

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING (SESIR)

3.241*+

- I. **Definitions** – for the purposes of this policy, the following definitions shall apply
- a) Allegation means a claim or assertion that someone has committed a SESIR incident, typically made without proof and prior to an investigation.
 - b) Law enforcement action means that official action was taken by a School Resource Officer (SRO) or local law enforcement officer in response to a SESIR incident, including but not limited to: an arrest, referral to a civil citation or similar prearrest diversion program authorized by Section 985.12, F.S., or initiation of an involuntary examination authorized by Section 394.463, F.S.
 - c) Locally-defined incident means an incident that is a violation of a local code of student conduct, but does not meet the definition of any incident reportable to SESIR.
 - d) Rank order level means a classification of incidents, from Level I to Level IV, that determines which incident must be reported when more than one incident occurs during a single episode. The rank order level of each incident is noted under the incident definitions found in subsection (7) of this rule.
 - e) Related element means a factor that was present during or contributed to the incident but was not the main offense. All related elements that are applicable are required to be reported with SESIR incidents.
 - f) Reported to law enforcement means that school district or charter school staff communicated with a School Resource Officer (SRO) or other law enforcement official about an incident. Reporting to law enforcement may not always result in law enforcement action being taken.
 - g) School district or district means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and Blind (Section 1002.36, F.S.), and Developmental Research (Laboratory) Schools (Section 1002.32, F.S.). All reporting requirements in this rule also apply to charter schools, pursuant to Section 1002.33(16)(b)10., F.S.
 - h) School personnel means any person employed at a school, volunteering at a school on a temporary or permanent basis, or a third party that is contracted to provide services for the school.

CHAPTER 3.00 - SCHOOL ADMINISTRATION

- i) Unsubstantiated means that following an investigation, there is not enough evidence to demonstrate that the alleged incident occurred.
- II. **Incident Definitions** - For each incident, the District shall use the SESIR definitions approved by the State Board of Education in Rule 6A-1.0017 to enable the District to correctly code data used to report incidents that are against the law or represent serious breaches of the code of student conduct. This includes those incidents considered severe enough to require the involvement of a School Resource Officer (SRO) or incidents to be "Reported to Law Enforcement."
- III. **Analysis of Incidents**
- A. In order to determine whether an incident must be reported in SESIR, the following criteria must be met:
 - i. The incident meets one of the SESIR incident definitions listed F.A.C. 6A-1.0017 and
 - ii. The incident occurred on a K-12 school campus, on school-sponsored transportation, during off-campus school-sponsored activities, or off campus where the incident is accomplished through electronic means, if the incident substantially disrupts the educational process or orderly operation of a school.
 - B. SESIR incidents that meet the requirements above must be reported regardless of whether:
 - 1. The incident was carried out by a student, a person other than a student, school personnel, or where the person who carried out the incident is unknown;
 - 2. The victim of the incident is a student, a person other than a student, or where the victim is unknown;
 - 3. The incident occurred when school was in session or not. SESIR incidents occur 365 days a year at any time of the day or night;
 - 4. Disciplinary action is taken by the school district;
 - 5. Law enforcement action is taken by an SRO or other law enforcement officer or agency;
 - 6. The offender has the capacity to understand his or her behavior and the inappropriateness of his or her actions. However, where the offender is a student, school districts may take age, development, and disability into

CHAPTER 3.00 - SCHOOL ADMINISTRATION

account when determining appropriate discipline; or

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

IV. Requirement to Report SESIR Incidents

- A. All incidents meeting the requirements of subsection III of this rule must be reported by school districts to the Department of Education.
- B. A school district must not report an incident which meets the requirements of subsection III of this rule as a locally-defined incident in lieu of reporting the incident to the Department of Education. Districts may only code an incident as a locally-defined incident if it does not meet one of the SESIR incident categories.
- C. SESIR incidents meeting the requirements of paragraph (III)(A) of this rule must be reported regardless of whether law enforcement action is taken or whether a student is disciplined.

V. General SESIR Reporting Conventions

- A. SESIR is an incident-based reporting system, which means that a single incident is reported, even where there are multiple offenders or victims, or multiple incidents that occur within one episode.
 - i. If there is more than one incident in a single episode, districts are required to report only one incident based upon rank order level, beginning with incidents that are classified as Level I.
 - ii. If there are multiple incidents that have the same rank order level, districts must report the incident that caused the most injury or damage to property.
- B. When reporting a SESIR incident, districts are required to report all related elements as described in 6A-1.0017 (8) F.A.C. that are present or contribute to a reported incident. A related element must be reported even where it duplicates the incident. For example, when reporting an Alcohol incident, the Alcohol-related element must also be reported.
- C. School districts must report SESIR incidents to the Department during the survey periods and using the elements set forth in Rule 6A-1.0014, F.A.C., Comprehensive Management Information System.
- D. Where an incident involves students from multiple schools or districts, the school or district where the incident occurred is responsible for reporting the incident in SESIR.
- E. Except as provided in 6A-1.0017 (6) F.A.C., allegations that are unsubstantiated must not be reported in SESIR.

