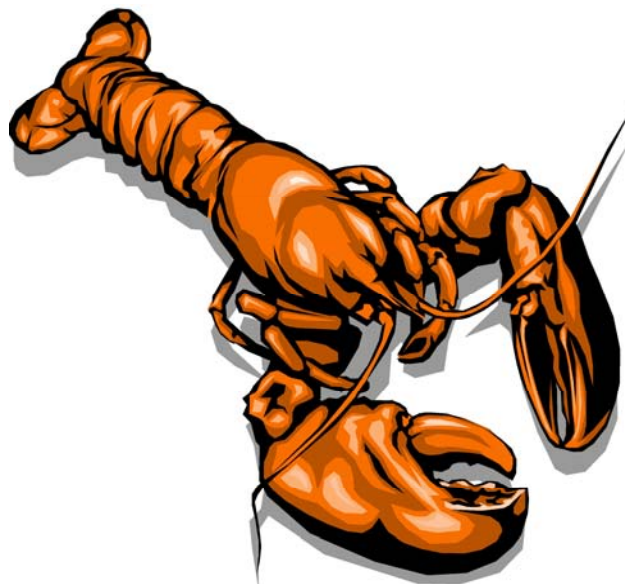


# Maine

## Safe and Drug-Free Schools and Communities Act Program

### Report on Incidence of Prohibited Behavior and Drug and Violence Prevention 2006-2007 Technical Report



The Maine Department of Health and Human Services, Office of Substance Abuse, and the Maine Department of Education

This report is a collaborative effort of the Maine Department of Health and Human Services, Office of Substance Abuse, and the Maine Department of Education.

To obtain a *downloadable* copy of this *Technical Report*, visit the Maine Safe & Drug-Free Schools & Communities Act Program website at: <http://www.mainesdfsca.org/resources.html>.

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# **MAINE**

## **Safe and Drug-Free Schools and Communities Act Program**

### **Report on Incidence of Prohibited Behavior and Drug and Violence Prevention 2006-2007**

February, 2008

# TABLE OF CONTENTS

	<b>Page</b>
List of Tables.....	ii
I. Introduction.....	1
II. Demographics .....	2
III. Prevention Programs, Services, and Activities (PSAs)	
A. Student-Targeted PSAs Offered by Schools.....	5
B. Professional Development Programs Offered by Schools .....	7
C. Involvement of Community Organizations and Students .....	9
IV. Incidence of Prohibited Behavior	
A. Type of Prohibited Behavior.....	11
B. Offenders and Victims.....	12
C. Removals from School as a Result of Prohibited Behavior.....	14
V. Trends: 2001-02 to 2006-07	
A. Prevention PSAs Offered.....	17
B. Incidence of Prohibited Behavior .....	20
C. Removals from School.....	22
Appendix A: Reportable Incidents .....	26
Appendix B: Legal Definition of Students with Disabilities.....	29

## LIST OF TABLES

<b>Table</b>	<b>Page</b>
1. Total schools in Maine and number reporting .....	2
2. Number and percentage of schools reporting by school level .....	2
3. Number of schools reporting by detailed school level.....	3
4. Enrollment of reporting schools by school level.....	4
5. Number and percentage of schools reporting by size of school .....	4
6. Number and percentage of schools providing student-targeted PSAs by category .....	5
7. Students served by prevention PSAs by school level.....	5
8. Number of drug and violence prevention programs by emphasis and school level .....	6
9. Number of prevention program offerings by emphasis and grade level.....	6
10. Number of professional development offerings by school level .....	7
11. Number of professional development offerings by emphasis .....	7
12. Hours of professional development and number of staff trained by emphasis .....	8
13. Detailed list of professional development offerings: number of activities, participating schools and staff trained.....	8
14. Number of schools involving the community in prevention efforts by school level and type of involvement.....	9
15. Number and percentage of schools involving students in prevention efforts by school level and type of involvement.....	10
16. Number of drug policy violations by school level and size .....	11
17. Number of incidents of prohibited behavior by type and school level .....	11
18. Total incidents per 100 students by school level and school size .....	12
19. Number of victims and offenders by type and school level .....	12
20. Average number of student offenders per 100 students .....	13
21. Number of bomb threats and bomb-related incidents by school level .....	13
22. Number of bomb threat offenders by type and school level.....	13

## LIST OF TABLES (continued)

Table	Page
23. Number and percentage of students removed from school as a result of prohibited behaviors by school level.....	14
24. Number and percentage of removals by type and school level, general education students vs. special education students.....	14
25. Number of long-term suspensions by type, school level and student type .....	14
26. Number of removals by detailed incidence type, school level and student type .....	15
27. Number of removals of <u>special education students</u> by removal type and school level .....	16
28. Number and percentage of removals of <u>special education student</u> by general category of offense.....	16
29. Number of removals of <u>special education students</u> by removal type and type of disability.....	16
30. Number and percentage of schools offering PSAs by category and school year .....	17
31. Number of PSAs by emphasis, school level and school year .....	18
32. Number and percentage of professional development offerings by emphasis and school year .....	19
33. Number of professional development programs, contact hours and staff trained by program emphasis and school year .....	19
34. Number of incidents of prohibited behavior and incidence rate per 100 students by school level and school year.....	20
35. Number of student offenders and rate per 100 students by school type and school year.....	20
36. Number and percentage of victims by type and school year .....	21
37. <u>General Education Students</u> : Number and percentage of removals by type, school level and school year .....	22
38. <u>Special Education Students</u> : Number and percentage of removals by type, school level and school year .....	23
39. <u>General Education Students</u> : Number and percentage of removals by type of offense and school year .....	24
40. <u>Special Education Students</u> : Number and percentage of removals by type of offense and school year .....	25

## I. INTRODUCTION

The Maine Safe and Drug-Free Schools Data Collection Project is a partnership between the Maine Department of Health and Human Services, Office of Substance Abuse (OSA), and the Maine Department of Education (DOE).

Funded by the U.S. Department of Education's Safe and Drug-Free Schools and Communities Act (SDFSCA) Program, the project has worked to enhance the state's capacity to gather data on drug (including alcohol and tobacco) and violence prevention programs, as well as on prohibited behavior among youth in Maine's local school systems. The project supports SDFSCA reporting requirements for measuring progress toward achieving the goal of creating safe and drug-free learning environments in schools. In accordance with the Individuals with Disabilities Education Act, 1997, the project also reports to the Maine Department of Education's Office of Special Education and Rehabilitative Services on children with disabilities involved in incidents of prohibited behavior.

