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TO: Members of the Maryland State Board of Education
FROM: Jack R. Smith, Ph.D. *JRS/CS*
DATE: April 26, 2016
SUBJECT: Arrests on School Premises Data Reporting

PURPOSE:

The purpose of this action is to request approval for data collection methodology presented in this report to fulfill the mandate set forth in Code of Maryland Regulations (COMAR) 13A.08.01.12 – Arrests on School Premises.

HISTORICAL BACKGROUND:

In January 2014, the Maryland State Board of Education adopted new regulations guiding student discipline. The regulations were designed to keep students in school to maintain progress toward graduation, while strengthening school safety. The regulations also require annual reporting of school arrests and referrals to law enforcement agencies or juvenile justice systems to MSDE beginning in school year 2015-2016.

The regulation requires data on school arrests be reported in a manner and format developed by the Maryland State Department of Education (MSDE), in consultation with local school systems, and approved by the State Board beginning in the 2015-2016 school year.

EXECUTIVE SUMMARY:

To meet the requirements of COMAR 13A.08.01.12, MSDE convened a team of internal and external stakeholders to develop a method to collect data related to arrests on school premises. Stakeholders included MSDE staff, staff from the Maryland Center for School Safety, local directors of student services, school safety directors, local information technology personnel, and members of the advocacy community, including Advocates for Children and Youth and the Maryland Disability Law Center. The team's task was twofold: 1) Develop a method to collect data on school arrests for the 2015-2016 school year; and 2) Develop a plan to update State and local information systems to collect this data in the future.

The proposed data collection tool for the 2015-2016 school year is an excel spread sheet which captures the categories in the attachment. This spread sheet utilizes a drop down menu to provide quick and easy responses from the Local School systems. Local School Systems would collect the data from July 1st to June 30th of each year, beginning with the 2015-2016 school year. The data will then be compiled for a report to the State Board of Education.

The proposed data collection tool developed by the team will enable local school systems to report school arrest data to MSDE for the 2015-2016 school year; while allowing time for school systems and MSDE to develop more robust reporting methodologies for future reporting. The current plan is to merge the arrest data points with the current discipline data collection tool to streamline the reporting requirements for the Local School Systems.

ACTION:

MSDE requests the State Board approve the use of the data collection methodology presented in this report for collecting and reporting data to meet the requirements of COMAR 13A.08.01.12.

JRS:MF

Attachments

- I. Arrest Data Mandate and Collection Process
- II. Student Arrest Data Collection Manual

Arrest Data Mandate and Collection Process

Background/Historical Perspective

In January of 2014, the Maryland State Board of Education adopted new regulations guiding student discipline. The regulations were designed to keep students in school to maintain progress toward graduation, while strengthening school safety.

The regulations required local school systems to adopt policies that reduce long-term out-of-school suspensions and expulsions and use such actions only when a student poses an imminent threat of serious harm to other students or staff, or when a student is engaged in chronic or extreme disruptive behavior.

In addition, the regulations also required annual reporting of school arrests and referrals to law enforcement agencies or to juvenile justice systems. This document describes the data collection and reporting process.

Local Boards of Education are required to report data to the Maryland State Department of Education (MSDE) on school arrests and referrals to law enforcement agencies or to the juvenile justice system beginning in the 2015-16 school year.

COMAR 13A.08.01.12

.12 Arrests on School Premises.

- A. When possible and appropriate, arrest by police should be made during non-school hours and away from the school premises.
- B. When an arrest on school premises during the school hours is necessary, the responsible school official shall ascertain the facts from the arresting officer which will enable the school official to fully advise the parent or guardians and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the student.
- C. When an arrest has taken place on school premises or during school hours, every effort shall be made by school officials to inform the parent or guardians immediately and thereafter promptly to advise the local superintendent of schools.
- D. Arrest on school premises during school hours shall be effectuated in such a manner as to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students.
- E. School officials may not permit questioning of a student under arrest on the school premises and shall request the arresting officer to remove the student from the premises as soon as practicable after the arrest is made.

F. Beginning in the 2015—2016 school year, data on school arrests shall be reported in a manner and format developed by the Department, in consultation with local school systems, and approved by the State Board.

Stakeholder Feedback

As a part of this process to meet the mandate listed above, there have been several workgroup meetings, emails, group presentations and conference calls over the last two years in an effort to incorporate all schools of thought. The following groups and individuals have contributed to this document.