VI. Incident Specific SESIR Reporting

CHAPTER 3.00 - SCHOOL ADMINISTRATION

- A. For incidents of Bullying, Harassment, Sexual Harassment, Threat/Intimidation, and any other incident that is Bullying-Related, districts are required to report the Incident Basis and the Victim Basis, which identifies whether the incident is based upon the person's race, sex, disability, sexual orientation, or religion.
- B. Allegations of Bullying and Harassment that are not able to be substantiated after investigation must be reported in SESIR as Unsubstantiated Bullying and Unsubstantiated Harassment, respectively, pursuant to Section 1006.147(4)(k), F.S.
- C. Allegations of Sexual Assault or Sexual Battery by school personnel against any victim that are not able to be substantiated after investigation must be reported as Unsubstantiated Sexual Assault or Unsubstantiated Sexual Battery.
- D. For Unsubstantiated Sexual Assault, Unsubstantiated Sexual Battery, Sexual Assault, and Sexual Battery by school personnel, districts are required to report the following:
 - i. Responsibility: Districts must report whether they determined that a member of school personnel was responsible for the offense, was not responsible for the offense, or whether the determination remains pending. Districts must only report that the determination is pending when the final decision by the district remains unresolved at the end of the reporting period for Survey 5, as set forth in Rule 6A-1.0014, F.A.C.
 - ii. Preliminary Action: Districts must report the action taken prior to any final disciplinary action or prior to termination. Reportable actions are:
 - a. Duty reassignment, which refers to the changing of placement from one position to another without promotion or demotion.
 - b. Resignation, which refers to a person formally giving up his job, and no longer being employed by the employer.
 - c. Retirement, which refers to a person leaving his career permanently.
 - d. No action taken prior to final disciplinary action or termination.
 - e. Other, which refers to other preliminary action taken not listed above.

VII. **Reporting Law Enforcement Involvement** - For each SESIR incident, a school district must report one of the following choices regarding law enforcement involvement:

- i. The incident was not reported to law enforcement because it was a petty act of misconduct that did not require law enforcement involvement according to policies developed by the district pursuant to Section 1006.13, F.S.
- ii. The incident was reported to law enforcement and resulted in official law enforcement action being taken by an SRO or other law enforcement agency or official, as defined above.
- iii. The incident was reported to law enforcement and did not result in official action being taken by an SRO or other law enforcement agency or official, as defined above.
- iv. Required reporting to law enforcement.

CHAPTER 3.00 - SCHOOL ADMINISTRATION

- VIII. **Training** – The Superintendent or Designee shall designate persons responsible for SESIR reporting in the district, and ensure that all such persons receive the training found at <http://sesir.org>. SESIR training provided by Department staff can be used to satisfy the online training requirement. Charter schools must designate persons responsible for SESIR reporting in their school and must report their name, email address, and phone number to the district.
- IX. **Accountability** - In order to enhance SESIR reporting, the persons or entity listed below have the following responsibilities:
- A. School principals. Each public school principal, including charter school principals or equivalent, must ensure that all persons at the school responsible for SESIR information participate in the training set forth above and must ensure that SESIR data is accurately and timely reported.
 - B. Superintendent
 - i. The Superintendent or Designee shall ensure that all persons responsible for reporting SESIR data have received the training required above, that any local district policies are consistent with the SESIR reporting requirements set forth in Rule 6A-1.0014 and Rule 6A-1.0017, F.A.C., and that the district timely and accurately reports SESIR incidents. Annually, superintendents must certify to the Department that these requirements have been met. The annual certification must include a statement that all charter school staff responsible for reporting SESIR data have received required training and that charter schools have required SESIR policies in place.
 - ii. The Superintendent shall designate a district SESIR contact person and must annually report their name, phone number, and email address to the Office of Safe Schools at SafeSchools@fldoe.org. This information must be provided by August 1 each year and must be updated within five (5) school days when there is a change in the information provided.
 - C. Office of Safe Schools. The Office shall conduct site visits at schools throughout the state, as well as conduct data reviews. The review must include school district policies, training records, school incident and school discipline records. Superintendents, principals and school safety specialists must fully cooperate with requests for information when the Office of Safe Schools is reviewing and evaluating districts for compliance with SESIR reporting.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

CHAPTER 3.00 - SCHOOL ADMINISTRATION

LAW(S) IMPLEMENTED: 1001.212(8), 1001.42(13)(b),
1001.51(12), 1002.33(16)(b)10., 1006.07(9), 1006.135(2)(e), 1006.147(4)(k),
1006.147(6), 1008.385, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0403, 6A-3.0171, 6A-1.0018,
6A-1.0014, 6A-1.0017

HISTORY: **ADOPTED: 4/5/24__**
REVISION DATE(S):
FORMERLY: NEW