

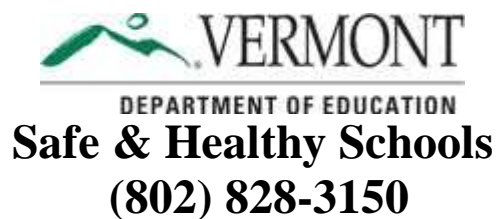
# **Combined Incident Reporting Software (CIRS)**

**School Year 2010-2011**



**Reporting Instructions**

**Due: July 1, 2011**



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## **Reportable Incidents Types of incidents which must be reported:**

- All suspensions and expulsions for violations of school substance abuse policies
- All hazing, harassment and bullying complaints
- All suspensions and expulsions of students
- All violent crimes that occurred on school grounds or at a school sponsored function
- All incidents where the victim of a violent crime, that occurred on school grounds, exercised their school choice option under NCLBA
- All incidents involving a weapon on school grounds or at a school-sponsored function
- All incidents of unilateral removal to an alternative setting.

## **Things to Remember**

- We are no longer collecting information about use of Restrictive Behavior Intervention (RBI).
- We have clarified the definition of Expulsion to state that the student is barred from school grounds for the remainder of the school year or longer. This is necessary to match the US Department of Education definition.
- There is no longer a requirement for the Safe and Healthy Schools Program collection.

## **Data Collection and Program Descriptions**

This data collection is a collaborative effort among the Department of Education, the Department of Health, Office of Alcohol and Drug Abuse Programs, and the Department of Mental Health.

The information will be used to:

1. Assess individual school compliance with NCLBA, Act 120 (Hazing, Harassment and Bullying), IDEA and 16 V.S.A. §165 (a), (8) (Safe Schools School Quality Standard).
2. Determine eligibility for SDFSCA funding.
3. Prepare for SDFSCA onsite evaluation visits.
4. Most importantly, this data should provide you with valuable information regarding your school climate.

## **Due Date**

The data is due **July 1, 2011**. **Non-compliance can result in withheld funds.**

## Data Collection and Program Description

The **Combined Incident Reporting Software** is designed to assist in the gathering of information related to violations of school policies, state or federal statutes or regulations (what we are referring to as “incident data”. See Reportable Incidents.) The state and federal requirements to gather this data are outlined below.

This software has been revised for use based on legislative changes and your feedback throughout the year. The software is designed to be used on a day-to-day basis. At the end of the school year please download the incident data on a floppy disk or CD and send it to the department of education at **DMAT, Vermont Department of Education, 120 State Street, Montpelier, VT 05620**. We believe that this application will provide you with an easy to use, yet very effective method of gathering and storing your incident data in the format necessary to meet the department’s reporting requirements and your school’s data needs.

This software includes several management reports intended to be used by school administrators to track the frequency of incidents, location, time of day.

Questions about the *content* of Combined Incident Reporting Software should be addressed to the appropriate program manager as follows:

All behavior related questions:            Andy Snyder (802) 828-1086

IDEA (IEP) related questions:            Lucinda Morabito (802) 828-1499

If you are unsure of whom to contact, please call Liz Rand at (802) 828-3150.

### New for 2010-2011

Refer to the chart on the next page to see changes from last year’s collection.