Edward Clarke & Joseph Pignataro (Maryland Center for School Safety)

Chief Goodwin (Baltimore City School Police)

Kate Rabb (Advocates for Children and Youth)

Alyssa Fieo (Maryland Disability law Center)

Internal MSDE Staff (Michael Ford, Robert Murphy, John McGinnis, Kristi Peters, Genevieve Barrow, Walt Sallee, Kristina Kyles, Chandra Haislet, and Liz Kameen)

Directors of Student Services representing the 24 LLS
(Presentations were made at Director of Student Services Meetings on 12/10/15, 1/21/16, and 4/7/16)

Safety Directors representing the 24 LLS
(Presentations were made at Safety Director's Meetings on 9/4/15, 11/12/15 and 3/18/16)

Time Frame:

Local school systems/schools would collect the data from July 1st to June 30th of each year, beginning with the 2015-2016 school year.

Proposed Data Collection Process:

MSDE suggests absorbing this process into our current Discipline Data Collection process. Therefore, there will be additional fields added to the *Discipline Data Collection Tool* ensuring complete, consistent and accurate reporting while reducing the cost of building a new reporting platform.

Each Local Education Agency will collect its school level based data and send both individual school and district level data to a named point of contact at MSDE by a date to be determined. The data should be sent in a "Disaggregated" form. (Disaggregated data is separated by specific subgroups of students).

The first data collection will take place after June 30th, 2016. It will take approximately 4-6 months to collect, clean and analyze data. Therefore, it is expected that the first set of full data will be collected in fall of 2016 and the first report to the board January/February of 2017. Due to the fact that this is a statewide data collection process that is required through regulation, MSDE's Division of Student, Family, and School Support is seeking the support of the Division of Curriculum, Assessment, and Accountability to ensure accuracy and a streamlined process.

Arrest Data Collection Fields

LEA Name	Local Education Agency name
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School Number The four-digit code assigned to the school the student attended when arrested.

A list of valid school numbers for each local education agency will be supplied by MSDE’s Division of Curriculum, Assessment, and Accountability upon request.

School Name The name of the school the student attended when arrest occurred.

School Level Indicate school level.

- High
- Middle
- Elementary
- Combined

Local Student ID The number assigned by the local education agency – any combination of numbers (not more than ten digits). If fewer than ten digits are used, zero fill remaining positions to the left.

State Assigned Student ID (SASID) The State Assigned Student ID number assigned through the USIS system. May not contain pseudo numbers, be zero filled or be BLANK.

***Date of Birth** Four-digit year, two-digit month, and two-digit day (YYYYMMDD) to indicate the student’s birth date. (Example: September 7, 2001 is 20010907).

***Gender** Gender of the student.

- Male
- Female

Hispanic/Latino Ethnicity Is the student Hispanic/Latino?

- Yes – Yes, student is of Hispanic/Latino origin
- No – No, student is not of Hispanic/Latino origin

***Race** Five character string. There must be at least one race designated and may have multiple designations (i.e., 02005 for Asian-White, 00305 for Black or African American-White, 10040 for American Indian/Alaska Native-Native Hawaiian or Other Pacific Islander):

Position 1	0 or 1 – American Indian/Alaska Native
Position 2	0 or 2 – Asian
Position 3	0 or 3 – Black or African American
Position 4	0 or 4 – Native Hawaiian or Other Pacific Islander
Position 5	0 or 5 – White

**Grade	The grade the student was in when the arrest occurred. Grades PK, K, 01-12
**Special Education Services	Does the student have an IEP and is the student receiving special education services? <ul style="list-style-type: none"> • Yes, receiving special education services • No, not receiving special education services
Section 504 Plan	Does the student have a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment? <ul style="list-style-type: none"> • Yes, has a Section 504 Plan • No, does not have a Section 504 Plan
English Language Learner (ELL)	Indicate the student’s English Language Learner (ELL) status at the time of the arrest. Students who have a primary or home language other than English and who have been assessed as having limited or no ability to understand, speak, or read English and are receiving ELL services. <ul style="list-style-type: none"> • Yes, receiving ELL services • No, not receiving ELL services
Free and Reduced Price Meal Services (FARMS)	Indicate if the student is eligible to receive Free or Reduced Price Meals under the National School Lunch Program. This includes students who are eligible through annual household applications or students who are “directly certified” through the following programs: Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), Medicaid, children experiencing homelessness and on the local Homeless Liaison’s list, Head Start children, Migrant youth, Runaways, Non-applicants approved by local education officials, Foster children certified through means other than a household application, Students who are certified for free meals based on a letter provided by SNAP to the household. <ul style="list-style-type: none"> • Yes, eligible for FARMS • No, not eligible or FARMS
Date of Arrest	The eight-digit number indicating the date on which the arrest occurred. (Example: February 3, 2016 should be reported as 20160203.)

