



6A-1.0017 – Amendments to Rule

School Environmental Safety Incident Reporting (SESIR)

November 18, 2022



What is School Environmental Safety Incident Reporting (SESIR)?

- SESIR collects data on **26 incidents** of crime, violence, and disruptive behaviors.
- This collection is limited to incidents that occur **on school grounds, on school transportation, and at off-campus, school-sponsored events.**
- Incidents can occur **24** hours a day, **365** days per year.
- Incidents are reported by schools via their district's data system which uploads the data to the Florida Department of Education.



Purpose of Proposed Changes to Rule 6A-1.0017

- Incorporate changes recommended by the SESIR Workgroup established in August 2022 by the Marjory Stoneman Douglas High School Public Safety Commission. The SESIR Workgroup was tasked with examining ongoing data quality concerns related to SESIR reporting.
- Address concerns raised in the Final Report of the Statewide Grand Jury, released on August 19, 2022.

Proposed Changes to the Rule

Clarification of 16 SESIR definitions:

- Aggravated Battery
- Alcohol
- Bullying
- Drug Sale/Distribution
- Harassment
- Kidnapping
- Larceny/Theft
- Physical Attack
- Robbery
- Sexual Assault
- Sexual Harassment
- Threat/Intimidation
- Tobacco
- Trespassing
- Vandalism
- Weapons Possession

Proposed Changes to the Rule

- Definitions for reporting to and consultation with law enforcement; Reporting law enforcement involvement
- Analysis of incidents
- Requirement to report SESIR incidents
- Incident definitions
- Related element definitions
- Training required
- Accountability for SESIR reporting



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Definitions - Reporting to and Consultation with Law Enforcement

Reporting to and Consultation with Law Enforcement

As defined within 6A-1.0017(2)(b), F.A.C. –

“Law enforcement action” means that official action was taken by a School Resource Officer (SRO) or local law enforcement officer in response to a SESIR incident, including but not limited to: an arrest, referral to a civil citation or similar prearrest diversion program authorized by Section 985.12, F.S., or initiation of an involuntary examination authorized by Section 394.463, F.S.

Reporting to and Consultation with Law Enforcement

As defined within 6A-1.0017(9), F.A.C. –

(9) Reporting law enforcement involvement: For each SESIR incident, a school district must report one of the following three (3) choices regarding law enforcement involvement:

(a) The incident was not reported to law enforcement because it was a petty act of misconduct that did not require law enforcement involvement according to policies developed by the district pursuant to Section 1006.13, F.S.;

Reporting to and Consultation with Law Enforcement

(b) The incident was reported to law enforcement and resulted in official law enforcement action being taken by an SRO or other law enforcement agency or official, as defined in paragraph (2)(b) of this rule.

(c) The incident was reported to law enforcement and did not result in official action being taken by an SRO or other law enforcement agency or official, as defined in paragraph (2)(b) of this rule.



Definitions – School District

School District Definition

(ef) “School district” or “district” means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and Blind (Section 1002.36, F.S.), and Developmental Research (Laboratory) Schools (Section 1002.32, F.S.). All reporting requirements in this rule also apply to charter schools, pursuant to Section 1002.33(16)(a)10., F.S.



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Analysis of Incidents

Clarification on when to report in SESIR

(a) In order to determine whether an incident must be reported in SESIR, the following ~~three (3)~~ criteria must be met:

1. The incident meets one of the SESIR incident definitions listed in subsection (7) ~~and~~

2. The incident occurred on a K-12 school campus, on school-sponsored transportation, during off-campus school-sponsored activities, or off campus where the incident is accomplished through electronic means, if the incident substantially disrupts the educational process or orderly operation of a school.

~~3. Where the incident was carried out by a student, taking into account developmentally age appropriate behavior and disability, if any, the student had the capacity to understand his or her behavior and the inappropriateness of his or her actions.~~

Clarification on when to report in SESIR

(3)(b) SESIR incidents that meet the requirements of paragraph (3)(a) must be reported regardless of whether:

5. Law enforcement action is taken by an SRO or other law enforcement officer or agency;

6. The offender has the capacity to understand his or her behavior and the inappropriateness of his or her actions. However, where the offender is a student, school districts may take age, development, and disability into account when determining appropriate discipline; or

Clarification on when to report in SESIR

(3)(b) SESIR incidents that meet the requirements of paragraph (3)(a) must be reported regardless of whether:

7. Criminal charges are filed by law enforcement. However, where criminal charges are issued, school districts should review to determine whether the type of incident reported should be modified.