Vermont Department of Education

Incident_Desc	Incident_Recode_SS	Incident_Desc	Incident_Recode_IT
Alcohol sale/distribution	Alcohol	Alcohol sale/distribution	Alcohol related
Alcohol use/possession	Arson	Alcohol use/possession	
Arson	Assault/Battery/Maiming	Drugs other than alcohol/tobacco sale/distribution	Drug Related
Assault and robbery causing bodily injury	Bullying	Drugs other than alcohol/tobacco use/possession	
Assault and robbery with a dangerous weapon	Burglary/B&E/Theft/Larceny	Tobacco sale/distribution	Tobacco Related
School threat--bomb threat	Danger to self	Maiming	
Assault, aggravated	Disorderly conduct	Tobacco use/possession	
Battery	Domestic assault	Property damage	Property Offense
Burglary/breaking and entering	Drug	Trespassing	
Disorderly conduct	Fighting	Vandalism--other	
Domestic assault	Harassment	Vandalism--personal property	
Domestic assault, aggravated	Hazing	Vandalism--school property	
Drugs other than alcohol/tobacco sale/distribution	Homicide/Suicide	School conduct/policy violation	School/Policy Violation
Drugs other than alcohol/tobacco use/possession	Kidnapping	Burglary/breaking and entering	Theft
Fighting	Lewd or lascivious conduct	Theft/larceny	
Harassment	Property damage	Arson	Violence
Hazing	Robbery	Assault and robbery causing bodily injury	
Homicide	School conduct/policy violation	Assault and robbery with a dangerous weapon	
Kidnapping	School Treat - bomb, fire, other	Assault, aggravated	
Lewd or lascivious conduct	Sexual Assault/Battery	Battery	
Lewd or lascivious conduct with a child	Stalking	Domestic assault	
Maiming	Threat/intimidation	Domestic assault, aggravated	
Other offense	Tobacco	Fighting	
Other offenses that result in restraint/timeout	Trespassing	Homicide/Suicide	
Robbery	Unlawful restraint	Kidnapping	
School conduct/policy violation	Vandalism	Lewd or lascivious conduct	
Property damage	Weapons possession	Lewd or lascivious conduct with a child	
School threat--fire alarm		Robbery	
School threat--other		School threat--bomb threat	
Sexual assault		School threat--fire alarm	
Sexual assault, aggravated		School threat--other	
Sexual battery		Sexual assault	
Sexual offenses, other		Sexual assault, aggravated	
Simple assault resulting in bodily injury		Sexual battery	
Stalking		Sexual offenses, other	
Stalking, aggravated		Simple assault resulting in bodily injury	
Theft/larceny		Stalking, aggravated	
Threat/intimidation		Threat/intimidation	
Tobacco sale/distribution		Unlawful restraint	
Tobacco use/possession		Danger to self	
Trespassing		Danger to other(s)	
Unlawful restraint		Weapons possession	Weapons possession
Vandalism--other		Hazing	Hazing
Vandalism--personal property		Harassment	Harassment
Vandalism--school property		Bullying	Bullying
Weapons possession		Disorderly conduct	Eliminate
Danger to self		Other offense	Eliminate
Danger to other(s)		Other offenses that result in restraint/timeout	Eliminate
Bullying			
Incidents to be removed			
Incidents without change			
Incidents to be combined			

## Combined Incident Reporting Software

All public schools **are required** to respond to this portion of the data collection. For all other Vermont schools, use of the software is optional.

This software has been designed to delete student names during the exporting of data to the floppy disk.

### Data Collection Tip:

Since several different individuals may possess data required for this report, we suggest schools consider identifying a team to gather the information rather than appointing an individual. The software can produce a hard copy of each section of the data collection that can be used by team members to gather the necessary information for input by a data clerk.

## Hazing, Harassment and Bullying Data

16 V.S.A. §164 (17) requires the commissioner to report annually, on a school-by-school basis, the "number and types of complaints of harassment or hazing made pursuant to section 565 of this title and responses to the complaints." It is important to note that schools should report *all* complaints filed, not just those where there has been a finding of harassment or hazing. Act 117 of 2004 adds "bullying" to the list of reportable incidents.

## Suspension and Expulsion Data

The federal SDFSCA requires the department to annually collect the number of students who are suspended or expelled for possession of, or selling alcohol, tobacco or other drugs. The federal Individuals with Disabilities Education Act (IDEA) requires the department to gather suspension and expulsion data for students eligible for special education services.

**Data Collection Tip:** Enter all bullying incidents, even if the bullying has not been repeated. To re-classify an incident previously entered as a "general" incident, print out the incident report, delete it from general incidents and re-enter it as a bullying incident.

## Suspension or Expulsion Data for all Students

The federal Office of Special Education requires the department to collect this statewide data as part of its state monitoring activities. Annually, this data will be reported to the public at the SU level.

## Persistently Dangerous Schools Data

Under the provisions of the Unsafe School Choice Option of the No Child Left Behind Act, a student who attends a "persistently dangerous" school, or is the victim of a violent crime on school grounds, has the same choice options as are available to a student attending a "failing" school as determined by the accountability system. This data will be used to determine whether a school meets the definition of being "persistently dangerous".

## **Violent Crime and Weapon Data**

The federal SDFSCA and the Gun-Free Schools Act require the department to gather data on school-related crimes including possession of or use of a weapon.

