

Incidents of Prohibited Behavior (IPB) Maine Data Collection System

Introduction

In a typical school, over the course of an academic year, many incidents or infractions will occur. These incidents and infractions can range from the relatively minor to the very serious. A decision needs to be made, for reporting purposes, as to the relative seriousness of an incident. The following definitions and examples have been generated to help these local authorities make these required decisions and to lend consistency and credibility to the data collected

Guidance

Incidents that should not be reported: "Routine" offenses that necessitate minor corrective actions such as the issuing of a warning, losing privileges, or assigning a detention SHOULD NOT be reported to the IPB Data Collection System. However, we do encourage establishment and maintenance of local systems for recording these "routine" offenses that, by degree, can negatively impact school climate.

INCIDENTS THAT SHOULD BE REPORTED: Following is a list of 39 Incidents of Prohibited Behavior (IPBs) that have been identified as reportable to the MEDMS SDFS Module. Most incidents are easily categorized and have commonly accepted definitions thus posing no real reporting dilemmas. On the other hand, some incidents will necessitate a more advanced review before a decision can be made as to whether the incident is reportable. (In cases where incident definitions seem to overlap, the incident should be carefully reviewed and then assigned to the category that the local authority deems most applicable.)

These are the definitions we all agreed upon at our May 23, 2007 meeting.

Incidence of Prohibited Behavior (IPB) Data Collection System
Reportable Incidents

Aggravated Assault: An attempt to cause or purposely cause serious bodily injury to another, a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the functions of any bodily member or organ.

Alcohol-Related: Possession, sale, manufacture, distribution, use, or showing evidence of use of any alcoholic substances.

Arson: Willful or malicious burning or attempt to burn a public building, motor vehicle, personal property, etc.

Assault With Firearm: An attempt to cause or purposely cause serious bodily injury to another by use of a firearm. (See also: "Possession of Firearm" definition.)

Assault With Other Weapon: An attempt to cause or purposely cause serious bodily injury to another by use of a weapon other than a firearm. (See also: "Possession of Other Weapon" definition.)

Battery: A harmful touching of one person by another. (Physical act)

Bomb Threat: Involves a spoken, written, called-in, or other communication that a bomb is present, but no actual bomb is found.

Bomb-Related: Situation where some sort of bomb or materials to make a bomb is actually found.

Bullying/Injurious Hazing: Any repeated action or situation that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.

Burglary / Breaking and Entering: The unlawful entry of a structure to commit felony or theft. (Attempted forcible entry is included.)

Disorderly Conduct: Any act of public disturbance intentionally caused by any person who substantially disrupts, disturbs or interferes with the teaching of students at any public or private educational institution or engages in conduct which disturbs the peace, order, or discipline at any public or private educational institution or on the grounds adjacent thereto. (Examples might be pulling a fire alarm; disruptive demonstrations; smoke or stink bombs; outbursts that warrant calling police or security.)

Extortion: The process of obtaining property from another, with or without that person's consent, by a wrongful use of force, fear, or threat.

Fighting: A physical confrontation involving two or more individuals in which physical harm is intended. EXCLUDES MINOR VERBAL CONFRONTATIONS OR OTHER MINOR CONFRONTATIONS SUCH AS SLIGHT PUSHING/SHOVING.

Fireworks: Detonation of firecrackers, fireworks, or other type materials.

Gang Fight: Fighting behavior (as defined under fighting) but related to gangs (somewhat organized groups of some duration, sometimes characterized by turf concerns, symbols, special dress and colors, recognized as a gang by its members and others).

Harassment: Sexual: Unwelcome sexual advances or conduct that creates an intimidating, hostile or offensive environment. Sexual harassing behavior could include repeated offensive jokes.

Harassment: Other: Repeated acts of aggression, including verbal acts of aggression, for the purpose of annoying, threatening, terrifying, harassing, or embarrassing a person; can precede serious violence included in the category of Bias Incident/Hate Crime. May include offenses motivated by race, national or ethnic origin, gender, religion, sexual orientation, or disability.

