

## SCHOOL INCIDENTS REPORTING GUIDELINES

Historically, Illinois law enforcement agencies have been mandated to report attacks against school personnel. Beginning in 2014, attacks against school personnel were no longer part of the supplemental reporting process where specific case data was provided for each incident. A new reporting category, SCHOOL INCIDENTS, was created to attain compliance to the collection of attacks against school personnel, intimidation incidents, drug related incidents, and firearm incidents which occurred in schools, public and private, housing kindergarten through high school. School Incident reporting is mandated by Chapter 50 of the Illinois Compiled Statutes, 709/5.

Schools are mandated, as well, by the ILCS to report these types of incidents to local law enforcement agencies. Agencies are only accountable for reporting incidents that are reported to them by schools within their jurisdiction. It is **not** the responsibility of the agency to enforce reporting mandates. If an agency has an officer(s) assigned to a school (resource or school liaison officer), this position can ensure the agency has a full accounting of incidents to be included in this reporting element.

### **ATTACKS AGAINST SCHOOL PERSONNEL**

Select offenses committed against administrative personnel, teachers, and other school personnel are reported. Other school personnel is defined as: any personnel employed by the school whose salary is paid by the school or district. Examples are bus drivers, custodians, hall monitors, cafeteria workers, etc. If an officer is assigned to a school, the officer is considered to be a school employee if the school or district reimburses the law enforcement agency for 50% or more of the officer's salary. Volunteers are not considered to be other school personnel. Prior to 2014, reporting was limited to incidents where a student was the offender. This constraint no longer applies. The offender could be a parent, other school personnel, or a complete stranger.

Offenses to be collected are limited to: criminal homicide, criminal sexual assault, aggravated battery, battery, aggravated assault, and assault. An arrest is not required before an incident is reported. If the incident is handled administratively it is still reported to the I-UCR Program. Agencies will report the number of victims for each offense reported on a monthly basis.

The offense need not have occurred on school grounds or during scheduled school day hours, as long as the victim was performing duties associated with their position when the attack occurred. Examples:

- A teacher has taken his class on a field trip and is assaulted by a student on the bus.
- A parent batters a bus driver at their child's bus stop after school.
- A high school football coach is battered by the opposing team's coach at a Friday evening game.

The exception to this rule is when an attack occurs when the victim is not acting in an official capacity; however, the attack is motivated by actions taken by the victim while acting in an official capacity. Examples:

- A student receives a failing grade that prevents the student from graduating. The student goes to the teacher's residence on a Saturday morning with a firearm threatening the teacher.
- A parent encounters their child's school band Director at the park. The Director recently announced first chair for each section and the parent believes their child was overlooked. An argument ensued, resulting in the parent battering the Director.

### Intimidation

An additional collection box, Intimidation, will also be a part of the collection process; however, reporting is not limited to those instances where the victim was a teacher, administrator, or other school personnel. Intimidation offenses when a student is the victim must also be reported. Bullying and offenses such as cyberstalking, stalking, and compelling organization membership could be considered forms of intimidation; however, reporting is limited to the offenses of aggravated intimidation, intimidation, and educational intimidation.

720 ILCS 5/12-6 – Intimidation: A person commits intimidation when, with intent to cause another to perform or to omit the performance of any act, he or she communicates to another, directly or indirectly by any means, a threat to perform without lawful authority any of the following acts:

- Inflicts physical harm on person threatened or another person or on property
- Subject any person to physical confinement
- Commits a felony or Class A misdemeanor
- Accuse any person of an offense
- Expose any person to hatred, contempt or ridicule
- Take action as a public official against anyone or anything, or withhold official action, or cause such action or withholding
- Bring about or continue a strike, boycott or other collective action

### DRUG AND FIREARM INCIDENTS

The reporting of drug and firearm incidents is limited to those occurring on school owned or leased property or any conveyance owned, leased, or used by the school for the transport of students. Reporting is not limited to incidents occurring during 'normal' school hours; however the incident must have occurred during a school-sanctioned activity. Include incidents that occur within a reasonable time frame after school hours or a school sanctioned activity if the students involved remained at the school owned or leased property afterwards. Incidents that occur outside of these time frame parameters are **NOT** reported. Incidents occurring off site

(excluding conveyances used to transport students) are **NOT** reported. The suspected offender in these incidents does not have to be a student.

Drug and firearm incidents that occur in a vehicle on loan to the school or when school personnel use their personnel vehicles for the purpose of transporting students to a school-sanctioned activity must be reported.

### **Drug Incidents**

Drug incidents to be reported include the same drug offense categories collected currently in Index Crime reporting; Cannabis Control Act, Controlled Substance Act, Hypodermic Syringe and Needle Act, Drug Paraphernalia Act, and Methamphetamine Act. Similar to Index Crime reporting, report all drug categories that occurred within the incident; however, DO NOT count the number of offenders in each category. Score **one** for each type of drug category involved in the incident, regardless of the number of offenders involved.