Questions regarding the statutory requirements for gathering this data should be addressed to: Andy Snyder, Safe and Drug-Free Schools Director, (802) 828-1086 or [andy.snyder@state.vt.us](mailto:andy.snyder@state.vt.us).

## **User Support Services**

Our goal is to continuously improve our service delivery to meet your needs. The department will provide the following resources and support to facilitate the use of this software.

1. A Software Instruction Manual provides a screen-by-screen, step-by-step description of how to install and use the software. The manual can be found on the department's Web site.
2. Each section of the software identifies key department of education staff who can provide assistance in responding to that section of the report. These individuals are familiar with the specific program data requirements and are available if this manual does not meet your needs.
3. Technical questions regarding the software can be addressed to the Data Management & Analysis Team at (802) 828-3777.
4. Program and data questions regarding the collection, and any feedback on the collection, please contact Andy Snyder by e-mail [andy.snyder@state.vt.us](mailto:andy.snyder@state.vt.us) or by phone (802) 828-1086.

## Definitions

**Bullying** – See definition under Incident Type.

### Disciplinary Actions:

**Change of placement (long-term)** - The student was permanently (i.e., for at least one semester) reassigned to another school facility or program that allowed him/her to continue to participate in the general curriculum at a school setting, including students receiving prescribed special education services who continued to receive these services.

**Community service** - The student was assigned to perform community service (e.g., cleanup work).

**Conference with and warning to student** -An administrator discussed the incident with the student and issued a warning regarding the consequences of subsequent offenses.

**Conference with and warning to student and parent/guardian** -An administrator discussed the incident with the student, issued a warning regarding the consequences of subsequent offenses, and contacted the parent/guardian to discuss the incident.

**Detention** -The student was assigned to before-or after-school detention or detention at lunch.

**Expulsion** - The student was removed from his or her regular classroom, barred from school grounds, and the principal asked the school district to expel the student for the remainder of the school year or longer. A student may also be expelled from his/her regular school setting with arrangements for the provision of education services.

**No action taken** -No consequences resulted from the perpetrator's actions.

**No finding (Hazing, Harassment and Bullying only)** -A complaint was investigated and there was insufficient evidence to substantiate harassment.

**Other** -There was a consequence to the perpetrator because of his or her actions, but none of the above categories apply.

**Restorative conferencing** - A conference that brings together the offender(s), victim(s), bystanders, parents, etc. affected by an incident with the purpose being to bring closure to the event and healing to the community.

**Seclusionary timeout** -The student is removed from a reinforcing environment to a less reinforcing environment in a special place when misbehavior occurs.

**Suspension, in-school** -The student was removed from his or her regular classroom and assigned to an in-school-suspension program.

**Suspension, out-of-school** -The student was removed from his or her regular classroom and barred from school grounds for a specified length of time and DID NOT receive non

IEP related educational services.

**Unilateral removal to interim alternative setting** -The student was removed from his or her regular classroom and assigned to an interim alternative setting that allowed him/her to continue to participate in the general curriculum at a school setting for a period of time less than one semester. Include students receiving prescribed special education services who continue to receive these services.

**General Incident** -Any incident which must be reported (see Appendix A) other than hazing, harassment or use of physical restraint.

**Harassment** -See definition under Incident Type.

**Hazing** -See definition under Incident Type.

**Incident Type:**

**Alcohol sale/distribution** -Selling alcoholic beverages and/or distributing (i.e., giving away) alcoholic beverages.

**Alcohol use/possession** - Drinking alcoholic beverages and/or having alcoholic beverages in one's pocket(s), bag(s), car, locker, etc.

**Arson** - To unlawfully and intentionally damage, or attempt to damage, any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.

**Assault, aggravated** -Attempts to cause serious bodily injury to another, or causes such injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; or attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon; or for a purpose other than lawful medical or therapeutic treatment, he intentionally causes stupor, unconsciousness, or other physical or mental impairment or injury to another person by administering to him, without his consent, a drug, substance or preparation capable of producing the intended harm; or with intent to prevent a law enforcement officer from performing a lawful duty, he causes physical injury to any person.

**Assault and robbery causing bodily injury** - The taking of, 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 is that the threat of physical harm or actual physical harm is involved in a robbery.