****Arrest Type**

Indicate type of arrest.

- Physical Arrest
- Paper Arrest

Did suspension also occur in conjunction with arrest?

Was the student suspended in conjunction with the arrest?

- Yes
- In school suspension
- Out of school suspension
- No

If suspension occurred in conjunction with arrest, Length of Suspension

Number of days the student was suspended.

Arresting Offense*

The offense that led to the arrest.

- Abduction
- Arson in the 1st Degree
- Assault
- Breaking and Entering
- Carjacking/Armed Carjacking
- CDS possession to or on school property
- CDS possession with intent to distribute
- Child Abuse
- Child Neglect
- Disorderly Conduct
- Distribution of Narcotics
- Human Trafficking
- Kidnapping
- Maiming
- Manslaughter
- Mayhem
- Murder
- Rape or attempted rape
- Sexual Battery
- Theft (Under \$500)
- Theft (Over \$500)
- Transportation of firearms
- Trespassing
- Outstanding warrant
- Robbery with a weapon

- Robbery with a firearm or explosive device
- Robbery without a weapon
- Physical attack or fight with weapon
- Physical attack or fight with a firearm or explosive device
- Physical attack or fight without a weapon
- Threats of physical attack with a weapon
- Physical attack with a firearm or explosive device
- Physical attack without a weapon
- Possession of a firearm or explosive device
- Other

Arresting Offense
(Continued)

**Location of Arrest	The location of the arrest. <ul style="list-style-type: none"> • On School Grounds • Off School Grounds • School Sponsored Event • To/From School • School Bus • Inside the School Building
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Arresting Officer	Indicate which officer made the arrest. <ul style="list-style-type: none"> • SRO • Local Police Patrol Officer
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Is arresting officer primarily assigned to the school where the arrest occurred?	Indicate if arresting officer is primarily assigned to the school where the arrest occurred? <ul style="list-style-type: none"> • Yes • No
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If arresting officer is not primarily assigned to the school, where are they assigned?	If arresting officer is not primarily assigned to the school, indicate where they are assigned.
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** Did school-based incident lead to Law Enforcement referral?	Indicate if school-based incident lead to Law Enforcement referral. <ul style="list-style-type: none"> • Yes • No • Unkown
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****Did school-based incident lead to DJS referral?**

Indicate if school-based incident lead to DJS referral.

- Yes
- No
- Unknown

If yes, incident led to DJS referral by whom?

Enter the name of the person that made the referral.

****Final Outcome (Disciplinary actions arising from the incident which led to arrest or referral)**

The final outcome of the process. The disciplinary actions arising from the incident which led to the arrest or referral.

- Juvenile Placement or Juvenile Detention
- Therapeutic Placement
- Transfer within district
- Transfer to another district
- Returned to School
- Alternative School Placement
- Expulsion

If Juvenile Placement or Juvenile Detention, how long?

Number of days the student was in Juvenile Placement or Juvenile Detention.

If student was returned to school, how long after arrest?

Number of days the student was absent from school after the arrest.

Other Considerations:

Note:

* Indicates the questions came from the Reportable Offenses Data MSDE currently collects.

**Indicates data measuring points the stakeholder group felt was important to capturing a complete picture of arrest in Maryland schools.

