

EVVRS Incident Scenarios

The NJDOE developed the following EVVRS incident scenarios to illustrate how school districts must apply the EVVRS incident definitions in certain situations. This document does not provide a scenario for every EVVRS incident type. The EVVRS incident types included in these scenarios are those that are more difficult to discern from one another and sometimes cause confusion for EVVRS users.

The EVVRS Incident Scenarios are not intended as a substitute for the EVVRS Incident Definitions. Alone, the EVVRS Incident Scenarios will not help EVVRS users understand how to apply EVVRS incident categories. Users should first review and understand the [EVVRS Incident Definitions](#), then review the EVVRS Incident Scenarios to test their understanding of the definitions.

Always reference the [EVVRS Incident Definitions](#) when using the EVVRS Incident Scenarios and when reporting incidents. Only incidents that clearly meet [EVVRS Incident Definitions](#) must be reported into the system. Districts can achieve greater accuracy and consistency in reporting incidents by using the EVVRS Incident Scenarios to supplement their understanding of the [EVVRS Incident Definitions](#). Please note that a single incident can consist of multiple incident detail types. For example, a student offender who made a criminal threat could also have been in possession of a knife. This should be entered into the EVVRS as a single incident involving both incident types. HIB offenses can also be reported together with multiple incident types, with the exception of threat. An incident involving a threat will either be reported as threat as defined in the EVVRS Incident Definitions or as HIB. **While both may put the victim in fear of physical injury, only HIB includes the bias component. Threat does not. Therefore, in cases where the victim is fearful of physical injury, the incident must be reported as a threat or HIB, depending on whether bias played a role and if the investigation determined that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.** [EVVRS Violence – Set 2](#) provides an illustration of how HIB and Criminal Threat can be reported together, since a criminal threat involves a “crime.”

Districts must review the [EVVRS Incident Definitions](#) and EVVRS Incident Scenarios with school personnel each year so that only those incidents that clearly meet the criteria are reported. This review can help districts meet their annual EVVRS in-service requirement per *N.J.S.A. 6A: 5.3 (e)3*.

Both the [EVVRS Incident Definitions](#) and EVVRS Incident Scenarios are provided as stand-alone documents on the EVVRS “[Welcome](#)” page to make it easier for districts to print and circulate these documents for use in staff training.

Students in the scenarios are general education students unless otherwise noted.

The Role of Bias



As the scenarios that follow illustrate, bias can play a role in EVVRS-defined incidents, with the exception of HIB. By definition, HIB includes bias, and therefore cannot be reported in EVVRS as both “Bias-Related” and “HIB.” However, for example, if Student A makes a biased remark to Student B and then Student A is struck by Student B whom he or she insulted, then “Bias-Related” would be associated with this incident (for Student A) and “Assault” would be associated with this incident (for Student B) as a result of the EVVRS-defined actions of both students. Both actions would be reported as one incident in EVVRS as “Bias-Related” and “Assault.” The

EVVRS does not distinguish who exhibits bias, only that bias is associated with the incident as a whole.

Exception: If Student A makes a biased remark and his or her actions meet ALL of the additional criteria for HIB, per the *Anti-Bullying Bill of Rights Act*, (18A:37-15.3), and the decision was affirmed by the Board of Education/governing authority, then both "HIB" would be associated with this incident (for Student A), rather than bias, and "Assault" would be associated with this incident (for Student B) as a result of the EVVRS-defined actions of both students. This would be reported as one incident in EVVRS as "HIB" and "Assault."



Gang-Related Incidents

An EVVRS incident is considered "gang-related" when there is confirmation to that effect from a law enforcement official, the victim, or the offender.



Age and Cognitive Development Maturity Consideration

Some types of offenses, by definition, require that the offender fully understand that the behavior will have a specified result. For example, for an offense to be categorized as an assault, the offender must "purposely, knowingly, or recklessly" attempt to or cause bodily injury. For other types of offenses, the understanding of the result is inferred, but not specifically defined. For example, for an incident to be categorized as theft, the offender takes something without consent. In this case, the person reporting the incident must consider whether or not the offender knew that consent was needed.