**Assault and robbery with a dangerous weapon** - A person who, being armed with a dangerous weapon, assaults another and robs, steals or takes from his person or in his presence money or other property which may be the subject of larceny shall be imprisoned for not more than 15 years nor less than one year.

**Battery** - Touching or striking of another person against his or her will or

intentionally causing bodily harm to an individual.

**Bullying** -Any overt act or combination of acts directed against a student by another student or group of students and which is repeated over time, is intended to ridicule, humiliate, or intimidate the student, and occurs during the school day on school property, on a school bus, or at school-sponsored activity, or before or after the school day on a school bus or at a school-sponsored activity.

**Burglary/breaking and entering** - Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime.

**Danger to self** -Any occurrence or imminent threat of physical harm to oneself that leads to the disciplinary action of either seclusionary timeout or physical restraint.

**Danger to other(s)** - Any occurrence or imminent threat of physical harm to another that leads to the disciplinary action of either seclusionary timeout or physical restraint.

**Disorderly Conduct** - Any act that disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment.

**Domestic assault** -Any attempt to cause or willfully or recklessly causes bodily injury to a family or household member, or willfully causes a family or household member to fear imminent serious bodily injury shall be imprisoned not more than one year or fined not more than \$5,000.00, or both.

**Domestic assault, aggravated** -Any attempts to cause or willfully or recklessly causes serious bodily injury to a family or household member; or, uses, attempts to use or is armed with a deadly weapon and threatens to use the deadly weapon on a family or household member; or, commits the crime of domestic assault and has been previously convicted of aggravated domestic assault. A person who commits the crime of first degree aggravated domestic assault shall be imprisoned not more than 15 years or fined not more than \$25,000.00, or both. Conduct constituting the offense of first degree aggravated domestic assault under this section shall be considered a violent act for the purpose of determining bail.

**Drugs other than alcohol/tobacco sale/distribution** -Unlawful distribution or sale of any illegal drugs.

**Drugs other than alcohol/tobacco use/possession** - Smoking, snorting, injecting, ingesting, or otherwise using an illegal drug.

**Fighting** -Mutual participation in an incident involving physical violence, where there is no major injury.

**Harassment (16 VSA § 11 (26)(A))** -An incident or incidents of verbal, written, visual, or physical conduct based on or motivated by a student's or a student's family member's actual or perceived race, creed, color, national origin, marital status, sex, sexual orientation, or disability that has the purpose or effect of objectively and substantially undermining and detracting from or interfering with a student's educational performance

or access to school resources or creating an objectively intimidating, hostile, or offensive environment. (See also sexual harassment; racial harassment)

**Hazing** - Any act committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization which is affiliated with an educational institution; and which is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student or endangering the mental or physical health of a student. Hazing also includes soliciting, directing, aiding, or otherwise participating actively or passively in the above acts. Hazing may occur on or off the campus of an educational institution. Hazing shall not include any activity or conduct that furthers legitimate curricular, extracurricular, or military training program goals, provided that:

- (1) the goals are approved by the educational institution; and
- (2) the activity or conduct furthers the goals in a manner that is appropriate, contemplated by the educational institution, and normal and customary for similar programs at other educational institutions.

**Homicide** -Killing a human being.

**Kidnapping** - 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. This category includes hostage-taking.

**Limited English Proficient (LEP)** - A child who meets the definition of a limited English proficient child under the elementary and secondary education act, 20 U.S.C Section 7801 (A)(25). The term “limited English proficient”, when used with respect to an individual, means an individual—

- (A) who is aged 3 through 21,
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school,
- (C),
  - (i) who was not born in the United States or whose native language is a Language other than English,
  - (ii);
    - (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
    - (II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
  - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—
  - (i) the ability to meet the State’s proficient level of achievement on State assessments described in section 6311 (b)(3) of this title;
  - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society.

**Lewd or lascivious conduct** -A person guilty of open and gross lewdness and lascivious behavior.

**Lewd or lascivious conduct with a child** - A person who shall willfully and lewdly commit any lewd or lascivious act upon or with the body, or any part or member thereof, of a child under the age of 16 years, with the intent of arousing, appealing to, or gratifying the lust, passions or sexual desires of such person or of such child.

**Maiming** -Any person with malicious intent to maim or disfigure, who shall cut out or maim the tongue, put out or destroy an eye, cut or tear off an ear, cut, slit or mutilate the nose or lip, or cut or disable a limb or member of another person, and any person privy to such intent who shall be present aiding in the commission of such offense.