The Workgroup has recommended FDOE add an option to the **Discipline/Resultant Action** data element to indicate “No discipline” when, due to developmentally age-appropriate behavior or disability, if any, the student did not have the ability to understand his or her behavior and the inappropriateness of his or her actions.

Note that this option is tied to an individual student’s disciplinary record, even if as a “No discipline” entry.

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DOE INFORMATION DATABASE REQUIREMENTS VOLUME 8
AUTOMATED STUDENT INFORMATION SYSTEM
Year: 2022-23
Data Element Number: **T14425**
Data Element Name: **Discipline/Resultant Action Code**

A one-character code representing the type of disciplinary action taken. The discipline code will be associated with the corresponding School Number. Where discipline/Resultant Action Occurred.

Code	Definition/Example
C	<p>Corporal Punishment</p> <p>Corporal punishment is defined as the moderate use of physical force or physical contact by a teacher or principal to maintain discipline or to enforce school law. (Maintained for students in grades PK-12 only.)</p>
E	<p>Expelled, Without Continuing Educational Services</p> <p>Student expelled from regular school without continuing educational services provided by the district. (Maintained for students in grades PK-12 and adult.)</p>
F	<p>Expelled, With Continuing Educational Services</p> <p>Student expelled from regular school with continuing educational services, which may include a disciplinary program or second-chance school, under external to the central justice or juvenile justice system. (Maintained for students in grades PK-12 and adult.)</p>
H	<p>Suspension Extended, Pending Hearing</p> <p>Suspension (out of school) pending beyond 10 school days pending school board hearing for expulsion. (This code should only be used when the district Superintendent grants an extension for suspension beyond 10 school days as per Ch. 1000.08, F.S.)</p>
I	<p>Suspension, In-School</p> <p>In-school suspension is defined as the temporary removal of a student from the school program not exceeding ten days. (Maintained for students in grades PK-12 only.)</p>
L	<p>Seclusion</p> <p>The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include a restraint, which is a behavior management technique that is part of an approved program, involves the immediate separation of the student in a non-social setting, and is implemented for the purpose of calming.</p>
M	<p>Mechanical Restraint</p> <p>The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel or utilized by a student that have been approved by an appropriate medical or behavioral services professional and are used for the specific, and approved purposes for which such devices were designed, such as:</p>

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Requirement to report SESIR incidents

(4) Requirement to report SESIR incidents.

(b) A school district must not report an incident which meets the requirements of subsection (3) as a locally-defined incident in lieu of reporting the incident to the Department of Education. Districts may only code an incident as a locally-defined incident if it does not meet one of the SESIR incident categories.

(c) SESIR incidents meeting the requirements of paragraph (3)(a) must be reported regardless of whether law enforcement action is taken or whether a student is disciplined.



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Incident Definitions

Alcohol Definition

(7)(a) Alcohol (Level IV): Possession, sale, purchase, distribution, or use of alcoholic beverages. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation. Alcohol incidents cannot be Drug-related.

Aggravated Battery Definition

(7)(b) Aggravated Battery (Level I): A battery where the attacker intentionally or knowingly causes more serious injury as defined in paragraph (8)(g) of this rule, such as: great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.

Bullying Definition

(7)(e) Bullying (Level IV): Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. **that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.**

Bullying Definition - continued

(7)(e) Bullying includes instances of cyberbullying, as defined in Section 1006.147(3)(b), F.S. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systemic or chronic behavior, evaluate for Harassment.

Criminal Mischief (Felony Vandalism) definition

(7)(f) Criminal Mischief (Felony Vandalism - \$1,000 threshold) (Level III): Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. Incidents that fall below the \$1,000 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies.

Drug Sale or Distribution Definition

(7)(h) Drug Sale or Distribution (Level II): The manufacture, cultivation, **purchase**, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

Grand Theft Definition

(7)(k) Grand Theft (\$750 threshold) (Level III): The unauthorized taking of the property of another person or organization, including motor vehicles, valued at \$750 or more, without threat, violence, or bodily harm. Incidents that fall below the \$750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to district policies. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery.

Harassment Definition

Include the following clarification at the end of the Harassment definition:

Instances of Harassment that are chronic or repeated in nature should be evaluated for Bullying or Bullying-related.

Kidnapping Definition

(7)(o) Kidnapping (Level I): Forcibly, secretly, or by threat, confining, abducting, or imprisoning another person against his or her will and without lawful authority.

Robbery Definition

(7)(q) Robbery (Level II): The taking or attempted taking of money or other property from the person or custody of another ~~anything of value that is owned by another person or organization,~~ with the intent to permanently or temporarily deprive the person or owner of money or other property, under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

Sexual Assault Definition

(7)(s) Sexual Assault (Level II): An incident that includes ~~threatened rape~~, fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault.