Each Local Education Agency (LEA) was asked to record information on their prevention activities, including related staff development, training and incidents that occurred during the 2006-2007 school year.

The Report on Incidence of Prohibited Behavior and Drug and Violence Prevention, 2006-2007 presents the data collected by OSA from LEAs and schools at the close of the 2006-2007 school year. It reports on local drug and violence prevention efforts, as well as recorded incidents of prohibited behavior. This Technical Report provides the data tables used in the main report, as well as additional data analysis. The results presented in these two reports can be used by Maine LEAs and schools as a basis for the development of safe and drug-free schools and communities programs, and to evaluate the progress of current programs.

## II. DEMOGRAPHICS

**Table 1. Total schools in Maine and number reporting**

	# of Schools
Total Public Schools	670
Number required to report <sup>1</sup>	644
Number reporting <sup>2</sup>	644

One hundred percent (100%) of LEAs and schools in Maine that were required to submit a report participated in the 2006-2007 SDFSCA data collection project, for a total of 644 schools and 163 LEAs. (This includes Education in the Unorganized Territories, which was not required to report prior to 2002-03. The Maine School of Science and Mathematics and Pennacook Learning Center reported for the first time in 2005-06).

**Table 2. Number and percentage of schools reporting by school level**

School Level	Schools Required to Report	Schools Reporting	
		#	%
Elementary	417	417	100%
Middle/Jr. High School	94	94	100%
Sr. High School	133	133	100%
<b>Total Schools</b>	<b>644</b>	<b>644</b>	<b>100%</b>

<sup>1</sup> Excludes schools not required to report, such as the technical centers and Maine Indian Education.

<sup>2</sup> Includes 6 private, non-sectarian schools with 60% or more publicly-funded students.

**Table 3. Number of schools reporting by detailed school level**

School Type	Grade Span	# of School	# of Schools Reporting
Elementary School	K-6, K-8, Grades $\leq$ 6	417	417
Middle School	4-5, 4-6, 4-8	94	94
High School	9-12	102	102
Junior-Senior High School	7-12	19	19
Combined Elementary & Secondary School	K-12	11	11
Special School	K-12	1	1
<b>Total Schools</b>	<b>K-12</b>	<b>644</b>	<b>644</b>

### Definition of School Levels

Elementary school: A school composed of any span of grades in K-6 or any combination of grades in K-8 or any combination of grades less than or equal to grade 6 is considered an elementary school in Maine.

Middle school: A middle school is a separately organized and administered intermediate school between elementary and senior high school. It is usually composed of any combination of grades between 4 and 8 in Maine.

High school: A senior high school is a school offering the final years of school work necessary for graduation. It usually includes schools of any span of grades in 9-12, or any combination of middle and secondary grades in 7-12, or any combination of elementary and secondary grades (e.g. K-12 schools) in Maine.

- In *most* instances, schools are grouped by school level (elementary, middle, high) according to the highest grade level; for instances, combined elementary and secondary schools with grades k-12 are counted as high schools.
- High schools include six private schools providing Safe and Drug-Free Schools-related services to public school students.
- Junior-senior high schools are counted as senior high schools in this report
- The special school listed above is Pennacook Day Treatment Learning Center. Rather than a separate school, Pennacook is a special education program which draws students from other districts. It accommodates students from K through 12<sup>th</sup>. For the sake of this report it was coded as a high school.

Excluding other educational institutions in Maine, such as the technology centers and Maine Indian Education schools and other private schools that are not required to report, the total number of schools counted is 644 for the purposes of this report. This number will be the basis for calculating percentages in the following tables unless otherwise stated.

**Table 4. Enrollment of reporting schools by school level**

School Level	Enrollment	% of Total Enrollment
Elementary School	92,191	47%
Middle School	37,460	19%
High School	66,165	34%
<b>Total</b>	<b>195,816</b>	<b>100%</b>

**Table 5. Number and percentage of schools reporting by size of school**

School Size	# of Schools	% of Schools	Enrollment	% of Total Enrollment
1 - 100 students	108	17%	6,261	3%
101 - 300 students	290	45%	59,258	30%
301 - 500 students	148	23%	56,276	29%
501 - 1000 students	83	13%	56,302	29%
1001 - 2000 students	15	2%	17,719	9%
<b>Total</b>	<b>644</b>	<b>100%</b>	<b>195,816</b>	<b>100%</b>

Enrollment figures for school year 2006-2007 are October 2006 estimates provided by the Maine Department of Education.

### III. PREVENTION PROGRAMS, SERVICES & ACTIVITIES (PSAs)

#### A. Student-Targeted PSAs Offered by Schools

**Table 6. Number and percentage of schools providing student-targeted PSAs by category**

Category	# Schools Providing PSAs	% Schools Providing PSAs
Drug prevention instruction	475	74%
Counseling and referral services	437	68%
Violence prevention instruction	417	65%
Special, one-time events	389	60%
Conflict resolution/Peer mediation	384	60%
Student support services	319	50%
Before/after school activities	246	38%
Community service projects	207	32%
Curriculum acquisition or development	177	27%
Alternative education programs	115	18%
Services for out-of-school youth	27	4%

**Table 7 . Students served by prevention PSAs by school level**

School Level	# of PSAs	Enrollment	Ratio of PSAs to Enrolled Students	Total Students Attending PSAs*	Avg. Number of Students Served per PSA
Elementary School	1,891	92,191	1:49	255,197	135
Middle School	562	37,460	1:67	109,956	196
High School	740	66,165	1:89	116,185	157
Total	3,193	195,816	1:61	481,338	151

\*This is not an unduplicated count; a student may have attended more than one activity and therefore been counted more than once.

**Table 8. Number of drug and violence prevention programs by emphasis and school level**

The following table indicates whether the primary emphasis of the student-targeted programs is on drug prevention, violence prevention or both.

<b>Total prevention program offerings during 2005-6</b>	<b>3,193</b>
<b>Primary emphasis on drug prevention</b>	<b>799</b>
Elementary School	447
Middle School	143
High School	209
<b>Primary emphasis on violence prevention</b>	<b>1,049</b>
Elementary School	693
Middle School	175
High School	181
<b>Emphasis on both drug and violence prevention</b>	<b>1,345</b>
Elementary School	751
Middle School	244
High School	350

**Table 9. Number of prevention program offerings by emphasis and grade level**

The number of programs, services, and activities in the following table reflects the number of offerings for each grade. A program may have been offered once at a school, to three different grade levels, and therefore, would be counted below as one program in each grade level.

