

**SCHOOL SAFETY AND THE EDUCATIONAL CLIMATE (SSEC) INCIDENT
DATA COLLECTION**

**[COMMONLY KNOWN AS Violent And Disruptive Incident Reporting - VADIR]
INCIDENTS OCCURRING DURING THE SCHOOL YEAR , INCLUDING SUMMER SCHOOL
SESSION**

**QUESTIONS & ANSWERS [Q&A] REGARDING REPORTING VIOLENT AND
DISRUPTIVE INCIDENTS**

The following guidance is provided to assist in the completion and accuracy of the Report of Incidents Concerning School Safety and the Educational Climate (SSEC) form reporting violent and disruptive incidents that occurred on school property or at school sponsored events. School districts must include all incidents that occurred during July 1 through June 30, including incidents during the summer months and when summer school was in session, on the SSEC form.

For information about VADIR forms please go to the "Resources" section at the following website:

<http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/>

A. Forms, Data and When to Report

1. What is the URL for downloading VADIR forms and directions?

VADIR forms and documents, including the Q & A, may be found at the following Information Reporting Services (IRS) web site:

http://www.p12.nysed.gov/irs/school_safety/school_safety_data_collection.html

2. When are incidents reported to the New York State Education Department (NYSED)?

The Report of Incidents Concerning School Safety and the Educational Climate form must be sent to NYSED annually by a date announced by the Commissioner of Education.

3. What records must be retained by the school?

Violent and disruptive incident reports and summary records, including copies of annual summary information submitted to SED must be retained by the school/district. The reports and summary records must be available for inspection by NYSED upon request.

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4. How long must a school retain VADIR related documents?

The violent and disruptive incident reports and summary records, including copies of annual summary information submitted to SED, must be maintained until the youngest person involved in the incident(s) is 27 years old.

5. Can a school continue using a database already in place to collect information concerning violent and disruptive incidents?

Yes, as long as the database includes all the categories and data elements needed to complete the SSEC Data Summary.

6. Are school districts required to report ethnicity in the report?

No, NYSED is not requesting incident reporting by ethnicity at this time.

7. Should the data on victims be kept confidential?

Personally identifiable information on all students must be kept confidential.

8. Can a FOIL (Freedom of Information Law) request be made for VADIR information?

Yes, FOIL requests may be made. However, personally identifiable information is confidential and protected from disclosure.

9. Can an individual incident report be amended if it is later determined that the incident described in the report was more or less serious than originally reported?

Yes, an incident report may be amended. The revised report should provide a clear audit trail indicating the reasons for any change(s). Evidence that supports the decision to amend the incident report should be attached to the original report.

B. School Property and Grounds

10. How is "school property" defined?

For reporting purposes, "school property" is defined as in, or within, any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public school; in or on

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a district owned, operated, and maintained, leased, and/or contracted school bus; or at a school sponsored event.

11. How is a “school event” defined?

For reporting purposes, a school event is defined as a school-sponsored or school-authorized extracurricular activity, regardless of where such activity takes place, including an activity that may take place in another state.

12. Are incidents that occur on school busses reportable?

Yes. A school/district is responsible for protecting the safety of students, and reporting any incidents that occur, while they are being transported on a school bus.

13. Are incidents that occur on a district school bus transporting district students with disabilities, or other district students attending private or non-public programs, reportable?

Yes. The school district must report any incident(s) that occurs on a bus it operates for student transportation.

14. Is a school bus stop regarded as school property for the purpose of reporting violent and disruptive incidents?

No, a school bus stop is not considered school property for VADIR reporting purposes.

15. Is an incident reportable if it was committed on school property by a non-enrolled student?

Yes. Incidents that are committed by a non-enrolled student or adult on school property or during a school-sponsored event are reportable.

16. Is an incident reportable if it occurs during summer school or some other time when school is not in session, including evenings or weekends?

Yes. Incidents that occur on school property or during a school-sponsored event are reportable, regardless of the time of occurrence or whether the offender was enrolled in the school.

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17. What is the disciplinary threshold?

The disciplinary threshold for reporting violent and disruptive incidents include In-School Suspension (ISS)/Out-of-School Suspension (OSS) that lasts for the equivalent of one or more full days of school. This includes suspensions from activities for five or more consecutive days.

18. Who is responsible for reporting an incident occurring off-school property, such as high school athletic sectionals?

When a school-sponsored event is held at another site, the school in which student offenders are enrolled must report the incident(s). When there is a host school, that school must report the incident(s), and any school with enrolled student offenders and/or victims would report the incident(s).

19. If a middle school and high school share the same building, which school would report an incident involving both a middle school student and a high school student?

The middle school would report the incident if it occurred in a part of the building under its control and supervision. The high school would report the incident if it occurred in a part of the building under its control and supervision.

C. Annual Reportable Offenses

20. When are incidents involving physical injury reportable?

All incidents involving physical injury must be reported regardless of whether the offender(s) is identified.

21. When are incidents involving the threat of physical injury reportable?

Incidents involving the verbal, written, or electronically transmitted threat of physical injury with the use of a weapon are reportable under all circumstances. Incidents involving the verbal, written, or electronically transmitted threat of physical injury without the use of a weapon are reportable when the resulting consequence meets the disciplinary threshold. Incidents meeting these descriptions must be reported regardless of whether the offender(s) is identified.

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22. When are weapons possession incidents reportable?

Incidents involving weapons possession must be reported regardless of any disciplinary or referral action, and even if the perpetrator(s) is not identified.

23. How is weapons possession defined?

Weapons possession is when a weapon is held on someone's person or within their possession, such as in a book bag, or article of clothing.

24. When are schools required to report weapons possession to local authorities?

It is mandatory to report the possession of certain types of weapons on school property, such as a gun, to local authorities immediately. It's important for school officials to work with local authorities regarding state and local laws and ordinances requiring reporting.

25. When are incidents involving the use, sale or possession of drugs or alcohol reportable?

Reporting of incidents involving the use, sale or possession of drugs or alcohol on school property is mandatory.

26. When are incidents involving bomb threats or false alarms reportable?

Reporting of incidents involving bomb threats or false alarms, regardless of disciplinary action or knowledge of the identity of the offender(s), is mandatory.

27. When are incidents involving intimidation, harassment, menacing, or bullying behavior without a weapon reportable?

Incidents involving intimidation, harassment, menacing, or bullying behavior without the use of a weapon, are reportable if the disciplinary threshold is met.

28. When are incidents involving intimidation, harassment, menacing, or bullying behavior with a weapon reportable?

Reporting of incidents involving intimidation, harassment, menacing, or bullying behavior with the use of a weapon is mandatory.