

# Discipline Definitions

## Gun Free Schools Act Definitions

### Aggravated Assault:

When great bodily injury is inflicted upon the person assaulted; Great bodily injury means bone fracture, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ, or mental faculty or substantial risk of death.

### Alcohol:

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating beverages.

### Arson:

To unlawfully or intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

### Bomb threat:

A form of terrorism; a threat to detonate an explosive device.

### Bus incident:

Any incident that results in a disciplinary referral or intervention while being transported.

### Bullying:

Any gesture, written or verbal expression, or physical act that a reasonable person should know will harm another person, damage another's property, place another in reasonable fear of harm to the person or property, insult or demean a person or group of people in such a way as to interfere with the school's educational mission. This includes intentionally intimidating, teasing, or threatening another person.

### Fighting:

Mutual participation in an altercation.

### Firearm Incident/Possession:

There are four types of firearm incidents: handgun incident, rifle/shotgun incident, other firearm incident and multiple firearms incident. Handgun and rifle/shotgun incidents are self-explanatory. Other Firearm Incidents include firearms that are **not** handguns, rifles or shotguns (examples: a starter gun, the frame or receiver of any such weapon, a firearm muffler, a firearm silencer, a bomb, a grenade, a rocket having a propellant charge of more than 4 ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine). Multiple Firearm Incidents include a combination of the three previous types of firearm incidents. DO NOT include toy guns, cap guns, BB Guns and/or pellet guns. **The State of Oklahoma requires that for ALL firearm incidents a separate form be filed with the**

State Department of Education. This form and its instructions can be found on the Prevention Services page at <https://sde.ok.gov/prevention-education>, specifically the form is here: <https://sde.ok.gov/sites/ok.gov.sde/files/WeaponReportForm.pdf>.

#### Gang-related incident:

An incident that involves a person, or a group of people associated with, who, through the organization, formation and establishment of an assemblage, share a common identity and work together to create a situation that results in harm to another student or person, or property.

#### Hate crime (bias-motivated crimes):

An incident when a victim(s) is targeted or defamed because of their membership in a certain social group, usually defined by racial group, religion, sexual orientation, disability, ethnicity, nationality, age, gender, gender identity, or political affiliation. This includes hate speech, physical assault, damage to property, verbal abuse or insults, harassment, or offensive graffiti or letters.

#### Illicit drugs:

The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance, or equipment and devices used for preparing or taking drugs or narcotics.

#### Other weapons possession:

Any instrument or object deliberately used to inflict harm on another person or used to intimidate any person. Included in this category are knives of any kind, chains (any not used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length, metal or otherwise, not being used for the purpose for which it was intended), razor blades, or similar kinds of instruments, ice picks, dirks, or other pointed instruments (including pencils and pens), nunchakus, brass knuckles, Chinese stars, billy clubs, tear gas guns, or electrical weapons or devices (stun guns.) **Includes toy guns, cap guns, BB guns and pellet guns in this category.**

#### Physical Injury:

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

#### Suicide:

Attempted: An act of self-harm that results in nonfatal injury.

Completed: An act or instance of taking one's own life voluntarily and intentionally.

#### Tobacco:

Leaves of cultivated tobacco used for smoking, chewing, or snuff. Also included in this category are vaping incidents of any kind.

### Truancy:

Absence from school without valid excuse when the parent/guardian and/or school does not know the child's whereabouts during the school day. A truant is a student who has accumulated 10 (ten) or more unexcused absences in a school year.

### Vandalism:

Willful or malicious destruction or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of it. This includes graffiti.

## CRDC Key Definitions

### Allegation:

An allegation is a claim or assertion that someone has done something wrong or harmful.

### Alternative school:

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, and is designed to meet the needs of students with academic difficulties, students with discipline problems, or both students with academic difficulties and discipline problems.

### Corporal Punishment:

Refers to paddling, spanking, or other forms of physical punishment imposed on a child.