Grade Level	Emphasis			Totals
	Drug	Violence	Both	
<b>K</b>	219	447	509	<b>1,175</b>
<b>1</b>	224	453	549	<b>1,226</b>
<b>2</b>	238	459	551	<b>1,248</b>
<b>3</b>	241	462	580	<b>1,283</b>
<b>4</b>	259	473	601	<b>1,333</b>
<b>5</b>	328	498	603	<b>1,429</b>
<b>6</b>	286	382	577	<b>1,245</b>
<b>7</b>	247	316	497	<b>1,060</b>
<b>8</b>	243	312	494	<b>1,049</b>
<b>9</b>	173	146	319	<b>638</b>
<b>10</b>	180	149	335	<b>664</b>
<b>11</b>	150	134	325	<b>609</b>
<b>12</b>	155	131	331	<b>617</b>

## B. Professional Development Programs Offered by Schools

**Table 10. Number of professional development offerings by school level**

School Level	# Programs	% Programs
Elementary School	669	53%
Middle School	254	20%
High School	339	27%
<b>Total</b>	<b>1,262</b>	<b>100%</b>

**Table 11. Number of professional development offerings by emphasis**

Type of Professional Development	# of Programs	% of Total Programs	# of Schools Providing Training <sup>3</sup>	% of Schools Providing Training
Emphasis on drug prevention	186	15%	135	21%
Emphasis on violence prevention	506	40%	300	47%
Emphasis on both drug and violence prevention	570	45%	305	47%
Emphasis on drug and/or Violence Prevention	1,262	100%	490	76%

<sup>3</sup> This represents a duplicated count; each school could offer more than one type of training.

**Table 12. Hours of professional development and number of staff trained by emphasis**

Type of Professional Development	# Programs	Hours of Training	# Staff Trained <sup>4</sup>	Average Hours per Program	Average # Staff per Program
Emphasis on drug prevention	186	2,086	2,235	11.2	12.0
Emphasis on violence prevention	506	5,154	8,881	10.2	17.6
Emphasis on both drug and violence prevention	570	7,290	7,367	12.7	12.9
Total	1,262	14,530	18,483	11.5	14.6

**Table 13. Detailed list of professional development offerings: number of activities, participating schools and staff trained**

Most Common Offerings	# Activities	# Schools Providing Training	% Schools Providing Training	# Staff Trained <sup>4</sup>
Civil Rights/Diversity Training	179	176	27%	3,007
Student Assistance Team Training	165	162	25%	1,196
Crisis Management	161	157	24%	4,309
Conflict Resolution & Mediation	151	142	22%	1,890
Violence Prevention Training	142	125	19%	2,402
Wellness Conference	98	93	14%	621
Life Skills - Substance Abuse Training	64	64	10%	705
Substance Abuse Awareness	64	52	8%	1,096
Bullying and Harassment Prevention Training	56	51	8%	1,438
DARE	48	48	7%	564
Peer Mediation/Peer Helpers	47	47	7%	389
Mentoring	14	13	2%	379
Other	73	47	7%	487

<sup>4</sup> This represents a duplicated count, as one teacher participating in multiple activities would have been counted in each activity.

### C. Involvement of Community Organizations and Students in Drug and Violence Prevention Efforts

**Table 14. Number of schools involving the community in prevention efforts by school level and type of involvement**

School Level	# Schools	% Schools
Elementary School	256	61%
Middle School	71	76%
High School	105	79%
<b>Total</b>	<b>432</b>	<b>67%</b>

Type of Involvement	Elementary	Middle School	High School	Total Schools	% of Schools
Public awareness	139	46	66	251	58%
Teacher/staff training	135	45	61	241	56%
Joint services	119	32	61	212	49%
Local advisory council	100	28	46	174	40%
Fundraising	69	18	22	109	25%

**Table 15. Number and percentage of schools involving students in prevention efforts by school level and type of involvement**

School Level	# Schools	% Schools
Elementary School	176	42%
Middle School	56	60%
High School	83	62%
<b>Total</b>	<b>315</b>	<b>49%</b>

Type of Involvement	# Schools	% Total Schools <sup>5</sup>	% Schools with Student Involvement
Program and services planning, development, and delivery	144	22%	46%
Evaluation/critiquing program effectiveness	77	12%	24%
Civil rights/diversity team planning and program delivery	49	8%	16%
Involvement in student awareness/self assessment activities	44	7%	14%
Producing information and resource materials (video, books/essays, posters)	38	6%	12%
Serving on advisory/planning council	27	4%	9%
Planning and delivery of special events (DARE, Health Fair, Great American Smokeout)	27	4%	9%
Serving as program facilitators, peer mentors/helpers/mediators, support	22	3%	7%
Other	30	5%	10%

<sup>5</sup> Percent of total reporting schools (n=648)

## IV. INCIDENCE OF PROHIBITED BEHAVIOR

### A. Types of Prohibited Behavior

An “Incidence of Prohibited Behavior” is defined as a violation of a statute or regulation that occurs on school grounds, school property, or at a school-sponsored event, and is reported to a school official or law enforcement agency.

**Table 16. Number of drug policy violations by school level and size**

School Type	Drug Policy Violations	# Students Offenders	Student Offenders as percent of Enrollment
Elementary School	35	44	<1%
Middle School	308	297	0.8%
High School	1,837	1,663	2.5%
<b>All Schools</b>	<b>2,180</b>	<b>2,004</b>	<b>1.0%</b>

School Size <sup>6</sup>	Drug Policy Violations	# Student Offenders	Student Offenders as percent of Enrollment
1 - 100	23	22	0.4%
101 - 500	654	640	0.6%
501 - 1000	1,006	904	1.6%
1001 - 2000	497	438	2.5%

**Table 17. Number of incidents of prohibited behavior by type and school level**

School Level	Total Incidents	Weapon-Related	Drug Violations	Other
Elementary School	1,389	50	35	1,304
Middle School	2,234	92	308	1,834
High School	6,131	180	1,837	4,114
<b>All Schools</b>	<b>9,754</b>	<b>322</b>	<b>2,180</b>	<b>7,252</b>

Schools were asked to report a total number of incidents, the number of incidents that were weapon-related, and the number of drug policy violations. “Other” refers to those incidents that are not included in the weapons or drug count.

<sup>6</sup> Based on 2006-07 enrollment figures.