To help to clarify the definitions that do not specifically describe the level of understanding or intention presumed, the definition indicates that the reporter should *consider age and developmentally appropriate behavior before using this category*. This age and cognitive development maturity consideration only applies to certain incident types: Fight; Theft; Threat; and Sex Offense. In deciding whether or not to report an incident as a fight, theft, threat or sex offense on the EVVRS, *one needs to consider age and developmentally appropriate behavior before using this category* and also needs to be sure that the offender is cognitively and developmentally mature enough to understand the potential consequences of his or her actions. For example, the offender should know that:

- A physical confrontation may result in bodily injury (Fight);
- Taking belongings or property without consent is not permitted (Theft);
- A threat can make a victim fearful (Threat); or
- His or her behavior is considered inappropriate (Sex Offense – when there is no victim).

The age and cognitive development consideration should be used only in the applicable offenses and the determination should only be made in exceptional cases. Age alone is not sufficient to exclude an incident from the EVVRS. For example, a primary grade student may know that taking \$20 from his/her teacher's desk is stealing." By talking with the student, the reporter will determine if the student understands the impact of his/her actions.

If a student commits an offense that could be defined as an EVVRS reportable offense, but the student is too young or immature to understand the impact of his/her actions, the district should proceed as follows:

- If the offender is a student with a disability and is subsequently suspended for the behavior, the incident must be reported in EVVRS as "Suspension of Students with Disabilities for Other Reasons" (EVVRS Data Entry II button.)
- If the offender is a student with a disability, but is not suspended for the behavior, the incident must not

be reported using the EVVRS.

- If the offender is a general education student, the incident should not be reported using the EVVRS.

*P.L. 108-446 requires that all schools, including approved private schools for students with disabilities, must report **ALL** disciplinary removals of students receiving special education and/or related services. **Disciplinary removals** are defined as **any** instance in which a child is removed from his/her educational placement for disciplinary purposes, including in-school suspension, out-of-school suspension, expulsion, removal by school personnel to an interim alternative educational setting for drug or weapon offenses or serious bodily injury, and removal by a hearing officer for likely injury to self or others. All disciplinary removals for reasons other than VV-SA lasting at least one-half day for students receiving special education and or related services must be reported through the use of the Report of Suspension of Students with Disabilities section of the EVVRS by the school that the student attends. The data are reported annually to the USDE.

EVVRS Scenarios: Violence—Set 1

Is it an Assault and/or a Fight?

Subcategory: Assault

A person attempts to cause – or purposely, knowingly, or recklessly causes – bodily injury to another.

Subcategory: Fight

Mutual engagement in a physical confrontation that may result in bodily injury to either party. Does not include a verbal confrontation or a minor confrontation, such as a shoving match. Each participant must be classified as an offender. One needs to consider age and developmentally appropriate behavior before using this category.

Scenario 1: “The Cafeteria”

Stacey verbally taunted and harassed Rebecca with derogatory comments while they were eating lunch in the cafeteria. Then, Stacey forcefully pushed Rebecca’s chair over backward and Rebecca fell to the ground. Rebecca got up and hit Stacey. Stacey hit her back. The girls wrestled and punched each other until a lunch aide separated them.

Analysis of This Scenario

Considerations	Reporting Decision
While Stacey clearly instigated the fight by attempting to injure Rebecca, the students also mutually engaged in a physical confrontation that could result in bodily injury to either party.	Report the incident as both an Assault and a Fight. Rebecca is the victim of the Assault since Stacey purposely tried to hurt her. Report both Rebecca and Stacey as offenders in the Fight that followed the assault.

How the Situation May Differ

Considerations	Reporting Decisions
The student’s fall from the chair was not related to any action by another student.	Do not report this as an Assault. Only report it as a Fight.
A law enforcement official confirmed that the fight was gang-related.	Also check “Yes” in the Gang-Related field of the incident header when entering the information on the EVVRS.
The act was motivated by an actual or perceived distinguishing characteristic. This had the effect of insulting or demeaning Rebecca and created a hostile educational environment by causing physical or emotional harm.	Also report the incident as HIB if the investigation confirms that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.

The student who was pushed from the chair did not strike his or her attacker after the fall, but walked away from the situation.	Do not report this as a Fight. Only report it as an Assault. There was no mutual engagement.
--	--

Scenario 2: “The Stick”

Max and Ricky, both kindergarten students, were chasing and tackling each other during recess. While they were playing, Ricky picked up an eight-inch stick and swung it around, hitting Max in the shoulder and causing a small scratch. An aide witnessed the situation and stopped any further contact between the boys. The aide asked Ricky why he hit Max and if he intended to hurt him. Ricky explained that he was just pretending to be a helicopter and did not mean to hurt Max.