### Expulsion with Educational Services:

Expulsion with educational services refers to an action taken by the local educational agency of removing a child from his/her regular school (in-person or remote setting) for disciplinary purposes, and providing educational services to the child (e.g., school-provided at home instruction or tutoring; transfer to an alternative 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 – Preschool:

Refers to the permanent termination of a preschool child's participation in a preschool program at a school or facility (in-person or remote setting) for disciplinary purposes. A preschool child who is transitioned directly from the classroom (in-person or remote setting) to a different setting deemed to be more appropriate for the child (e.g., special education, transitional classroom, or therapeutic preschool program) is not considered an expelled preschooler.

### Expulsion Without Educational Services:

Expulsion without educational services refers to an action taken by the local educational agency of removing a child from his/her regular school (in-person or remote setting) 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:

Expulsion under zero tolerance policies refers to an action taken by the local educational agency of removing a child from his/her regular school (in-person or remote setting) for the remainder of the 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.

### Firearm or Explosive Device:

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.

### Harassment or Bullying – Basis of Disability:

Refers to harmful conduct based on actual or perceived disability. Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Harassment or Bullying – Basis of Gender Identity:

Refers to harmful conduct based on actual or perceived gender identity (including harassment because a student identifies as or is perceived to be transgender, cisgender, or nonbinary). Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Harassment or Bullying – Basis of Race, Color, or National Origin:

Refers to harmful conduct based on actual or perceived race, color, or national origin (including ancestry and ethnicity). Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Harassment or Bullying – Basis of Religion:

Refers to harmful conduct based on actual or perceived religion. Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Harassment or Bullying – Basis of Sex:

Refers to harmful conduct based on actual or perceived sex (including sexual orientation, gender identity, sex characteristics, sex stereotypes, and pregnancy). Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that may be physically threatening, harmful, or humiliating. This includes sexual harassment, sexual assault, and rape. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Harassment or Bullying – Basis of Sexual Orientation:

Refers to harmful conduct based on actual or perceived sexual orientation (including harassment because a student identifies as or is perceived to be gay, lesbian, bisexual, or heterosexual). Harassment or bullying may take many forms, including verbal acts and name-calling; graphic and written statements, which may include use of cell phones or the Internet; or other conduct that is physically threatening, harmful, or humiliating. Harassment or bullying includes conduct carried out by school employees, other students, or third parties.

### Incident:

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, then this is classified as two robbery victimizations but only one robbery without a weapon incident.

### In-school suspension:

In-school suspension is an instance in which a child is temporarily removed from their regular classroom(s) physical school setting or remote setting (e.g., online classroom) where remote learning takes place] for at least half a day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are in the same physical school setting or remote setting as students under their supervision.

### Law Enforcement Officer:

A law enforcement officer includes a sworn or unsworn law enforcement officer. A sworn law enforcement officer is a person who is authorized to make arrests while acting within the scope of explicit legal authority. This officer is responsible for safety and crime prevention and may respond to calls for service and document incidents that occur within their jurisdiction. This officer may be a school resource officer (who has specialized training and is assigned to work in collaboration with school organizations). An unsworn law enforcement officer typically does not have arrest authority, but otherwise holds limited law enforcement powers and responsibilities as part of their regular duties. This officer's law enforcement powers and responsibilities may include investigative and enforcement activities. A law enforcement officer may be employed by any entity (e.g., police department, school

district or school). An officer's duties may include: motor vehicle traffic control; security enforcement and patrol; maintaining student discipline; identifying problems in the school and proactively seeking solutions to those problems; training teachers and staff in school safety or crime prevention; mentoring students; teaching a law-related education course or training students (e.g., drug-related education, criminal law, or criminal prevention courses); recording or reporting discipline problems to school authorities; and providing information to school authorities about the legal definitions of behavior for recording or reporting purposes (e.g., defining assault for school authorities).