**Table 18. Total Incidents per 100 students by school level and school size**

School Size	Elementary Schools			Middle Schools			High Schools		
	Incidents	Enrollment	Incidents per 100 Students	Incidents	Enrollment	Incidents per 100 Students	Incidents	Enrollment	Incidents per 100 Students
0-100	137	5,382	2.5	4	167	2.4	126	712	17.7
101-300	683	44,200	1.5	443	7,720	5.7	333	7,338	4.5
301-500	507	32,292	1.6	590	12,308	4.8	1,472	11,676	12.6
501-1000	62	10,317	0.6	1,188	16,254	7.3	2,530	29,731	8.5
1000+	0	0	0	9	1,011	0.9	1,670	16,708	10.0
<b>All Schools</b>	<b>1,389</b>	<b>92,191</b>	<b>1.5</b>	<b>2,234</b>	<b>37,460</b>	<b>6.0</b>	<b>6,131</b>	<b>66,165</b>	<b>9.3</b>

We might expect the larger schools to have a higher proportion of students involved in prohibited acts, but this was not the case. In fact, the data suggests the opposite within elementary schools.

## B. Offenders and Victims

Schools were asked to report the unduplicated count of victims and offenders involved in criminal or other serious offenses (excluding weapons-related incidents). For bomb threat or other bomb-related offenses, only the numbers of offenders were reported.

**Table 19. Number of victims and offenders by type and school level**

Type of Victim	Elementary School	Middle School	High School	Total
Students	837	1,617	1,242	3,696
School Personnel	97	178	166	441
Non-School Personnel	2	0	5	7
Unknown	70	13	218	301
<b>Total</b>	<b>1,006</b>	<b>1,808</b>	<b>1,631</b>	<b>4,445</b>

Type of Offender	Elementary School	Middle School	High School	Total
Students	927	1,455	3,604	5,986
Non-students	1	0	2	3
Unknown	6	7	13	26
<b>Total</b>	<b>934</b>	<b>1,462</b>	<b>3,619</b>	<b>6,015</b>

**Table 20. Average number of student offenders per 100 students**

School Level	# Student Offenders	Avg. # Offenders per 100 Students <sup>7</sup>
Elementary School	927	1.0
Middle School	1,455	3.9
High School	3,604	5.4
<b>All Schools</b>	<b>5,986</b>	<b>3.1</b>

**Table 21. Number of bomb threats, and bomb-related incidents by school level<sup>8</sup>**

School Level	# Bomb Threats	# Schools Reporting Bomb Threats	# of Bomb-Related Incidence	# Schools Reporting Bomb-Related Incidence
Elementary School	7	5	2	2
Middle School	20	10	3	3
High School	37	21	1	1
<b>All Schools</b>	<b>64</b>	<b>36</b>	<b>6</b>	<b>6</b>

**Table 22. Number of bomb threat offenders by type and school level**

School Level	Student	Non-student	Unknown	Total
Elementary School	1	0	6	7
Middle School	10	0	7	17
High School	16	1	13	30
<b>Total</b>	<b>27</b>	<b>1</b>	<b>26</b>	<b>54</b>

<sup>7</sup> This is the average rate for all schools required to report (n=644).

<sup>8</sup> See definition of Bomb Threat and Bomb-Related Incident in Appendix A: Reportable Incidents, page 26.

### C. Removals from School as a Result of Prohibited Behavior

**Table 23. Number and percentage of students removed from school as a result of prohibited behavior by school level**

School Level	Total Removals		Removals per 100 Students
Elementary School	259	22%	2.8
Middle School	239	20%	6.4
High School	672	57%	10.2
<b>Total</b>	<b>1,170</b>	<b>100%</b>	<b>6.0</b>

Removal from school includes reported expulsions, students' removal to an alternative education setting, and long-term suspensions.

**Table 24. Number and percentage of removals by type and school level, general education students vs. special education students**

Removal Type	Elementary				Middle School				High School			
	Gen Ed	%	Spc Ed	%	Gen Ed	%	Spc Ed	%	Gen Ed	%	Spc Ed	%
Expulsion	5	3%	1	1%	30	21%	5	5%	93	20%	18	8%
Alt. Placement	134	90%	89	81%	50	34%	37	40%	88	19%	42	20%
Long-Term Susp. <sup>9</sup>	10	7%	20	18%	66	45%	51	55%	277	60%	154	72%
<b>Total</b>	<b>149</b>	<b>100%</b>	<b>110</b>	<b>100%</b>	<b>146</b>	<b>100%</b>	<b>93</b>	<b>100%</b>	<b>458</b>	<b>100%</b>	<b>214</b>	<b>100%</b>

**Table 25. Number of long-term suspensions by type, school level and student type**

School Level	One Suspension >10 days		Sum of Suspensions > 10 days		Total	
	General	Spec Ed	General	Spec Ed	General	Spec Ed
Elementary School	4	6	6	14	10	20
Middle School	28	14	38	37	66	51
High School	65	27	212	127	277	154
<b>Total</b>	<b>97</b>	<b>47</b>	<b>256</b>	<b>178</b>	<b>353</b>	<b>225</b>
<b>Grand Total</b>	<b>144</b>		<b>434</b>		<b>578</b>	

<sup>9</sup> Long-term suspension is defined as temporary removal from school greater than 10 days; two types of suspensions are counted in this category: 1) one suspension greater than 10 days, and 2) multiple short-term suspensions of one student totaling to greater than 10 days.