Analysis of This Scenario	
Considerations	Reporting Decisions
Ricky did not attempt to cause the injury and did not purposely or knowingly attempt to cause an injury.	Do not report the incident.
How the Situation May Differ	
Considerations	Reporting Decisions
The victim's injury was more serious.	Only report the incident as an Assault if the offender clearly knew that his reckless action <i>would</i> cause bodily injury.

Scenario 3: “The Ruler”

Eight-year-old Carlos, who has had a pattern of conduct problems, made unsolicited loud comments and continued to get out of his chair without permission throughout the morning, which frequently disrupted classroom activities. The teacher reprimanded him several times, but each time, the behavior started again minutes later. After the teacher's last attempt to redirect Carlos, he started banging progressively harder on his desk with his ruler. The teacher asked him for the ruler and walked toward him to retrieve it. Carlos refused to give it to her. She put her hand out to take the ruler, but instead of giving it to her, Carlos hit her arm with it. The teacher grimaced in pain, and then sent Carlos to the principal's office. The principal asked Carlos what happened. Carlos told the principal that he hated his teacher and that he hit her with a ruler because “she deserved it.”

Analysis of This Scenario	
Considerations	Reporting Decisions
Carlos intended to hurt the teacher and understood the consequences of hitting her with a ruler.	Report the incident as an Assault, with the teacher as the victim.
How the Situation May Differ	
Considerations	Reporting Decisions
The student struck the teacher with a ruler, but indicated that he was only trying to stop her from taking it away. It was an accident and he said that he did not think it would hurt her.	Do not report the incident at all because the student did not purposely intend to harm the teacher.
The student has used a ruler to hurt someone on more than one occasion and clearly understands that a ruler can be used to injure.	Report the incident as an Assault. However, do not also report the ruler as a Weapon used in offense because a ruler is not, per the EVRS definition, “readily capable of lethal use or of inflicting serious bodily injury.”

The student swung the ruler around wildly, hitting the teacher in the face and causing a scratch.	The student behaved recklessly, causing an injury. Report the incident as an Assault with the teacher as the victim.
How the Situation May Differ (continued)	
Considerations	Reporting Decisions
The student tapped the teacher on the arm with the ruler.	The student did not attempt to injure the teacher and no injury resulted. Do not report this incident in the EVVRS.

Scenario 4: “The Hallway”

Paul, a student with a disability, and Rich, a general education student, both sophomores, were punching each other in the hallway when the wrestling coach ordered the boys to break it up. When they did not stop, the coach stepped between the boys in an attempt to stop the fight, and Paul struck him on the side of the head. Horrified that he struck the coach, Paul immediately stopped punching and apologized many times.

Analysis of This Scenario	
Considerations	Reporting Decisions
The boys mutually engaged in a physical confrontation. The fact that Paul did not stop after the coach intervened was reckless and caused an injury to the coach.	Report the incident as a Fight. Additionally, since Paul acted recklessly and injured the coach, also report this as an Assault with the coach as the victim.
How the Situation May Differ	
Considerations	Reporting Decisions
The student that struck the coach was not aware of the coach's presence.	If the student did not see or hear the coach, do not report this as an Assault in the EVVRS. Only report it as a Fight.

Note: Even though this incident involved a student with a disability, you should **not** use the “Report of Suspensions of Students With Disabilities” for reasons other than violence, vandalism, weapons offenses, substance offenses or harassment, intimidation or bullying (HIB) form to report it. This form is only used to report the suspension of a student with a disability for reasons OTHER THAN violence, vandalism, weapons offenses, substance abuse (VV-SA) and HIB. Report ALL incidents involving violence, vandalism, weapons offenses, substance offenses or HIB for general education and special education students, such as this one, using the “Violence, Vandalism, and Substance Abuse (VV-SA) Incident Report Form.”

Scenario 5: “The Boys’ Room”

As Mike was walking out of the boys’ bathroom, Steven made a derogatory comment in reference to Mike’s religious background and also made a derogatory gesture with his hand. Mike became angry and forcefully punched Steven in the stomach. A teacher approached just as the punch was thrown.