2015-2016

STUDENT ARREST DATA COLLECTION MANUAL

March 2016



Maryland State Department of Education
Division of Student, Family, and Support
Division of Curriculum, Assessment, and Accountability
200 West Baltimore Street
Baltimore, MD 21201

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APPENDICES

Appendix A: Arrest Data Key Definitions

DUE DATE

July 1, 2016 – July 15, 2016 Data Collection Window

MSDE CONTACT INFORMATION

For assistance with completing the Arrest spreadsheet contact:

Kathy Donithan
Division of Curriculum, Assessment, and Accountability
Phone: (410)767-0078
Email: kathy.donithan@maryland.gov

For policy questions contact:

Michael Ford
Division of Student, Family, and School Support
Phone: (410)767-0031
Email: michael.ford1@maryland.gov

Data Definitions and Instructions

LEA Name	Local Education Agency name										
School Number	<p>The four-digit code assigned to the school the student attended when arrested.</p> <p>A list of valid school numbers for each local education agency will be supplied by MSDE’s Division of Curriculum, Assessment, and Accountability upon request.</p>										
School Name	The name of the school the student attended when arrest occurred.										
School Level	<p>Indicate school level.</p> <ul style="list-style-type: none"> • High • Middle • Elementary • Combined 										
Local Student ID	The number assigned by the local education agency – any combination of numbers (not more than ten digits). If fewer than ten digits are used, zero fill remaining positions to the left.										
State Assigned Student ID (SASID)	The State Assigned Student ID number assigned through the USIS system. May not contain pseudo numbers, be zero filled or be BLANK.										
Date of Birth	Four-digit year, two-digit month, and two-digit day (YYYYMMDD) to indicate the student’s birth date. (Example: September 7, 2001 is 20010907).										
Gender	<p>Gender of the student.</p> <ul style="list-style-type: none"> • Male • Female 										
Hispanic/Latino Ethnicity	<p>Is the student Hispanic/Latino?</p> <ul style="list-style-type: none"> • Yes – Yes, student is of Hispanic/Latino origin • No – No, student is not of Hispanic/Latino origin 										
Race	<p>Five character string. There must be at least one race designated and may have multiple designations (i.e., 02005 for Asian-White, 00305 for Black or African American-White, 10040 for American Indian/Alaska Native-Native Hawaiian or Other Pacific Islander):</p> <table border="0"> <tr> <td>Position 1</td> <td>0 or 1 – American Indian/Alaska Native</td> </tr> <tr> <td>Position 2</td> <td>0 or 2 – Asian</td> </tr> <tr> <td>Position 3</td> <td>0 or 3 – Black or African American</td> </tr> <tr> <td>Position 4</td> <td>0 or 4 – Native Hawaiian or Other Pacific Islander</td> </tr> <tr> <td>Position 5</td> <td>0 or 5 – White</td> </tr> </table>	Position 1	0 or 1 – American Indian/Alaska Native	Position 2	0 or 2 – Asian	Position 3	0 or 3 – Black or African American	Position 4	0 or 4 – Native Hawaiian or Other Pacific Islander	Position 5	0 or 5 – White
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Position 2	0 or 2 – Asian										
Position 3	0 or 3 – Black or African American										
Position 4	0 or 4 – Native Hawaiian or Other Pacific Islander										
Position 5	0 or 5 – White										

Data Definitions and Instructions

Grade	<p>The grade the student was in when the arrest occurred.</p> <p>Grades PK, K, 01-12</p>
Special Education Services	<p>Does the student have an IEP and is the student receiving special education services?</p> <ul style="list-style-type: none">• Yes, receiving special education services• No, not receiving special education services
Section 504 Plan	<p>Does the student have a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment?</p> <ul style="list-style-type: none">• Yes, has a Section 504 Plan• No, does not have a Section 504 Plan
English Language Learner (ELL)	<p>Indicate the student’s English Language Learner (ELL) status at the time of the arrest. Students who have a primary or home language other than English and who have been assessed as having limited or no ability to understand, speak, or read English and are receiving ELL services.</p> <ul style="list-style-type: none">• Yes, receiving ELL services• No, not receiving ELL services
Free and Reduced Price Meal Services (FARMS)	<p>Indicate if the student is eligible to receive Free or Reduced Price Meals under the National School Lunch Program. This includes students who are eligible through annual household applications or students who are “directly certified” through the following programs: Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), Medicaid, children experiencing homelessness and on the local Homeless Liaison’s list, Head Start children, Migrant youth, Runaways, Non-applicants approved by local education officials, Foster children certified through means other than a household application, Students who are certified for free meals based on a letter provided by SNAP to the household.</p> <ul style="list-style-type: none">• Yes, eligible for FARMS• No, not eligible or FARMS
Date of Arrest	<p>The eight-digit number indicating the date on which the arrest occurred. (Example: February 3, 2016 should be reported as 20160203.)</p>
Arrest Type	<p>Indicate type of arrest.</p> <ul style="list-style-type: none">• Physical Arrest• Paper Arrest (Officer initiated referral/request for charges to DJS)

Data Definitions and Instructions

Did suspension also occur in conjunction with arrest?

