-authorization of the Elementary and Secondary Education Act (ESEA). It requires each state to provide annual reports to the Secretary of Education concerning implementation of the Act's requirements.

The Federal Safe and Drug-Free Schools and Communities Act requires the Secretary of Education to report to Congress the frequency, seriousness and incidence of violence in schools in the States.

The Federal Individuals with Disabilities Act (IDEA) requires each state to report annually to the Secretary of Education the number of children with disabilities disciplined for drug, weapon or other offenses.

The Massachusetts Education Reform Act of 1993 requires that every school district report annually to the ESE on statistics relative to suspensions and expulsions.

Definitions – Offense Report

Offense: A violation of a statute or regulation; it may involve one or more victims and/or one or more offenders. Offenses include the following: homicide; sexual battery (including rape); robbery; battery; breaking and entering/burglary; larceny/theft; motor vehicle theft; kidnapping; arson; threat/intimidation; use or possession of drugs (other than alcohol); sexual harassment; sex offenses (non-forcible); vandalism; weapon possession; unclassified offenses; alcohol (liquor law violations); tobacco (where declared illegal); trespassing; fighting; disorderly conduct; as well as other major offenses; and other state (district or municipal) defined offenses. See Appendix A for offense definitions.

Non-school personnel – An individual who was neither a student nor school personnel for the district reporting the offense.

Non-student – An individual who is not a student in the school or district reporting the offense.

Offender – Any individual, whether student or not, involved in committing an offense of prohibited behavior. There may be more than one offender involved in any single offense.

School personnel – A teacher, administrator, or other school staff member such as support staff or maintenance worker; includes a school-based law enforcement officer such as a school resource officer.

Student – an individual who is enrolled as a PK-12 student in the school district reporting the offense at the time the offense occurred.

Weapon – Any instrument or object possessed or used to inflict harm on another person, or to intimidate any person. Examples include firearms of any kind (operable or inoperable, loaded or unloaded); all types of knives, chains, pipes, razor blades or similar instruments with sharp cutting edges; ice picks, dirks, other pointed instruments (including pencils, pens); nunchakus; brass knuckles; Chinese stars; billy clubs; tear gas guns; electrical weapons or devices (stun guns); BB or pellet guns; and explosives or propellants.

Weapons-related offense – Any offense that involves possession, use, or intention of use of any instrument or object to inflict harm on another person, or to intimidate a person, as well as any offense that is somehow related to the possession, use, or sale of weapons but where the possession, use, or sale of weapons was not the main offense (e.g., burglary, trespassing, vandalism); in other words, any offense for which a weapon is present.

Other illegal substances – This would include all illegal drugs (hallucinogens, cocaine, ecstasy, etc) and also the illegal use of substances that may be legal elsewhere (e.g. prescription drugs, steroids, inhalants).

On school property – For purposes of this report, “school property” includes not only the school and school grounds, but also school buses and places where school-sponsored events (dances, trips, sporting events, proms, etc.) are being held.

Physical Injury - Offenses with injury include those in which one or more students, school personnel, or other persons on school grounds require professional medical attention. Examples include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.

Definitions – Student Discipline Record (attached to the Offense Report)

SASID – The state assigned student identification number (SASID) should be used to identify the student each time a disciplinary record is filed for that student. If a student is excluded more than once during the school year, records should be filed as described below:

Example

A student is excluded in October and returns to school. In February, the same student is excluded again. Two records should be submitted, one for each exclusion. The second record should be submitted using the same student ID number (SASID) that was submitted on the first record.

Disciplinary action - reported

In-school suspension is defined as a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more. Students suspended in school remain in school during the suspension period but are removed from academic classes and placed in a separate environment.

Out-of-school suspension is defined as a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more. Students suspended out-of-school are not in school during the period of their suspension at any time.

Permanent Exclusion (Expulsion) from school is defined as a disciplinary action imposed by school officials to permanently remove a student from participation in all school activities. Student is ineligible to return to school.

Disciplinary action – not reported

After school detention, Saturday programs or half-day suspensions.

Unilateral Removal – Instances in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. **The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do NOT include decisions by the IEP team to change a student's placement.**

Removal by a Hearing Officer – Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that the public agency has demonstrated by substantial evidence that maintaining the child's current placement is substantially likely to result in injury to the child and youth, or others.