Analysis of This Scenario	
Considerations	Reporting Decisions
Mike purposely attempted to cause bodily injury to Steven.	Report the incident as an Assault with Steven as victim.

Steven's comments about Mike's religion and Mike's reaction to them indicate that the incident was motivated by bias. Steven's statement and gesture also alarmed or harmed Mike.	Report the incident as Harassment, Intimidation, or Bullying with Steven as the offender and Mike as the victim if the investigation reveals the incident was motivated by an actual or perceived characteristic related to Mike's religion and had the effect of insulting or demeaning Mike and the decision was affirmed by the Board of Education/governing authority. Also report the incident as Assault with Mike as the offender. However, if the investigation determines that the HIB criteria were not met, report the incident as Bias-related and Assault.
---	---

EVVRS Scenarios: Violence—Set 2

Is it Criminal Threat or Threat?

Subcategory: Criminal Threat

Expressing – either physically or verbally – the intent to commit one of the following violent criminal offenses: homicide, aggravated assault, sexual assault, kidnapping, or arson. The threat must be made for the purpose of placing another in imminent fear of one of these violent acts, under circumstances that would reasonably cause the victim(s) to believe the immediacy of the threat and the likelihood that it will be carried out.

Subcategory: Threat

Attempting by physical menace (e.g., verbal threats) to put another in fear of future serious bodily injury. (Do not include bomb threats in this category). One needs to consider age and developmentally appropriate behavior before using this category.

Scenario 1: “The Knife”

Yolanda and Nicole have had many verbal arguments throughout the school year. On two of these occasions, Yolanda shoved Nicole, and then followed her to class at an uncomfortably close distance. Today, Yolanda verbally threatened to go home after school and get a knife to cut Nicole. Nicole reported this threat to the principal. Upon being questioned, Nicole told the principal she was afraid because Yolanda's aggressive behavior was becoming more frequent and extreme and she believed Yolanda would carry out the threat if she had the opportunity.

Analysis of This Scenario

Considerations	Reporting Decisions
Nicole believes that Yolanda is likely to do what she threatened; Nicole is in imminent fear of this happening.	Report the incident as a Criminal Threat because Yolanda expressed intent to commit a violent criminal offense; and Nicole perceived this threat as imminent and was fearful of being physically harmed.

How the Situation May Differ

Considerations	Reporting Decisions
The student was not concerned about the violent threat made against her. However, the principal was afraid that the student that made the threat would carry it out as soon as she had the chance.	Report this incident as a Criminal Threat. The principal believed in the immediacy and likelihood of the criminal threat being carried out, resulting in Nicole being physically harmed.

Upon being questioned, Nicole expressed that in addition to the threat of physical violence, Yolanda had been taunting her using racial slurs.	<p>This incident was motivated by an actual or perceived characteristic related to Nicole's race. This had the effect of insulting or demeaning her and created a hostile educational environment by interfering with Tracey's education and caused emotional harm while suggesting the possibility of physical harm.</p> <p>Report as a Criminal Threat and HIB (if the investigation determines that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority). Both implied criminal intent as well as the motivating factor of bias were involved.</p>
--	---

Scenario 2: "The Dual"

Jose and Dwayne, eighth graders, were pushing each other in the classroom. The teacher breaks it up quickly. Jose says to Dwayne, "Just wait. This isn't over. I'll be waiting for you after school." Dwayne responds, "I'll be ready; just make sure you are."

Analysis of This Scenario	
Considerations	Reporting Decisions
While both boys seem to understand their actions, neither Jose nor Dwayne appears to be fearful of serious bodily injury.	Do not report as a Threat. Pushing that does not result in bodily injury is not reportable under the EVRS incident definitions. This incident is not reportable.
How the Situation May Differ	
Considerations	Reporting Decisions
Both boys mutually engage in a physical confrontation after school.	Report the incident as a Fight.
Subsequent to the pushing incident, one of the boys expresses concern that he is going to be subject to serious bodily injury (e.g., beat up after school).	Report the incident as a Threat.
In addition to saying, "Just wait. This isn't over. I'll be waiting for you after school." Jose uses a racial slur directed at Dwayne.	The incident was partially motivated by an actual or perceived characteristic related to Dwayne's race. This had the effect of insulting or demeaning him and created a hostile educational environment by causing physical or emotional harm. Report the incident as HIB if the investigation determines that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.