**Table 26. Number of removals by detailed incidence type, school level and student type**

Act Category	Act Name	Elementary			Middle School			High School			Grand Total		
		Gen	Spec	Total	Gen	Spec	Total	Gen	Spec	Total	Gen	Spec	Total
Drug-Related	Alcohol possession/distribution	0	0	0	2	2	4	9	0	9	11	2	13
	Alcohol use	0	0	0	0	0	0	21	1	22	21	1	22
	Marijuana distribution	0	0	0	3	0	3	11	3	14	14	3	17
	Marijuana possession	1	0	1	8	3	11	36	7	43	45	10	55
	Marijuana use	0	0	0	1	0	1	18	3	21	19	3	22
	Other drug distribution	2	1	3	6	2	8	9	3	12	17	6	23
	Other drug possession	1	0	1	9	2	11	30	7	37	40	9	49
	Other drug use	0	0	0	2	0	2	7	2	9	9	2	11
	Tobacco possession/distribution	4	0	4	2	1	3	13	4	17	19	5	24
	Tobacco use	1	0	1	1	2	3	10	2	12	12	4	16
	<b>Total</b>	<b>9</b>	<b>1</b>	<b>10</b>	<b>34</b>	<b>12</b>	<b>46</b>	<b>164</b>	<b>32</b>	<b>196</b>	<b>207</b>	<b>45</b>	<b>252</b>
Other Criminal Acts <sup>10</sup>	Arson	0	0	0	1	1	2	1	0	1	2	1	3
	Burglary/breaking and entering	0	0	0	2	0	2	3	0	3	5	0	5
	Buy/Receive/Distribute stolen property	0	0	0	0	0	0	0	0	0	0	0	0
	Extortion	0	0	0	0	0	0	0	0	0	0	0	0
	Hate crime/Bias incident	0	0	0	0	0	0	1	0	1	1	0	1
	Larceny/Theft/Other property offense	3	1	4	1	2	3	9	7	16	13	10	23
	Robbery	1	0	1	4	0	4	2	0	2	7	0	7
	Vandalism (criminal mischief)	0	0	0	2	2	4	6	5	11	8	7	15
		<b>Total</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>10</b>	<b>5</b>	<b>15</b>	<b>22</b>	<b>12</b>	<b>34</b>	<b>36</b>	<b>18</b>
Other Policy Violations	Disorderly conduct	13	46	59	23	24	47	55	34	89	91	104	195
	Fireworks offense	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual offense (non-forcible)	4	0	4	0	0	0	1	0	1	5	0	5
	Skipping school	3	0	3	0	1	1	19	6	25	22	7	29
	Trespassing	0	0	0	0	0	0	0	0	0	0	0	0
	Truancy	0	1	1	4	0	4	25	12	37	29	13	42
		<b>Total</b>	<b>20</b>	<b>47</b>	<b>67</b>	<b>27</b>	<b>25</b>	<b>52</b>	<b>100</b>	<b>52</b>	<b>152</b>	<b>147</b>	<b>124</b>
Personal Offense	Simple/Aggravated Assault/Battery	8	9	17	8	3	11	13	8	21	29	20	49
	Fighting/Pushing	47	6	53	22	6	28	41	36	77	110	48	158
	Gang fighting	0	0	0	0	0	0	0	0	0	0	0	0
	Harassment: other	16	7	23	9	9	18	14	11	25	39	27	66
	Harassment: sexual	6	1	7	0	0	0	3	1	4	9	2	11
	Physical attack/Other pers. offense	28	12	40	6	13	19	12	8	20	46	33	79
	Threat/Intimidation	9	21	30	15	10	25	43	27	70	67	58	125
	Sexual Battery	0	0	0	0	0	0	0	0	0	0	0	0
		<b>Total</b>	<b>114</b>	<b>56</b>	<b>170</b>	<b>60</b>	<b>41</b>	<b>101</b>	<b>126</b>	<b>91</b>	<b>217</b>	<b>300</b>	<b>188</b>
Weapon-Related	Assault with firearm	0	0	0	0	0	0	0	0	0	0	0	0
	Assault with other weapon	1	1	2	0	0	0	1	1	2	2	2	4
	Bomb threat	0	0	0	4	1	5	8	4	12	12	5	17
	Bomb-related offense	0	0	0	2	0	2	0	0	0	2	0	2
	Other weapon assault/offense	0	1	1	3	5	8	9	8	17	12	14	26
	Possession of a firearm	0	0	0	0	0	0	3	3	6	3	3	6
	Possession of other weapon	1	3	4	6	4	10	25	11	36	32	18	50
	Sale/Transfer of a weapon	0	0	0	0	0	0	0	0	0	0	0	0
		<b>Total</b>	<b>2</b>	<b>5</b>	<b>7</b>	<b>15</b>	<b>10</b>	<b>25</b>	<b>46</b>	<b>27</b>	<b>73</b>	<b>63</b>	<b>42</b>
<b>Grand Total</b>		<b>149</b>	<b>110</b>	<b>259</b>	<b>146</b>	<b>93</b>	<b>239</b>	<b>458</b>	<b>214</b>	<b>672</b>	<b>753</b>	<b>417</b>	<b>1170</b>

<sup>10</sup> Other Criminal Acts does not mean that criminal prosecution necessarily occurred in these incidents, but rather that the types of offenses reported *may* be subject to legal action.

**Table 27. Number of removals of special education students by removal type and school level**

Removal Type	Elementary School		Middle School		High School		Total	
	#	%	#	%	#	%	#	%
Expulsion	1	1%	5	5%	18	8%	<b>24</b>	<b>6%</b>
Alternative Placement	89	81%	37	40%	42	20%	<b>168</b>	<b>40%</b>
Long-Term Suspension	20	18%	51	55%	154	72%	<b>225</b>	<b>54%</b>
<b>Totals</b>	<b>110</b>	<b>100%</b>	<b>93</b>	<b>100%</b>	<b>214</b>	<b>100%</b>	<b>417</b>	<b>100%</b>

**Table 28. Number and percentage of removals of special education students by general category of offense**

Act	Elementary		Middle		High School		Total	
	#	%	#	%	#	%	#	%
Personal Offense	56	51%	41	44%	91	43%	<b>188</b>	<b>45%</b>
Drug-Related	1	1%	12	13%	32	15%	<b>45</b>	<b>11%</b>
Other Policy Violations	47	43%	25	27%	52	24%	<b>124</b>	<b>30%</b>
Weapon-Related	5	5%	10	11%	27	13%	<b>42</b>	<b>10%</b>
Other Criminal Acts	1	1%	5	5%	12	6%	<b>18</b>	<b>4%</b>
<b>Total</b>	<b>110</b>	<b>100%</b>	<b>93</b>	<b>100%</b>	<b>214</b>	<b>100%</b>	<b>417</b>	<b>100%</b>

**Table 29. Number of removals of special education students by removal type and type of disability**

Disability	Expulsion	Alternative Education	Long-Term Suspension	Total	% of Removals
Mental Retardation	0	3	4	7	2%
Hearing Impairment	0	5	1	6	1%
Speech and Language Impairment	1	3	13	17	4%
Visual Impairment	0	0	0	0	0%
Behavioral Impairment	6	68	58	132	32%
Orthopedic Impairment	0	1	0	1	0%
Other Health Impairment	4	31	57	92	22%
Learning Disability	11	43	76	130	31%
Deaf and Blind	0	0	0	0	0%
Multiple Handicaps	1	10	15	26	6%
Autism	1	3	0	4	1%
Traumatic Brain Injury	0	1	1	2	<1%
<b>Total</b>	<b>24</b>	<b>168</b>	<b>225</b>	<b>417</b>	<b>100%</b>