### Mechanical Restraint:

Mechanical restraint refers to the use of any device or equipment to restrict a student's freedom of movement. The term includes the use of handcuffs or similar devices by law enforcement officers or other school security to prevent a student from moving the student's arms or legs. The term does not include devices used by trained school personnel or a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- Restraints for medical immobilization; or
- Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

### Out-of-School Suspension – IDEA:

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 (in-person or remote setting) 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.

### Out-of-School Suspension – 504:

For students without disabilities and 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 (in-person or remote setting) 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).

### Physical Attack or Fight:

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.

### Physical Restraint:

Physical restraint refers to a personal restriction, imposed by a school staff member or other individual, that immobilizes or reduces the ability of a student to move their torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort includes a touching or holding of the hand, wrist, arm, shoulder, or back of a student for the purpose of inducing a student to walk to a safe location, when the contact does not continue after arriving at the safe location. Encouraging, inducing, or forcing a student to walk to a safe location in a way that involves methods utilized to maintain physical control of a student should be considered a physical restraint.

### Rape:

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent, including when a person is unable to give consent. All students, regardless of sex, sexual orientation, or gender identity, can be victims of rape.

### Referral to Law:

Referral to law enforcement is an action by which a student is reported by a school official or that official's designee to any law enforcement agency or official, such as a school police unit, for an incident that occurs on school grounds, during school-related events (in-person or remote), or while taking school transportation, regardless of whether official action is taken. Citations, tickets, court referrals, and school-related arrests are considered referrals to law enforcement.

### Robbery:

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 a threat or assault.

### School Official:

School official or official's designee refers to a school administrator, or a school employee, or third party who is instructed or authorized by a school administrator to report a student to law enforcement.

### School-Related Arrest:

School-related arrest occurs when a law enforcement officer takes a student into custody, and intends to or appears to intend to seek charges against the student for a specific offense or offenses for any school-related activity. School-related activities include any activity conducted on school grounds, during off-campus school activities (in-person or remote), while taking school transportation, or due to a referral by any school official or that official's designee. All school-related arrests are considered referrals to law enforcement.

### School Staff Member:

School staff member refers to any person employed at a school, volunteering at a school on a temporary or permanent basis, or third parties who are contracted to provide services for the school. Note that the definition for "school staff" in this module is the same as the definition for "school employees" in the Harassment or Bullying module.

### Seclusion:

Seclusion refers to the involuntary confinement of a student in a room or area, with or without adult supervision, from which the student is not permitted to leave. Students who believe or are told by a school staff member that they are not able to leave a room or area, should be considered secluded. The term does not include: a classroom or school environment where, as a general rule, all students need permission to leave the room or area such as to use the restroom; a behavior management technique that is part of an approved program, which involves the monitored separation of a student in an unlocked setting, from which the student is allowed to leave; or placing a student in a separate location within a classroom with others or with an instructor, so long as the student has the same opportunity to receive and engage in instruction.

### Sexual Assault:

Sexual assault is any sexual act directed against another person without consent, including when a person is unable to give consent. It includes threatened rape, fondling, indecent liberties, or child molestation. All students, regardless of sex, sexual orientation, or gender identity, can be victims of sexual assault. Classification of these incidents should take into consideration the age and developmentally appropriate behavior of the offender(s).

### Termination:

Termination refers to the act of an employer discontinuing a school staff member's employment permanently. Terminations are involuntary and are initiated by the employer, including layoffs with no intent to rehire, and firings or other discharges for cause.

### Threat:

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 communication by the offender. This includes nonverbal and verbal threats of physical harm, which may or may not be made in person. A threat may be communicated nonverbally (e.g., brandishing a weapon; aggressive body gestures) or verbally (e.g., transmitted in writing, such as through written notes and letters, and written messages on objects; and transmitted electronically, such as by telephone, mobile phone, email, chats, and social media).

### Threat of Physical attack With a Weapon:

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 may or may not be made in person. A threat of physical attack using words that refer to a weapon would not be considered a threat with a weapon.

### Threat of Physical attack Without 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 may or may not be made in person. A threat of physical attack using words that refer to a weapon would be considered a threat without a weapon.



## 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.