Scenario 3: “The Threat”

While in the school hallway, Rachel shoved Angelina and said, “I am going to beat you up after school!” Rachel shook her fist at Angelina as she walked away. Angelina reported to the school counselor that the shove did not hurt her, but that she was not going to take the bus home because she was afraid to leave school.

Analysis of This Scenario	
Considerations	Reporting Decisions
Angelina felt threatened and was frightened that Rachel would carry out her threat.	Report this incident as a Threat because Rachel threatened Angela with physical violence. Do not report this incident as a Criminal Threat. There was no criminal intent implied.
Shoving that does not result in bodily injury is not reportable under the EVVRS incident definitions.	Do not report the incident as an Assault.
How the Situation May Differ	
Considerations	Reporting Decisions
The student victim told the counselor that she was not afraid and was going to take the bus home anyway.	Because the victim was not alarmed or harmed, do not report the incident.
As a result of the shove, the student who was pushed, fell and hit her arm on the sharp corner of a case on the wall; she needed stitches to close the wound.	Report the incident as an Assault because the offender acted recklessly, which resulted in an injury.
In addition to the Threat, Rachel used racial slurs and derogatory language directed at Angelina. This had the effect of insulting or demeaning her and created a hostile educational environment by causing physical or emotional harm.	Report as HIB, not a Threat, if the investigation determines that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority. Rachel’s behavior was motivated by an actual or perceived characteristic related to Angelina’s race.

Scenario 4: “The Playground”

Third grader Tommy, while on the playground, tells Bobby, “Wait ‘til I get you alone in the boy’s room.” Bobby runs away and tells his friends, “Tommy’s gonna’ beat me up.” One of Bobby’s friends tells their teacher.

Analysis of This Scenario	
Considerations	Reporting Decisions
Tommy’s words strongly implied physical menace. Bobby expressed fear of future bodily injury based on Tommy’s menacing statement.	Report the incident as a Threat.
How the Situation May Differ	
Considerations	Reporting Decisions
Tommy had a history of making these types of statements and not acting on them. Bobby responded, “Yeah, right,” and laughingly told his friends.	Do not report this incident as a Threat. Bobby was not in fear of future physical harm.
Tommy indicated that he had a knife hidden in the boy’s room and that he was going to use it.	Report the incident as a Criminal Threat.

EVVRS Scenarios: Violence—Set 3

When is it a Sex Offense?

Subcategory: Sex Offense

Subjecting another to sexual contact or exposure. For the incident to be considered a sex offense, at least one of the following criteria must apply to the offender. The offender must:

- intentionally touch, either directly or through clothing, the victim's intimate parts, for the purpose of degrading or humiliating the victim;
- sexually arouse or sexually gratify himself or herself in view of the victim whom the offender knows to be present;
- force or coerce the victim to participate in any contact or exposure; or
- commit any act of sexual assault defined under *N.J.S.A. 2C:14-2*, which includes provisions related to the age of the victim and the offender.

One needs to consider age and developmentally appropriate behavior before using this category when there is no victim.

Incidents of **sexual assault** must be reported in this category. However, incidents of **sexual harassment** are reported under Harassment, Intimidation or Bullying (HIB), if the investigation determined that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.

How does the EVVRS define “intimate body parts?”

Intimate body parts are defined by statute (*N.J.S.A. 2C:14-1e*) to include “sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person.”

Scenario 1: “Innocent Touch or Sex Offense?”

Billy approached Anne from behind and touched her buttocks with his hand. Anne was upset and reported the incident to the assistant principal. She told him she was angry and embarrassed. The principal spoke to Billy, who admitted touching Anne but said that he did not mean anything by it.

Analysis of This Scenario

Considerations	Reporting Decisions
Billy did not intentionally touch Anne's buttocks (intimate body part) with the purpose of degrading or humiliating her. However, Anne felt degraded and humiliated.	Report the incident as a Sex Offense. Intention – as expressed by the offender – is superseded by the reaction and/or interpretation of the victim.

How the Situation May Differ

Considerations	Reporting Decisions
The victim reported the incident but said she did not feel degraded or humiliated.	Do not report the incident as a Sex Offense.

EVVRS Scenarios: Harassment, Intimidation, or Bullying (HIB) —Set 1
Does it constitute HIB?