## V. Trends: 2001-02 to 2005-06

### A. Prevention PSAs Offered

*Table 30. Number and percentage of schools offering PSAs by category and school year*

Category	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	Schools		Schools		Schools		Schools		Schools		Schools	
	#	%	#	%	#	%	#	%	#	%	#	%
Alternative education programs	93	14%	90	13%	99	15%	98	15%	119	18%	115	18%
Before/after school activities	218	33%	217	32%	238	36%	257	39%	248	38%	246	38%
Community service projects	198	30%	196	29%	220	33%	223	34%	239	37%	207	32%
Conflict resolution & peer mediation	372	57%	356	53%	354	54%	367	56%	391	60%	384	60%
Counseling and referral services	424	64%	447	67%	436	66%	416	64%	429	66%	437	68%
Curriculum acquisition and development	242	37%	218	33%	235	36%	207	32%	194	30%	177	27%
Drug prevention instruction	496	75%	505	75%	505	76%	504	77%	487	75%	475	74%
Services for out-of-school youth	27	4%	20	3%	25	4%	25	4%	36	6%	27	4%
Special one-time events	371	56%	361	54%	384	58%	376	58%	386	60%	389	60%
Support groups	326	50%	314	47%	312	47%	310	48%	317	49%	319	50%
Violence prevention instruction	382	58%	392	59%	396	60%	410	63%	428	66%	417	65%
<b>Number of Schools Reporting<sup>11</sup></b>	<b>658</b>		<b>669</b>		<b>661</b>		<b>651</b>		<b>648</b>		<b>644</b>	

<sup>11</sup> Total of schools reporting (648), not just those reporting PSAs

**Table 31. Number of PSAs by emphasis, school level and school year**

<b>Primary Emphasis on:</b>	<b>School Level</b>	<b>2001-2002</b>	<b>2002-2003</b>	<b>2003-2004</b>	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>
<b>Drug Prevention</b>	<b>All Schools</b>	<b>826 (26%)</b>	<b>787 (25%)</b>	<b>804 (25%)</b>	<b>839 (26%)</b>	<b>812 (25%)</b>	<b>799 (25%)</b>
	Elementary	516	461	455	489	458	447
	Middle School	131	134	136	134	123	143
	High School	179	192	213	216	231	209
<b>Violence Prevention</b>	<b>All Schools</b>	<b>920 (29%)</b>	<b>961 (31%)</b>	<b>974 (30%)</b>	<b>1,031 (32%)</b>	<b>1,058 (32%)</b>	<b>1,049 (33%)</b>
	Elementary	645	661	668	722	713	693
	Middle School	139	145	134	149	153	175
	High School	136	155	172	160	192	181
<b>Drug and Violence Prevention</b>	<b>All Schools</b>	<b>1,403 (45%)</b>	<b>1,368 (44%)</b>	<b>1,426 (45%)</b>	<b>1,323 (41%)</b>	<b>1,404 (43%)</b>	<b>1,345 (42%)</b>
	Elementary	756	731	788	736	774	751
	Middle School	260	260	265	240	259	244
	High School	387	377	373	347	371	350
<b>Total</b>	<b>All Schools</b>	<b>3,149</b>	<b>3,116</b>	<b>3,204</b>	<b>3,193</b>	<b>3,274</b>	<b>3,193</b>

**Table 32. Number and percentage of professional development offerings by emphasis and school year**

Emphasis	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	Programs		Programs		Programs		Programs		Programs		Programs	
	#	%	#	%	#	%	#	%	#	%	#	%
Drug Prevention	152	11%	162	14%	192	17%	162	15%	210	15%	186	15%
Violence Prevention	551	40%	465	40%	407	36%	403	37%	496	37%	506	40%
Drug and Violence Prevention	668	49%	545	46%	534	47%	534	48%	652	48%	570	45%
Total	1,371	100%	1,172	100%	1,133	100%	1,099	100%	1,358	100%	1,262	100%

**Table 33. Number of contact hours and staff trained by program emphasis and school year**

Emphasis	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	hours	staff	hours	staff	hours	staff	hours	staff	hours	staff	hours	staff
Drug Prevention	2,788	2,704	2,570	1,964	2,758	2,174	2,176	2,635	2,074	2,568	2,086	2,235
Violence Prevention	6,315	11,141	5,415	7,625	3,783	6,763	3,659	6,698	3,803	7,704	5,154	8,881
Drug and Violence Prevention	8,764	10,515	9,024	7,631	7,478	7,380	8,367	6,730	7,824	11,197	7,290	7,367
Total	<b>17,867</b>	<b>24,360</b>	<b>17,009</b>	<b>17,220</b>	<b>14,018</b>	<b>16,317</b>	<b>14,202</b>	<b>16,063</b>	<b>13,700</b>	<b>21,469</b>	<b>14,530</b>	<b>18,483</b>

## B. Incidence of Prohibited Behavior

**Table 34. Number of incidents of prohibited behavior and incidence rate per 100 students<sup>12</sup> by school level and school year**

School Level	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	Total Incidents	Incidents per 100 Students	Total Incidents	Incidents per 100 Students	Total Incidents	Incidents per 100 Students	Total Incidents	Incidents per 100 Students	Total Incidents	Incidents per 100 Students	Total Incidents	Incidents per 100 Students
Elementary	2,333	2.3	1,904	1.9	2,242	2.3	1,650	1.7	1,366	1.5	1,389	1.5
Middle School	3,360	8.7	2,969	7.5	2,681	6.7	3,297	8.3	3,334	8.6	2,234	6.0
High School	4,665	7.2	5,555	8.2	5,916	8.7	7,432	11.0	6,528	10.0	6,131	9.3
<b>All Schools</b>	<b>10,358</b>	<b>5.0</b>	<b>10,428</b>	<b>5.1</b>	<b>10,839</b>	<b>5.3</b>	<b>12,379</b>	<b>6.1</b>	<b>11,228</b>	<b>5.7</b>	<b>9,754</b>	<b>5.0</b>

**Table 35. Number of student offenders and rate per 100 students by school type and school year<sup>13</sup>**

School Level	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	Student Offenders	Offenders per 100 Students	Student Offenders	Offenders per 100 Students	Student Offenders	Offenders per 100 Students	Student Offenders	Offenders per 100 Students	Student Offenders	Offenders per 100 Students	Student Offenders	Offenders per 100 Students
Elementary	1,574	1.5	1,171	1.2	1,490	1.6	1,132	1.2	787	0.9	927	1.0
Middle School	2,128	5.5	1,779	4.5	2,085	5.2	2,030	5.1	1,866	4.8	1,455	3.9
High School	3,170	4.9	3,587	5.3	3,862	5.7	5,051	7.5	4,125	6.3	3,604	5.4
<b>All Schools</b>	<b>6,872</b>	<b>3.3</b>	<b>6,537</b>	<b>3.2</b>	<b>7,437</b>	<b>3.7</b>	<b>8,213</b>	<b>4.0</b>	<b>6,778</b>	<b>3.5</b>	<b>5,986</b>	<b>3.1</b>

<sup>12</sup> Incidents per 100 students for 2001-02 are based on 1999-00 enrollment; rates for other years are based on that year's actual enrollment.