An arrest is NOT required before the incident is reported. If the incident is handled administratively by school personnel, it must still be reported. Required reporting also includes incidents when drugs and/or drug paraphernalia are discovered on school owned or leased property or any conveyance used by the school for the transport of students. Examples of reportable and non-reportable incidents follow.

### **Reportable Incidents**

- Three students are each found to be in possession of a small amount of cannabis during study hall. **Score one (1) in the Cannabis Control Act.**
- A student is found to be in possession of crack cocaine in the school's gymnasium during an Friday evening basketball game. **Score one (1) in the Controlled Substance Act category.**
- A bus driver discovers a baggie of cannabis concealed in a seat when completing a routine check after completing his route. **Score one (1) in the Cannabis Control Act.**
- A group of students remain on school property socializing for an hour following a football game. A fight ensues between a student and a 23 year old male who was picking up his younger sibling. The 23 year old male was in possession of both cannabis and a one-hitter pipe. **Score (1) in the Cannabis Control Act and (1) in the Drug Paraphernalia Act.**
- A physical education teacher discovers a small amount of heroin and several needles in a receptacle for used towels in the girls' locker room. **Score one (1) in the Controlled Substance Act and one (1) on the Hypodermic Syringes and Needles Act.**
- A local car dealership lends a school a ten-passenger van to transport students to a state conference. One of the teachers chaperoning the trip locates a small package containing cocaine on the floor board upon reaching their destination. **Score one (1) in the Controlled Substance Act.**

- The debate team coach uses his personal vehicle to transport students to a debate at a neighboring school. The coach discovers two one-hitter pipes in the backseat of the vehicle after returning and dropping the students off at the school. **Score one (1) in the Drug Paraphernalia Act.**

#### Non-reportable Incidents

- A student is found to be in possession of cannabis while on a school sponsored trip to a historical site. A baggie containing the cannabis fell out of the student's backpack while the class was touring the site. **The incident did not occur on school owned or leased property or any conveyance used by the school for the transport of students. The incident is NOT reported.**
- Two students are located in a vehicle at 2:00 a.m. Saturday morning in a school parking lot after the local law enforcement agency received a suspicious vehicle complaint. One student was found to be in possession of cannabis. **The incident occurred outside the time frame parameters. Though the school hosted a sporting event Friday evening, the event concluded at 9:00 p.m. It is not reasonable to assume the students had remained at the location for five hours following the event. The incident is NOT reported.**
- A parent transports several student athletes to a regional competition. Upon arrival, the parent discovers a one-hitter pipe in the back seat of the vehicle after the students exit the vehicle. **The vehicle was not owned, leased, or used by the school for the transport of students. The incident is NOT reported.**

#### Firearm Incidents

Firearm incidents are reported by identifying the type and number of firearms involved in an incident. There are three (3) primary categories of firearms: handgun, long gun, and toy or fake gun. Handgun and long gun categories each have three subcategories. Definitions from the LEADS Gun Chapter have been adopted in describing each of the subcategories.

There is the possibility that a reportable firearm incident can occur and the reporting agency is unable to determine the type of firearm used in the incident. Example: A vehicle pulls into the school's parking lot and witnesses hear shots fired from the vehicle. The witnesses do not see the firearm, and no physical evidence (casings or bullets) are found at the scene. In these instances, check the box above the firearm category boxes indicating the firearm is unknown, to report the incident.

#### **Handgun**

Pistol Semi-Automatic: Auto-loading or self-loading. Weapon fires only one shot with each pull of the trigger. Examples: .45 caliber U.S. Pistol and German Luger

Pistol Revolver: No magazine or clip, ammunition loaded into cylinder. Weapon fires only one shot with each pull of the trigger. Example: Smith and Wesson .357 Magnum Trooper Special

Pistol Derringer: A short-barreled pistol with a large bore small enough to be carried in a pocket. Examples: Remington .38 Special and COP 357 Derringer

### **Long Gun**

Shotgun/Rifle: Shotgun or rifle that fires only one shot with each pull of the trigger. Examples: Winchester Model 12, Remington 870, .30 caliber U.S. M1 Rifle, and Ruger .44 Carbine

Rifle – Automatic: Any rifle having the capacity of fully automatic fire, but which is not a machine gun or submachine gun. Examples: U.S. M16 and Soviet SKS and AK-47 assault rifles.

Machine/Submachine Gun: Fully automated weapon designed to fire bullets in quick succession from an ammunition belt or magazine. Includes fully automatic pistols (machine pistols). Examples: Glock 18, OTS-33 Penrath, and Mauser C96

### **Toy or Fake**

Look-alike, toy, or fake firearm: Includes BB guns, paint ball guns, water guns, air soft guns, and any other firearm that closely resembles an actual firearm. BB gun exception – if the diameter of the round used qualifies the gun as a firearm, then the BB gun must be reported in the appropriate firearm category.