Was the student suspended in conjunction with the arrest?

- Yes
- No

If suspension occurred in conjunction with arrest, was it an out-of-school or in-school suspension?

Indicate if suspension was an out-of-school or in-school suspension.

- Out-of-School Suspension
- In-School Suspension

If suspension occurred in conjunction with arrest, Length of Suspension

Number of days the student was suspended.

Arresting Offense

The offense that led to the arrest.

- Abduction
- Arson in the 1st Degree
- Assault
- Breaking and Entering
- Carjacking/Armed Carjacking
- CDS possession to or on school property
- CDS possession with intent to distribute
- Child Abuse
- Child Neglect
- Disorderly Conduct
- Distribution of Narcotics
- Human Trafficking
- Kidnapping
- Maiming
- Manslaughter
- Mayhem
- Murder
- Rape or attempted rape
- Sexual Battery
- Theft (Under \$1,000) Misdemeanor
- Theft (Over \$1,000) Felony
- Transportation of firearms
- Trespassing
- Outstanding warrant
- Robbery with a weapon
- Robbery with a firearm or explosive device
- Robbery without a weapon
- Physical attack or fight with weapon

Data Definitions and Instructions

Arresting Offense *(Continued)*

- Physical attack or fight with a firearm or explosive device
- Physical attack or fight without a weapon
- Threats of physical attack with a weapon
- Physical attack with a firearm or explosive device
- Physical attack without a weapon
- Possession of a firearm or explosive device
- Other

Location of Arrest

The location of the arrest.

- On School Grounds
- Off School Grounds
- School Sponsored Event
- To/From School
- School Bus
- Inside the School Building

Arresting Officer

Indicate which officer made the arrest.

- SRO
- Local Police Patrol Officer

Is arresting officer primarily assigned to the school where the arrest occurred?

Indicate if arresting officer is primarily assigned to the school where the arrest occurred?

- Yes
- No

If arresting officer is not primarily assigned to the school, where are they assigned?

If arresting officer is not primarily assigned to the school, indicate where they are assigned.

Did School-based incident lead to law enforcement referral?

Indicate if school-based incident led to law enforcement referral.

- Yes
- No
- Unknown

Did school-based incident lead to DJS referral?

Indicate if school-based incident lead to DJS referral.

- Yes
- No
- Unknown

Data Definitions and Instructions

If yes, incident led to DJS referral by whom?

Enter the name of the person that made the referral.

Final Outcome (Disciplinary actions arising from the incident which led to arrest or referral)

The final outcome of the process. The disciplinary actions arising from the incident which led to the arrest or referral.

- Juvenile Placement or Juvenile Detention
- Alternative School Placement
- Therapeutic Placement
- Transfer within district
- Transfer to another district
- Returned to School
- Expulsion

If Juvenile Placement or Juvenile Detention, how long?

Number of days the student was in Juvenile Placement or Juvenile Detention.

If student was returned to school, how long after arrest?

Number of days the student was absent from school after the arrest.

ARREST DATA KEY DEFINITIONS

General

- School-related arrest refers to an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including while taking school transportation), or due to a referral by any school official.
- Referral to law enforcement ^{REVISED} is an action by which a student is reported to any law enforcement agency or official, including a school police unit, for an incident that occurs on school grounds, during school-related events, or while taking school transportation, regardless of whether official action is taken. Citations, tickets, and court referrals are considered referrals to law enforcement.
- An allegation is a claim or assertion that someone has done something wrong or illegal, typically made without proof.
- In-school suspension is an instance in which a child is temporarily removed from his or her regular classroom(s) for at least half a day for disciplinary purposes, but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.
- Out-of-school suspension ^{REVISED}
 - For students without disabilities is an instance in which a child is temporarily removed from his/her regular school for at least half a day (but less than the remainder of the school year) for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include removals in which no educational services are provided, and removals in which educational services are provided (e.g., school-provided at home instruction or tutoring).
 - For students with disabilities (served under IDEA): Out-of-school suspension is an instance in which a child is temporarily removed from his/her regular school for at least half a day for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include both removals in which no individualized family service plan (IFSP) or individualized education plan (IEP) services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his/her IFSP or IEP.
 - For students with disabilities (served solely under Section 504 of the Rehabilitation Act): Out-of-school suspension is an instance in which a child is temporarily removed from his/her regular school for at least half a day (but less than the remainder of the school year) for disciplinary purposes to another setting (e.g., home, behavior center). Out-of-school suspensions include removals in which no educational services are

provided, and removals in which educational services are provided (e.g., school-provided at home instruction or tutoring).