<sup>13</sup> Offenders per 100 students for 2001-02 are based on 1999-00 enrollment; rates for other years are based on that year's actual enrollment.

**Table 36. Number and percentage of victims by type and school year**

Type of Victim	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Student	8,012	88%	6,650	83%	7,068	83%	6,948	82%	4,744	79%	3,696	83%
School Personnel	875	10%	793	10%	786	9%	821	10%	478	8%	441	10%
Non-school Personnel	100	1%	18	<1%	14	<1%	19	<1%	19	<1%	7	<1%
Unknown	124	1%	526	7%	612	7%	633	8%	767	13%	301	7%
<b>Total Victims</b>	<b>9,111</b>	<b>100%</b>	<b>7,987</b>	<b>100%</b>	<b>8,480</b>	<b>100%</b>	<b>8,421</b>	<b>100%</b>	<b>6,008</b>	<b>100%</b>	<b>4,445</b>	<b>100%</b>

## C. Removals from School

**Table 37. General Education Students: Number and percentage of removals by type, school level and school year<sup>14</sup>**

School Level	2001-2002						2002-2003						2003-2004					
	Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension	
Elementary	19	18%	66	63%	19	18%	31	34%	54	59%	7	8%	8	9%	77	85%	6	7%
Middle School	112	43%	73	28%	78	30%	117	51%	30	13%	84	36%	21	19%	48	43%	43	38%
High School	144	33%	122	28%	171	39%	149	32%	79	17%	240	51%	114	26%	142	32%	187	42%
<b>Total</b>	<b>275</b>	<b>34%</b>	<b>261</b>	<b>32%</b>	<b>268</b>	<b>33%</b>	<b>297</b>	<b>38%</b>	<b>163</b>	<b>21%</b>	<b>331</b>	<b>42%</b>	<b>143</b>	<b>22%</b>	<b>267</b>	<b>41%</b>	<b>236</b>	<b>37%</b>

School Level	2004-2005						2005-2006						2006-2007					
	Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension	
Elementary	4	7%	46	75%	11	18%	9	10%	67	75%	13	15%	5	3%	134	90%	10	7%
Middle School	14	13%	35	32%	60	55%	23	20%	39	34%	53	46%	30	21%	50	34%	66	45%
High School	141	33%	72	17%	218	51%	185	28%	152	23%	321	49%	93	20%	88	19%	277	60%
<b>Total</b>	<b>159</b>	<b>26%</b>	<b>153</b>	<b>25%</b>	<b>289</b>	<b>48%</b>	<b>217</b>	<b>25%</b>	<b>258</b>	<b>30%</b>	<b>387</b>	<b>45%</b>	<b>128</b>	<b>17%</b>	<b>272</b>	<b>36%</b>	<b>353</b>	<b>47%</b>

<sup>14</sup> Percentages are within school type; e.g., in 2006-2007, 3% of the general education student removals in the elementary grades were expulsions. Some totals do not equal 100% due to rounding.

**Table 38. Special Education Students: Number and percentage of removals by type, school level and school year<sup>15</sup>**

School Level	2001-2002						2002-2003						2003-2004					
	Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension	
Elementary	3	3%	64	74%	19	22%	4	5%	60	79%	12	16%	4	5%	72	90%	4	5%
Middle School	7	8%	49	53%	36	39%	15	15%	39	39%	47	47%	10	13%	27	35%	40	52%
High School	34	25%	43	32%	57	43%	23	13%	36	20%	124	68%	30	15%	66	32%	109	53%
<b>Total</b>	<b>44</b>	<b>14%</b>	<b>156</b>	<b>50%</b>	<b>112</b>	<b>36%</b>	<b>42</b>	<b>12%</b>	<b>135</b>	<b>38%</b>	<b>183</b>	<b>51%</b>	<b>44</b>	<b>12%</b>	<b>165</b>	<b>46%</b>	<b>153</b>	<b>42%</b>

School Level	2004-2005						2005-2006						2006-2007					
	Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension		Expulsion		Alternative Placement		Long-Term Suspension	
Elementary	6	9%	43	65%	17	26%	2	2%	59	66%	28	31%	1	1%	89	81%	20	18%
Middle School	5	6%	45	55%	32	39%	5	3%	89	58%	59	39%	5	5%	37	40%	51	55%
High School	23	11%	59	27%	136	62%	27	10%	40	16%	191	74%	18	8%	42	20%	154	72%
<b>Total</b>	<b>34</b>	<b>9%</b>	<b>147</b>	<b>40%</b>	<b>185</b>	<b>51%</b>	<b>34</b>	<b>7%</b>	<b>188</b>	<b>38%</b>	<b>278</b>	<b>56%</b>	<b>24</b>	<b>6%</b>	<b>168</b>	<b>40%</b>	<b>225</b>	<b>54%</b>

<sup>15</sup> Percentages are within school type; e.g., in 2005-2006, 2% of the special education student removals in the elementary grades were expulsions. Some totals do not equal 100% due to rounding.