Category: HIB

HIB means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L. 2010, c. 122 (C. 18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;
- has the effect of insulting or demeaning any student or group of students; or
- creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Please note that EVVRS reportable incidents cannot be reported as both HIB and a Threat. **An incident involving a threat will either be reported as threat as defined in the EVVRS Incident Definitions or as HIB.** While both may put the victim in fear of physical injury, only HIB includes the bias component. Threat does not. Therefore, in cases where the victim is fearful of physical injury, the incident must be reported as a threat or HIB, depending on whether bias played a role and if the investigation determined that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.

Scenario 1: “The School Bus”

While on the school bus, several students have been repeatedly calling James names in regard to his sexual orientation. Today, when James was getting on the bus, the same students shoved him up the steps. While riding to school, the students openly passed around a derogatory note about him. When James arrived at school he told his 8th-grade homeroom teacher about the name calling incidents and the shoving and note incidents, adding that he was very upset, was tired of the abuse, and did not want to come to school anymore because of it.

Analysis of This Scenario

Considerations	Reporting Decisions
The students' actions (i.e., verbal and written communication); and physical act (i.e., shoving) caused James to feel insulted and demeaned and caused a substantial disruption on the bus. James was alarmed and harmed emotionally by their behavior. The students' behavior was motivated by their perception of James' sexual orientation.	This incident was motivated by an actual or perceived characteristic related to James' sexual orientation. This had the effect of insulting or demeaning him and created a hostile educational environment by severely or pervasively causing physical or emotional harm. Report the incident as HIB if the investigation confirms that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.
Shoving that does not result in bodily injury is not reportable under the EVVRS incident definitions.	Do not report the incident as an Assault.

How the Situation May Differ	
Considerations	Reporting Decisions
In addition to the comments that included references to James' actual or perceived sexual orientation, the shoving did result in bodily injury.	Report as both HIB and Assault.
If the students made comments that put James in fear of future serious bodily injury, but the comments did not include references to James' actual or perceived sexual orientation; this would not be HIB.	Report the incident as a Threat.

Scenario 2: "Math Class"

Shannon and Tracey were arguing during 6th-grade math class. When the teacher intervened, Shannon called Tracey a name that is considered a racial slur. The teacher reprimanded Shannon, classroom instruction continued, and nothing more happened between the girls. The teacher spoke with Tracey after class and determined that she was not upset about the incident. Tracey told the teacher that she knew that Shannon did not intend to hurt her by making the comment and that they were still friends.

Analysis of This Scenario	
Considerations	Reporting Decisions
Tracey indicated that she was not upset by Shannon's remark. While there was a racial slur, it did not disrupt the orderly operation of the school. Nothing ensued.	Do not report the incident because Tracey was neither alarmed nor harmed by Shannon's remark.

How the Situation May Differ	
Considerations	Reporting Decisions
The student told the teacher that she was so upset by the racial slurs that she wanted to transfer into another class.	This incident was motivated by an actual or perceived characteristic related to Tracey's race. This had the effect of insulting or demeaning her, creating a hostile educational environment by interfering with Tracey's education and causing her emotional harm. Report the incident as HIB if the investigation determines that all of the applicable criteria were met and the decision was affirmed by the Board of Education/governing authority.

EVVRS Scenarios: Vandalism/Violence—Set 1

Is it Theft, Robbery, or Extortion?

Subcategory: Theft – The taking of the school district’s or a person’s belongings or property without consent. Report only incidents where the value of the article taken is \$10 or more. One needs to consider age and developmentally appropriate behavior before using this category.

Subcategory: Robbery – Obtaining money or any material thing (regardless of value) from another by means of violence or the threat of immediate violence.

Subcategory: Extortion – Attempting to obtain or obtaining money or any material thing (regardless of value) from another by means of a stated or implied threat of future violence, or threats to make false charges against someone or to blackmail someone.

Scenario 1: “The Ring”

Lucy left her birthstone ring on the ledge in the girls’ locker room while she went to the restroom. When she returned, the ring was gone.

Analysis of This Scenario

Considerations	Reporting Decisions
Lucy’s ring was taken without her consent.	Report the incident as Theft, with “offender unknown.”

Note: In cases such as this one, it is sometimes helpful to wait to see if the ring turns up or if the offender becomes known before entering the incident into the EVVRS.