**Other offense** -Any significant incident resulting in disciplinary action not classified previously. Offenses could include bribery, fraud, embezzlement, forgery, resisting arrest, gambling, extortion, or dealing in stolen property.

**Other offenses that result in restraint/timeout** - Any disciplinary event not otherwise classified here that leads to either seclusionary timeout or physical restraint.

**Property damage** - Imminent threat of or actual damage to school property that leads to the disciplinary action of either seclusionary timeout or physical restraint.

**Racial harassment (16 VSA § 11 (26)(Bii))** – This means conduct directed at the characteristics of a student’s or a student’s family member’s actual or perceived race or color, and includes the use of epithets, stereotypes, racial slurs, comments, insults, derogatory remarks, gestures, threats, graffiti, display, or circulation of written or visual material, and taunts on manner of speech and negative references to racial customs.

**School conduct/policy violation** -This category comprises misbehavior not captured elsewhere. Problem behaviors could include dress code violations, running in the halls, possession of contraband, cheating, lying to authorities, or falsifying records.

**School threat--bomb threat** -Intentionally making a false report of potential harm from a bomb, dynamite, explosive, or arson-causing device.

**School threat--fire alarm** - Verbally or otherwise (e.g., ringing alarm bells) making a false report of fire.

**School threat--other** -The incident cannot be coded in one of the above categories but did involve a school threat.

**Sexual assault, aggravated** – As defined under VSA Title 13 §3253

**Sexual assault, non-aggravated** - Sexual intercourse, sexual contact, or other behavior intended to result in sexual gratification *without* force or threat of force. Code statutory rape here.

**Simple assault resulting in bodily injury** - Attempts to cause or purposely, knowingly

or recklessly causes bodily injury to another; or negligently causes bodily injury to another with a deadly weapon; or attempts by physical menace to put another in fear of imminent serious bodily injury.

**Sexual battery** - Sexual intercourse, sexual contact, or other behavior intended to result in sexual gratification without force or threat of force. Code statutory rape here.

**Sexual harassment (16 VSA § 11 (26)(Bi, BI, BII))** – This means conduct that includes unwelcome sexual advances, requests for sexual favors and other verbal, written, visual, or physical conduct of a sexual nature when one or both of the following occur:

- submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education; and
- submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

**Stalking** -Engage in a course of conduct which consists of following or lying in wait or harassing, and serves no legitimate purpose; and causes the person to fear for his or her physical safety or causes the person substantial emotional distress.

**Stalking, aggravated** -A person intentionally stalks another person; and such conduct violates a court order that prohibits stalking and is in effect at the time of the offense; or has been previously convicted of stalking or aggravated stalking; or has been previously convicted of an offense an element of which involves an act of violence against the same person; or the person being stalked is under the age of 16 years. A person who commits the crime of aggravated stalking shall be imprisoned not more than five years or be fined not more than \$25,000.00, or both. Conduct constituting the offense of aggravated stalking shall be considered a violent act for the purposes of determining bail.

**Theft/larceny/robbery** - The unlawful taking of property belonging to another person without threat, violence or bodily harm. Electronic theft of data should be coded here. Do not include dealing in stolen goods in this category.

**Threat/intimidation** -Physical, verbal, written, or electronic action which immediately creates fear of harm, without displaying a weapon and without subjecting the victim to actual physical attack.

**Tobacco sale/distribution** -Sale of tobacco products (e.g., cigarettes, chewing tobacco) and/or distribution (i.e., giving away) tobacco products.

**Tobacco use/possession** - Smoking, chewing, or otherwise using tobacco and/or having tobacco in one's pocket(s), bag(s), car, locker, etc.

**Trespassing** - To enter or remain on a public school campus or school board facility without authorization of invitation and with no lawful purpose for entry.

**Unlawful restraint** - Knowingly restrains another person under circumstances exposing that person to a risk of serious bodily injury; holds a person in involuntary servitude; takes, entices, or harbors a non-relative under the age of 18 without custodian's consent and knowing he/she has no right to do so; or takes, entices or harbors mentally

incompetent or other person entrusted by law to custody of another person or institution without their consent and knowing he/she has no right to do so.