- Expulsion with educational services refers to an action taken by the local educational agency of removing a child from his/her regular school for disciplinary purposes, and providing educational services to the child (e.g., school-provided at home instruction or tutoring; transfer to an alternative school or regular school) for the remainder of the school year (or longer) in accordance with local educational agency policy. Expulsion with educational services also includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.
- Expulsion without educational services refers to an action taken by the local educational agency of removing a child from his/her regular school for disciplinary purposes, and not providing educational services to the child for the remainder of the school year or longer in accordance with local educational agency policy. Expulsion without services also includes removals resulting from violations of the Gun Free Schools Act that are modified to less than 365 days.
- Expulsion under zero tolerance policies refers to an action taken by the local educational agency of removing a child from his/her regular school for the remainder of school year or longer because of zero-tolerance policies. A zero tolerance policy is a policy that results in mandatory expulsion of any student who commits one or more specified offenses (e.g., offenses involving guns, or other weapons, or violence, or similar factors, or combinations of these factors). A policy is considered “zero tolerance” even if there are some exceptions to the mandatory aspect of the expulsion, such as allowing the chief administering officer of a local educational agency to modify the expulsion on a case-by-case basis.
- Corporal punishment refers to paddling, spanking, or other forms of physical punishment imposed on a student.
- Student with disabilities refers to students with disabilities served under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or both.
- Transfer to an alternative school for disciplinary reasons and transfer to a regular school for disciplinary reasons are subsets of expulsion with educational services.
- An alternative school is a public elementary or secondary school that addresses the needs of students that typically cannot be met in a regular school program. The school provides nontraditional education; serves as an adjunct to a regular school; and falls outside of the categories of regular education, special education, or vocational education.

- A regular school is a public elementary or secondary school that does not focus primarily on alternative education, special education, or vocational education, although it may provide these programs in addition to a regular curriculum.

Common Offenses

- Firearm or explosive device refers to any weapon that is designed to (or may readily be converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.
- An incident refers to a specific criminal act involving one or more victims and offenders. For example, if two students are robbed without a weapon, at the same time and place, this is classified as two robbery victimizations but only one robbery without a weapon incident.
- Physical attack or fight refers to an actual and intentional touching or striking of another person against his/her will, or the intentional causing of bodily harm to an individual. Physical attack or fight does not include rape.
- Rape refers to forced sexual intercourse (vaginal, anal, or oral penetration). This includes penetration from a foreign object. Both male and female students can be victims of rape. Rape is not defined as a physical attack or fight.
- Robbery is 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 theft/larceny is that robbery involves threat or battery.
- Sexual battery is an incident that includes threatened rape, fondling, indecent liberties, child molestation, or sodomy. Both male and female students can be victims of sexual battery. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).
- A threat refers to an act where there was no physical contact between the offender and victim but the victim felt that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats (e.g., brandishing a weapon),

and verbal threats of physical harm which are made in person. Threats made over the telephone or threatening letters are excluded.

- A threat of physical attack with a weapon includes displaying, brandishing, or discharging a weapon, but with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would not be considered a threat with a weapon.
- A threat of physical attack without a weapon refers to a threat without any display, brandishment, or discharge of a weapon, and with no actual physical contact of any person. A threat is made in person. Threats made over the telephone or threatening letters are excluded. A threat of physical attack using words that refer to a weapon would be considered a threat without a weapon.
- A weapon is any instrument or object used with the intent to threaten, injure, or kill. This includes look-alikes if they are used to threaten others.
- An incident refers to a specific criminal act involving one or more victims and offenders. For example, if two students are robbed without a weapon, at the same time and place, this is classified as two robbery victimizations but only one robbery without a weapon incident.
- Firearm or explosive device refers to any weapon that is designed to (or may readily be arrested) as a grenade, mine, rocket, missile, pipe bomb, or similar devices designed to explode and capable of causing bodily harm or property damage.