NOTE: Firearms that are not in working condition must be reported in the appropriate Handgun or Long Gun category; however, incidents involving parts of firearms are not reported.

An arrest is NOT required before the incident is reported. If the incident is handled administratively by school personnel, it must still be reported. Required reporting also includes incidents when a firearm is discovered on school owned or leased property or any conveyance used by the school for the transport of students. The firearm in the incident does not have to be loaded with ammunition. DO NOT report incidents involving ammunition, silencers, scopes, clips, or magazines if there was no firearm involved in the incident.

### **Reportable Incidents**

- A school custodian finds an unloaded Remington .38 Special while cleaning the stairwell area. **Score one (1) in Pistol Derringer.**
- A vehicle occupied by several young adult males drives by the front of a school and numerous shots are fired from the vehicle in the direction of a group of students entering the building. The vehicle is apprehended and the occupants are in possession of a submachine gun. **Score one (1) in Machine/Submachine Gun.**
- A student shows other students on the bus a pistol revolver concealed in the student's book bag. School officials are notified who confiscate the weapon. **Score one (1) in Pistol Revolver.**

- A student is found to be in possession of a shotgun located in the student's father's truck parked on the school parking lot. **Score one (1) in Shotgun/Rifle.**
- A school-sponsored outdoor concert is held in the school's football stadium. Many students remain socializing for an hour after the event. A confrontation occurs between two groups of students and older young adults. Law enforcement responding find two of the participants to be in possession of pistol revolvers. **Score two (2) in Pistol Revolver.**
- An adult male forces entry into a school displaying an automatic rifle. Several school personnel are seriously injured after which the suspect commits suicide. Responding law enforcement personnel locate a duffel bag containing an additional automatic rifle and three semi-automatic pistols. **Score two (2) in Rifle – Automatic and three (3) in Pistol Semi-Automatic.**
- School personnel recently terminated from employment arrives at the school to retrieve personnel belongings. When departing, the personnel points and simulates firing a lookalike or toy pistol derringer at the principal who was standing in the hallway. **Score one (1) in Toy or Fake.**

#### Non-reportable Incidents

- An unspent round of ammunition is discovered on the ground in the school's parking lot.
- The barrel from a double barrel shotgun is confiscated from a student's gym bag.
- Students gathered at a local pizza establishment are involved in a confrontation. One student threatens another with a pistol derringer.
- School personnel discover a bullet hole in a classroom window when arriving Monday morning. The bullet is located lodged in a wall in the classroom.
- The body of an unidentified adult female fatally shot is located on school grounds at 3:00 a.m. Sunday morning after police respond to a report of shots fired. The incident remains non-reportable even if the victim was a student of the school.
- A student is found to be in possession of rifle scope on school grounds.

### **SCHOOL INCIDENTS REPORTING GUIDELINES ADDENDUM**

#### **Attacks Against School Personnel – Attempted Offenses**

In previous years when Attacks Against School Personnel was an element of Supplemental reporting, agencies were required to report offenses that were attempted as well as offenses actually committed. Similarly, Index Crime reporting guidelines direct agencies to report an attempted offense as if the offense had occurred. Attempted offenses are NOT collected in School Incidents, Attacks Against School Personnel. In some cases, an attempted offense results in the occurrence of a lesser offense that must be reported. Examples:

Attempted Criminal Homicide could = Aggravated Battery or Aggravated Assault

Attempted Aggravated Battery could = Aggravated Assault

Attempted Battery could = Assault Attacks

### **Against School Personnel – Offense Definitions**

The collection of offenses considered to be an attack against school personnel is mandated by the Illinois Compiled Statutes (ILCS). Agencies must adhere to the ILCS definition for each offense and **NOT** the Index Crime offense definitions which originate from the FBI and may differ from the ILCS. Example:

A teacher is spit on by student. This could be classified as an aggravated battery per the ILCS. If the agency elects to elevate the offense to aggravated rather than simple battery, the offense must be reported as an aggravated battery in School Incidents reporting. The aggravated battery offense would not however, be reported in Index Crimes.

Report all ILCS homicide offenses. Do not limit reporting to first and second degree murder which are the only homicide offenses reported in Index Crimes.

### **Offender - Special Education or Special Needs Student**

Reportable offenses will occur when the offender is a special education or special needs student. Not all of these incidents will be reported. If the action of the student was clearly designed to attempt to cause harm to the school personnel involved, the offense should be reported. If school personnel are attempting to restrain a student who is “acting out” and are inadvertently struck, the incident would not be reported.