Scenario 2: “The Money”

Craig approached Nikki as she left the restroom and said, “Give me some money now!” When Nikki hesitated, Craig repeated his demand, adding “or you won’t know what hit you.” Nikki gave him some money and ran down the hall to the office, where she explained to the principal that she gave Craig the money out of fear of being hurt.

Analysis of This Scenario

Considerations	Reporting Decisions
Craig threatened to immediately assault Nikki, which frightened her into giving him the money.	Report the incident as Robbery. The EVVRS definition of Robbery incorporates the concept of threat, so do not report the incident as a Threat.

How the Situation May Differ

Considerations	Reporting Decisions
One student punched another student while stealing money from him.	Report the incident as Robbery. The EVVRS definition of Robbery incorporates the use of violence, so do not report the incident as an assault.

Scenario 3: “Lunch Line”

While in the lunch line, Anthony told Terrell, “You better have my \$20 tomorrow if you know what is good for you. Remember what happened last time.” Terrell did remember last time. Anthony had followed him home from school, knocked him down, and kicked him. The next morning, Terrell gave Anthony the money, then reported the incident to his teacher.

Analysis of This Scenario	
Considerations	Reporting Decisions
Terrell gave Anthony the money because Anthony threatened Terrell with future violence.	Report the incident as Extortion. The EVVRS definition of Extortion incorporates the concept of “threat,” so do not report the incident as a Threat.

EVVRS Scenarios: Weapons—Set 1

What is a Weapons Offense?

Category: Weapon

Weapons include any instrument readily capable of lethal use or of inflicting bodily injury, but is not limited to: handguns, rifles, knives; clubs or other bludgeons; chains; sling shots; leather bands studded with metal filings; razor blades; stun guns; and any device that projects, releases, or emits tear gas or any other substance (e.g., pepper spray) that is intended to produce temporary discomfort or permanent injury through being vaporized or otherwise dispensed in the air.

- Components that can be readily assembled into a weapon are reported in this category.
- Bombs (exploded or unexploded) are considered a type of weapon. A bomb is an explosive device that most commonly is (1) greater in size than typical fireworks; (2) encased in a wax substance, fabric, or metal canister or container; and (3) electrically fused or self-fusing. Examples include Molotov cocktails and similar devices.

NOTE: A toy gun is no longer considered a weapon and its possession would not be reported. An imitation firearm (e.g., an object that looks like a real handgun but cannot be fired or converted to a handgun) would be reported.

1) Possession: Having on one's person, in one's locker or vehicle one or more of the types of the following:

- Handgun
- Rifle
- Air Gun, Pellet Gun, BB Gun
- Imitation Firearm
- Bomb – Exploded
- Bomb – Unexploded
- Knife, Blade, Razor, Scissors, Box Cutter
- Pin, Sharp Pen/Pencil
- Chain, Club, Brass Knuckles
- Spray

2) Used in Offense: Using a weapon in the commission of an offense reported in another incident category, such as assault, criminal threat, extortion, damage to property.

3) Sale/Distribution: Selling, giving, or having a weapon in one's possession, with the intent to distribute or sell.

Scenario 1: “The Box Cutter”

Jason, a high school student, was found to have a box cutter in his pocket. He claimed he needed the box cutter for his job at a local grocery store – a claim that was confirmed upon investigation. Jason has no history of violent behavior, and there is no indication that he will be violent in the future.

Analysis of This Scenario	
Considerations	Reporting Decisions
Jason did not possess the box cutter for a legitimate school-approved purpose (e.g., a compass for geometry class).	Report the incident as Possession, under Weapons.
How the Situation May Differ	
Considerations	Reporting Decisions
The student voluntarily – that is, without suspicion, prompting, or questioning from school staff – informed a staff member that he had inadvertently brought the box cutter with him to school and turned the weapon over to the staff member.	Do not report this incident on the EVVRS.

Scenario 2: “The Pocket Knife”

Maribella, a 7th-grade girl, was found with a pocket knife in her jacket. She explained that she needed it for protection against another girl who had threatened her.

Analysis of This Scenario	
Considerations	Reporting Decisions
Maribella possessed an object that is readily capable of lethal use or of inflicting serious bodily injury. Maribella indicated that she needed the knife for protection.	Report the incident as Possession, under Weapons. A pocket knife is “readily capable of lethal use or inflicting serious bodily injury.”