**Vandalism--other** -Vandalism that cannot be coded as personal or school property.

**Vandalism--personal property** -Willful destruction or defacement of personal property.

**Vandalism--school property** - Willful destruction or defacement of school property.

**Weapons possession** -Possession of an instrument or object to inflict harm on other persons. Both firearms and other weapons should be coded here.

**Injury:**

**Major injury** -A major injury is one that requires professional medical attention which may include but is not limited to, a bullet wound, a stab or puncture wound, fractured/broken bones, concussions, cuts requiring stitches, and any injury with profuse bleeding.

**Minor injury** -A minor injury is one that does not require professional medical attention. Medical attention from the school nurse qualifies the injury as minor unless further medical attention is required.

**No injury** -No one was physically injured during the course of the incident.

**Serious bodily injury** -A bodily injury [is one] that involves a substantial risk of death; extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty.”

**Unknown injury** - It is unknown whether or not a person was injured during the course of the incident.

**Restorative conferencing** -A conference that brings together the offender(s), victim(s), bystanders, parents, etc. affected by an incident with the purpose being to bring closure to the event and healing to the community.

**Suspension** -The student was temporarily removed from his or her regular classroom and assigned to an in-school-suspension program or removed from the school entirely. A student may also be suspended, out-of-school, with services. In this case, the student was removed from his or her regular classroom and barred from school grounds for a specified length of time and continued to receive educational services.

**Timeout Room** -A timeout room is a designated room apart from a student’s assigned class or activity. It is used to separate a student from others for the purpose of eliminating or at least reducing, the occurrence and/or intensity of harmful behavior or to enable the student to regain composure and return to class or other activity. A planning room or other area used as a place in which to meet with a student to discuss his or her behavior is not a timeout room.

**Weapon (State – 13 VSA §4016)** - Any instrument or object possessed or used to inflict harm on another person, or to intimidate any person. Examples include firearms, of any kind (operable or inoperable, loaded or unloaded); all types of knives, chains, pipes, razor blades or similar instruments with sharp cutting edges: ice picks, dirks, other pointed instruments (including pencils, pens); nunchackus; brass knuckles; Chinese stars; billy clubs; tear gas guns; electrical weapons or devices (stun guns); BB or pellet guns; and explosives or propellants.

**Types of Weapons:**

**Antique Firearm –**

- (A) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or
- (B) any replica of any firearm described in subparagraph (A) if such replica —
  - (i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or
  - (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or
- (C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

**BB gun** – A weapon that expels a small round pellet/BB with air or other propulsion.

**Dangerous/Deadly Weapon (State)** – “Deadly weapon” means any firearm, or other weapon, device, instrument, material or substance, whether animate or inanimate which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.

**Destructive device –**

- (A) any explosive, incendiary, or poison gas--,
  - (i) bomb,
  - (ii) grenade,
  - (iii) rocket having a propellant charge of more than four ounces,
  - (iv) missile having an explosive or incendiary charge of more than one-quarter ounce,
  - (v) mine, or
  - (vi) device similar to any of the devices described in the preceding clauses;
- (B) any type of weapon (other than a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily 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, and

(C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled.

**Firearms (Federal – 18 U.S.C.A. § 921)** -The term “firearm” means

- (A) 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 an explosive;
- (B) the frame or receiver of any such weapon;
- (C) any firearm muffler or firearm silencer;
- (D) any destructive device. Such term does not include an antique firearm.

**Firearms (State – 13 VSA §4016)** – Any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machine gun or shotgun.

**Handgun** - The weapon involved was a handgun or pistol.

**Knife** – A weapon with a blade regardless of the length of the blade.

**No weapon** - No weapon was used in the incident.

**Other** -Other objects used as a weapon, including but not limited to chains, nunchakus, brass knuckle, billy club, electrical weapon such as stun gun, or other weapon not included in any other category here.

**Other firearm** - This includes zip guns, starter guns, flare guns, any weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive. Also the frame or receiver of any weapon described, or firearm muffler/silencer.

**Other sharp object** -This includes razor blades, ice picks, dirks, Chinese stars, other pointed instruments when used as a weapon.

**Rifle** – A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.

**Shotgun** – A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

**Substance** -Use of a substance (e.g., mace, tear gas) as a weapon.

**Unknown weapon** - A weapon was used in the incident, but the type is unknown.