Sexual Harassment Definition

- (7)(t) Sexual Harassment (Level III): ~~Unwanted verbal, nonverbal, 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, as defined in Rule 6A-19.008, F.A.C.~~ Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.

Simple Battery Definition

(7)(r) Simple Battery (Level II): An actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.

Threat/Intimidation Definition

(7)(w) Threat/Intimidation (Level III): An incident where there was no physical contact between the offender and victim, but the victim ~~felt~~ reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.

Tobacco Definition

(7)(x) Tobacco (Level IV): The possession, sale,
purchase, distribution, or use of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.

Trespassing Definition

(7)(y) Trespassing (Level III): To enter or remain on school grounds, school transportations, or at a school-sponsored event, without authorization or invitation and with no lawful purpose for entry. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials or by law enforcement are required to be reported in SESIR. Trespass incidents that did not have a prior official warning or do not involve students under suspension or expulsion should be reported as locally defined incidents according to district policies.

Weapons Possession Definition

(7)(z) Weapons Possession (Level II): Possession of a firearm or any instrument or object as defined by Section 790.001(6) and (13), F.S., ~~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.



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Related Element Definitions

Related element definitions

(8)(b) Bullying-related: An incident is bullying related if the incident includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. ~~that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interferes with the individual's school performance or participation.~~

Related element definitions

(8)(c) Drug-related: An incident is drug related if there is evidence that those involved in the incident were under the influence of drugs at the time of the incident; if they admit to using or being under the influence of drugs; if drugs were in the possession of individuals involved in the incident, based on testing or investigation done by a ~~police officer~~ law enforcement officer as a result of the incident; or if the incident is somehow related to possession, use or sale of drugs. Schools are not required to test for drug use.

Related element definitions

(8)(f) Hazing-related: An incident is hazing-related if the incident includes any action or situation that endangers the mental or physical health or safety of a student at a school with any grades from 6-12 for the purposes of initiation or admission into or affiliation with any school-sanctioned organization.

Related element definitions

(8)(g) Injury-related: All SESIR incidents that result in serious bodily injury are required to be reported as Injury-related. Less serious bodily injury means incidents which require immediate first aid or subsequent medical attention. More serious injuries include death or injuries with substantial risk of death, extreme physical pain, protracted and obvious disfigurement, and protracted loss or impairment of the function of a bodily member, organ, or mental faculty. Incidents where injury occurred, but first aid or medical attention is not needed, are not required to be reported in SESIR as Injury-related.

Related element definitions

(8)(h) Vaping-related: All SESIR incidents that involve the use of non-combustible vaping products, including electronic cigarettes, vapes and vape pens, or any electronic nicotine delivery system (ENDS) are required to be reported as Vaping-related, if the liquid used contains nicotine or a controlled substance. Schools are not required to test for nicotine or drugs in vaping devices. Incidents involving use or possession of vaping products that do not contain nicotine or controlled substances are not required to be reported in SESIR.

Related element definitions

(8)(i) Weapon-related: All SESIR incidents are required to be reported as Weapon-related where anyone involved possessed or used a firearm or weapon or if the incident was related to possession, use or sale of firearms or weapons, as defined in Section 790.001(6) and (13), F.S.



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Training Required

(10) Training required. Each district superintendent must designate persons responsible for SESIR reporting in the district, and ensure that all such persons receive the **on-line** training found at <http://sesir.org>. SESIR training provided by Department staff can be used to satisfy the online training requirement. **Charter schools must designate persons responsible for SESIR reporting in their school and must report their name, email address, and phone number to the district.**



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Accountability for SESIR Reporting

(11) Accountability for SESIR reporting. In order to enhance SESIR reporting, the persons or entity listed below have the follow responsibilities:

(b) School District Superintendents.

1. Each ~~school~~ district superintendent must ensure that all persons responsible for reporting SESIR data have received the training required in subsection (10), that any local district policies are consistent with the SESIR reporting requirements set forth in this rule and Rule 6A-1.0014, F.A.C., and that the district timely and accurately reports SESIR incidents. Annually, superintendents must certify to the Department that these requirements have been met.

(11)(b)1. continued -

The annual certification must include a statement that all charter school staff responsible for reporting SESIR data have received required training and that charter schools have required SESIR policies in place.

2. Each district superintendent must designate a SESIR contact person and must annually report their name, phone number, and email address to the Office of Safe Schools at SafeSchools@fldoe.org. This information must be provided by August 1 each year and must be updated within five (5) school days when there is a change in the information provided.



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