**Table 39. General Education Students: Number and percentage of removals by type of offense and school year**

Act	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007	
	#	%	#	%	#	%	#	%	#	%	#	%
Personal Offense	332	41%	324	41%	239	37%	214	36%	301	35%	300	40%
Drug-Related	237	29%	222	28%	211	33%	203	34%	258	30%	207	27%
Other Policy Violations	144	18%	158	20%	100	15%	101	17%	206	24%	147	20%
Weapon-Related	65	8%	43	5%	47	7%	59	10%	65	8%	63	8%
Other Criminal Acts	26	3%	44	6%	49	8%	24	4%	32	4%	36	5%
<b>Total</b>	<b>804</b>	<b>100%</b>	<b>791</b>	<b>100%</b>	<b>646</b>	<b>100%</b>	<b>601</b>	<b>100%</b>	<b>862</b>	<b>100%</b>	<b>753</b>	<b>100%</b>

**Table 40. Special Education Students: Number and percentage of removals by type of offense and school year**

Act	2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2005-2006	
	#	%	#	%	#	%	#	%	#	%	#	%
Personal Offense	139	45%	156	43%	153	42%	166	45%	211	42%	188	45%
Drug-Related	57	18%	76	21%	83	23%	63	17%	94	19%	45	11%
Other Policy Violations	75	24%	85	24%	74	20%	93	25%	141	28%	124	30%
Weapon-Related	35	11%	28	8%	38	10%	30	8%	27	5%	42	10%
Other Criminal Acts	6	2%	15	4%	14	4%	14	4%	27	5%	18	4%
<b>Total</b>	<b>312</b>	<b>100%</b>	<b>360</b>	<b>100%</b>	<b>362</b>	<b>100%</b>	<b>366</b>	<b>100%</b>	<b>500</b>	<b>100%</b>	<b>417</b>	<b>100%</b>

## APPENDIX A: Reportable Incidents

**Aggravated Assault:** An attempt to cause or purposely cause serious bodily injury to another, i.e., injury that creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the functions of any bodily member or organ. *Example: A student pushes another student in the cafeteria and a fight breaks out. Three students become involved in the altercation and one student ends up with a broken arm. All three students were suspended from school and criminal charges are pending.*

**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 or offensive touching of one person by another.

**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:** Bullying is reportable as "Injurious Hazing." See "Injurious Hazing" definition.

**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).

**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.

**Injurious Hazing (Includes Bullying):** Any 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. Often associated with name calling, teasing about gender, personal appearance, and threats of physical harm. *Example: A student makes another student give up a seat on the bus.*

**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. (Does 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
  - (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 truant when an absence of 1/2 day is not excused. 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.

## **APPENDIX B: Legal Definition of Students with Disabilities<sup>16</sup>**

### **3. STUDENTS WITH DISABILITIES**

#### **3.1 Student with a Disability; General Definition**

This rule addresses the duty to provide a free appropriate public education to a "student with a disability."

A student with a disability is an individual who:

- A. Has reached the age of 5 years on or before October 15;
- B. Has neither graduated from a secondary school program with a regular high school diploma nor reached 20 years of age at the start of the school year; and
- C. Has been evaluated according to these rules and has been determined to have a disability which requires the provision of special education and supportive services.

A student with a disability shall have one or more of the disabilities listed in this section (Part 3, Students with Disabilities).

#### **3.2 Autism**

Autism means a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age three, that adversely affects educational performance.

Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disability, as defined in §3.5 of these rules.

A student who manifests the characteristics of autism after age 3 could be identified as a student with autism if the criteria in the preceding section are satisfied.

#### **3.3 Deaf-Blindness**

A student who has deaf-blindness exhibits concomitant visual and hearing impairments, the combination of which causes such severe communication, and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.

#### **3.4 Deafness**

A student who is deaf has a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects the student's educational performance.

#### **3.5 Emotional Disability**

A student with an emotional disability has a condition which exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects the student's educational performance:

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<sup>16</sup> From Maine Department of Education, 1999: "Maine Special Education Regulations", Augusta, ME. [http://www.maine.gov/education/speced/1999%20Regs%20Effective%2062403.rtf#\\_Toc463842854](http://www.maine.gov/education/speced/1999%20Regs%20Effective%2062403.rtf#_Toc463842854).

- A. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- B. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- C. Inappropriate types of behaviors or feelings under normal circumstances;
- D. A general pervasive mood of unhappiness or depression;
- E. A tendency to develop physical symptoms or fears associated with personal or school problems.

The term includes schizophrenia. The term does not apply to students who are "socially maladjusted," unless it is determined that they have an emotional disability.

### **3.6 Hearing Impairment**

A student who has a hearing impairment has an impairment in hearing whether permanent or fluctuating, and that adversely affects the student's educational performance but who is not included under the definition of deafness in §3.4.

### **3.7 Mental Retardation**

A student with mental retardation exhibits significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behaviors and manifested during the developmental period that adversely affect the student's educational performance.

### **3.8 Multiple Disabilities**

A student with multiple disabilities exhibits concomitant impairments (such as mental retardation and blindness, mental retardation and orthopedic impairment, etc.) the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include students who have deaf-blindness.

### **3.9 Orthopedic Impairment**

A student with an orthopedic impairment exhibits a severe orthopedic impairment that adversely affects the student's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

### **3.10 Other Health Impairment**

A student with an other health impairment exhibits limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems, such as asthma, attention deficit disorder, attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, or sickle cell anemia, and that adversely affects the student's educational performance.

### **3.11 Specific Learning Disability**

A student with a specific learning disability exhibits a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken

or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

The Pupil Evaluation Team may determine that a student has a specific learning disability if:

1. The student does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (2) of this section, if provided with learning experiences appropriate for the student's age and ability levels; and
2. The Team finds that the student has a severe discrepancy between the student's achievement and intellectual ability as determined by individualized assessment of intelligence and academic achievement in one or more of the following areas:

Oral expression;

Listening comprehension;

Written expression;

Basic reading skill;

Reading comprehension;

Mathematical calculation; or

Mathematical reasoning.

The Pupil Evaluation Team may not identify a student as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of visual, hearing or motor impairments; mental retardation; emotional disability; or environmental, cultural, or economic disadvantage.

### **3.12 Speech and Language Impairment**

A student with a speech and language impairment has a communication disorder such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects the student's educational performance.

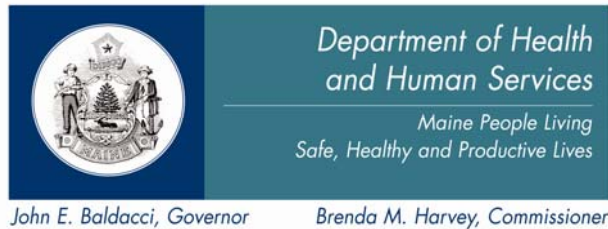
### **3.13 Traumatic Brain Injury**

Traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment or both that adversely affects a student's educational performance. The term includes open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

### **3.14 Visual Impairment including blindness**

A student with a visual impairment has an impairment in vision that, even with correction, adversely affects the student's educational performance. The term includes both partial sight and blindness.





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