Interim Alternative Educational Setting – An appropriate setting determined by the child's IEP team in which the child is placed for no more than 45 school days. This setting enables the child to continue to progress in the general curriculum; to continue to receive the services and modifications, including those described in the child's current IEP; and to meet the goals set out in the IEP. Setting includes services and modifications to address the problem behavior and to prevent the behavior from recurring.

Serious Bodily Injury – bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

Appendix A

Offense Definitions

The following definitions have been adapted from *Safety in Numbers* a National Center For Education Statistics publication. The document can be found at <http://nces.ed.gov/forum/publications.asp>. This information is being provided as guidance to assist in reporting drug-, violent- or criminal-related as well as non-drug-, violent- or criminal-related offenses. It is not intended to replace local discipline code definitions or state or federal laws.

Type of Offense	Definitions
1. Illegal substances	
a. Tobacco use	Smoking, chewing or otherwise using tobacco (cigarettes, cigars, pipes or smokeless tobacco)
b. Alcohol possession	Having alcoholic beverages in one's pocket(s), bag(s), car, locker, etc.
c. Alcohol use	Drinking alcoholic beverages
d. Marijuana possession	Possession of marijuana in one's pocket(s), bag(s), car, locker, etc.
e. Marijuana use	Smoking or otherwise using Marijuana
f. Possession of other illegal substances	Possession of other illegal substances not mentioned above
g. Illegal use of other substances	Illegal use of other substances not mentioned above
h. Sale of illegal drugs	Selling illegal drugs
i. Possession of illegal drugs with intent to sell	Possession of an illegal drug not mentioned above with the intent to sell
2. Physical fight	Mutual participation in an offense involving physical violence. No victims, only offenders.
3. Threat of physical attack	Any threat (verbal, written, or electronic) by a person to commit a physical attack/injury.
4. Physical Attack (Battery)	Touching or striking another person against his or her will or intentionally causing bodily harm to an individual. Must be victim(s) and offender(s).
5. Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive educational or work environment.
6. Sexual assault	Oral, anal or vaginal penetration forcibly or against the person's will or where the victim is incapable of giving consent. Includes rape, fondling, indecent liberties, and child molestation.
7. Theft (school, staff or student property)	The unlawful taking of property belonging to a school, a school staff member or a student without threat, violence or bodily harm.
8. Threat of robbery	Any threat (verbal, written, or electronic) by a

	person to commit a robbery.
9. Robbery using force	The taking of, or attempt to take, anything of value that is owned by another person or organization by force or threat of force or violence. A key difference between robbery and theft is that the threat of physical harm or actual physical harm is involved in a robbery.
10. Vandalism/Destruction of property	Willful and malicious destruction or defacement of school property or of personal property belonging to a school staff member or a student.
11. Destruction of school property due to arson	The unlawful and intentional damage, or attempt to damage, any school property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to a damaging fire.
12. Kidnapping (Abduction)	Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes <u>hostage taking</u> .
13. Homicide (murder or manslaughter)	Killing a human being.
14. Weapon on school premises	
a. Knife	The weapon involved was a knife or cutting instrument.
b. Gun/Firearm	A firearm is any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon/ any firearm muffler or firearm silencer; or any machine gun.
1. Handgun	The weapon involved was a handgun or pistol.
2. Rifle	The weapon involved was a rifle.
3. Shotgun	The weapon involved was a shotgun.
4. Other type of firearm	The weapon involved was another type of firearm not named above, including zip guns, starter guns, and flare guns.
c. Explosive or incendiary device	The weapon involved was a bomb, grenade, rocket, missile, mine or other incendiary device
d. Other weapon (describe)	The offense involved a weapon other than those described above, such as firecrackers or fireworks.
15. Other violence or substance-related offense	Any significant violence or drug-related offense not previously mentioned
16. Felony conviction outside of school	Please indicate type of felony
17. Bullying	The repeated use by one or more students [aggressor(s)] of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. This also include cyber-bullying.
18. Non-Drug, Non-Violent or Non-Criminal-Related Offense	Any other offense that is not included in Drug, Violent or Criminal Offenses