Hate Crime/Bias: A hate crime is an act of violence, threat of violence, or property damage. A bias incident is an act of hate that is not a crime. Both are incidents directed against a person, private property, or public property where the motive for the commission of the act is based on prejudice or bias against race, national or ethnic origin, gender, religion, sexual orientation, or disability. Common sense determination of whether or not an incident was a bias or hate-related offense should be based on consideration of multiple factors that may surround the incident, such as: 1) admission by the offender(s) of bias motivation; 2) obvious signs of bias, e.g., racial epithets uttered, hate graffiti; 3) the victim(s) expressing that bias motives were involved; or 4) a history of bias or hate-related offenses between students from the groups involved.

Homicide: A killing of one human being by another, i.e., without reference to guilt or innocence.

Kidnapping: The 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.

Larceny / Theft: The unlawful taking, carrying, leading, or riding away of property from the possession of another, not taken by force and violence. Examples: A student goes into another student's book bag to remove personal items. Theft from the locker room during PE or after school when students are participating in sporting events.

Marijuana-Related: Possession, sale, manufacture, distribution, use, or showing evidence of use of marijuana substances.

Motor Vehicle Theft: Theft or attempted theft of a motor vehicle

Other Drug -Related: Illegal drug possession, sale, manufacture, distribution, use, being under the influence of drugs other than tobacco, alcohol or marijuana. (Includes "huffing" or inhaling mind-altering substances. Includes substances represented as drugs. Includes drug paraphernalia possession or use of drugs such as steroids, speed, cocaine, heroin, etc. Includes taking or selling prescription drugs not intended for the individual involved, such as Ritalin or painkillers. Includes over the counter drugs or legal substances if abused by the student, including glue, substances in aerosol cans, paint thinner, etc. EXCLUDES TOBACCO, ALCOHOL, AND MARIJUANA.

Physical Attack: Physically pushing, hitting, or otherwise attacking another student or staff member, including striking a staff member who is intervening in a fight or other disruptive activity. EXCLUDES MINOR VERBAL CONFRONTATIONS OR OTHER MINOR CONFRONTATIONS SUCH AS SLIGHT PUSHING/SHOVING.

Possession of a Firearm: Possession of a handgun, rifle, or shotgun. (Do not include BB guns and other air-powered rifles; they should be considered "other weapons.") According to the Gun-Free Schools Act and the United States Code (18 USC 921), firearms include:

Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;

The frame or receiver of any weapon described above;

Any destructive device, which includes:

(A) 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

(B) any weapon which will, or which 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.

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

Possession of Other Weapon: Any instrument or object, OTHER THAN A FIREARM, possessed or used to inflict harm on another person, or to intimidate any person. Examples include all types of knives, chains, pipes, razor blades or similar instruments with sharp cutting edges; ice picks, dirks, other pointed instruments (including pens and pencils); numchucks; brass knuckles; Chinese stars; billy clubs; tear gas guns; electrical weapons or devices (stun guns); BB or pellet guns; explosives or propellant type weapons not listed in the "Possession of a Firearm" definition.

Robbery: Larceny from the person or presence of another by violence or threat.

Sale or Transfer of a Weapon: Selling or transferring a firearm or other weapon.

Sexual Battery: Sexual contact forcibly and/or against the person's will or where the victim is incapable of giving consent.

Sexual Offense (non-forcible): Lewd behavior; indecent exposure; includes sexual contact without force or threat of force and where the involved parties are capable of consenting.

Simple Assault: An attempt to cause, threaten to cause, or purposely cause bodily injury to another, including verbally abusive language.

Stolen Property: Buying, selling, receiving or distributing stolen property.

Threat / intimidation: Physical or verbal threat; 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.

Tobacco-Related: Possession, sale, manufacture, distribution, use, or showing evidence of use of any tobacco substances.

Trespassing: To enter uninvited and unlawfully upon the land or property of another.

Truancy: A student is habitually truant if the student has attained the equivalent of 10 full days of non-excused absences or 7 consecutive school days of non-excused absences during a school year.

Vandalism (criminal mischief): Willful and/or malicious destruction, damage or serious defacement of school or personal property without consent. Examples would include destroying school computer records, graffiti, spray painting walls, destroying property.

Other School Code Violation: If none of the incident types referenced above seem to apply to the incident that you are reporting, but the incident is still deemed to be serious enough to report and typically results in an in-school suspension or lesser disciplinary action, choose this category and place a description of the incident in the box provided.