

## COLCHESTER SCHOOL DISTRICT

### **POLICY: THREATS AND DISRUPTIONS TO SCHOOL OPERATIONS**

**DATE ADOPTED:** November 20, 2018

#### **PURPOSE**

It is the policy of the Colchester School District to respond promptly and appropriately to any notice of any threat to the safety of its students and staff. As a result, it has adopted the following provisions that its personnel are directed to follow in order to prepare for, respond to, and follow up on actual notice of:

- Any threat that a destructive device or any unauthorized toxic or hazardous substance or material has been or will be placed on school grounds or property;
- The placement of a hoax device on school grounds or property;
- A student that has made statements which may indicate an intent to harm students and/or staff.

#### **I. DEFINITIONS**

##### **A. Destructive device means any**

1. Explosive, incendiary or poison gas bomb;
2. Explosive, incendiary or poison gas grenade;
3. Explosive, incendiary or poison gas rocket having a propellant charge;
4. Explosive, incendiary or poison gas missile having an explosive or incendiary charge;
5. Explosive, incendiary or poison gas mine;
6. Device which consists of or includes a breakable container including a flammable or liquid compound, and a wick composed of any material which, when ignited, is capable of igniting the flammable liquid or compound, and can be carried or thrown by one individual acting alone; or
7. Device similar to those devices enumerated in paragraphs (1) through (6) of this section.

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 First Reading: November 6, 2018  
 Second Reading: November 20, 2018

- B. Hoax Device** means any device so designed, assembled, fabricated or manufactured as to convey the physical appearance of an explosive or incendiary bomb or the physical appearance of any of the devices enumerated in subsections (1) - (6) of section A.
- C. Toxic or hazardous substance or material** means any substance or material designated as a toxic or hazardous substance or material under the following laws and implementing regulations and successor statutes and regulations: the Toxic Substances Control Act of 1976, 15 U.S.C. § 2604 et seq; the Hazardous Materials Transportation Act, 49 App. U.S.C. § 1801 et seq; any substance in a gaseous, liquid, or solid state listed pursuant to Title III Section 313 of the Superfund Amendments and Reauthorization Act of 1986; any material or substance, or biomedical material, substance, or organism regulated by the state or federal government because it presents or will present an unreasonable risk of injury to health or the environment.
- D. The issuance or communication by any means of a threat to commit an act of violence against students and/or staff** means communications or statements regarding:
1. Intent to harm students and/or staff;
  2. Information consistent with a plan to harm students and/or staff;
  3. Information consistent with preparation for an attack on students and/or staff; or
  4. Plans or intent to bring weapon(s) to school.
- E. School grounds or property** means facilities, buildings, fields, and grounds areas; vehicles owned, leased or used by the district to transport students to and from school or school activities; parking lots (including vehicles in the parking lots); or any other setting which is under the permanent or temporary supervision and/or control of the school district.

## II. CONDUCT PROHIBITED

### A. Primary Offender

It is a violation of this policy for any person to make, issue, or otherwise communicate by any means, a threat to the safety of district students and/or staff. This includes but is not limited to:

1. A destructive device has been or will be placed on school grounds or property;
2. The issuance or communication by any means of a threat that any unauthorized toxic or hazardous substance or material has been placed or

will be placed on school grounds with the intent to endanger the welfare and safety of students and school personnel and/or to disrupt the operations of the school district;

3. The issuance or communication by any means of a threat to commit an act of violence against students and/or staff; or
4. For any person to knowingly place or install a hoax device on school grounds or property.

#### **B. Aiding Offender**

A student who in any way encourages or assists another student in violation of this policy also endangers the safety of others. The school district expressly prohibits any such action. Accordingly, no student shall knowingly or willfully cause, encourage, or aid any other student to:

1. Possess, handle, or transmit any hoax device on school property or grounds;
2. Make, issue, or otherwise communicate by any means, a threat that a dangerous or deadly weapon has been or will be placed or used on school grounds or property; or
3. Plan, prepare or commit an act of violence against students and/or staff.

### **III. INVESTIGATION**

#### **A. Cooperation with Law Enforcement**

The superintendent, principal, and all other school personnel shall cooperate with law enforcement personnel involved in investigating threats covered by this policy.

#### **B. Potentially Dangerous Materials**

To keep school personnel from placing themselves in harm's way by potential exposure to bombs or other dangerous materials, school personnel shall not conduct any investigation regarding toxic or hazardous substance or material or destructive devices independently but rather in conjunction with law enforcement authorities.

#### **C. Search and Seizure**

It is lawful for school authorities within constitutional boundaries to conduct reasonable examination of personal property on school grounds, including but not limited to lockers, desks, backpacks, book bags, and automobiles. In the event of

any such threat, searches of such items may occur consistent with Policy F4 in order to assure the safety and protection of people and property.

#### **IV. SANCTIONS**

Recognizing that a threat to the safety of students and staff or the intent to disrupt school operations by the conduct prohibited in this policy is commensurate with the threat to student and staff safety posed by guns or weapons prohibited by school policy and State and federal law, violations of this policy shall be treated accordingly.

##### **A. Primary Offender**

In addition to any penalty imposed by law, a student violating this policy as defined as a primary offender shall be subject to disciplinary action by the school as follows:

1. The student may be suspended until a school board hearing can be conducted (following the due process procedures as provided by the State Board of Education rules).
2. A student found by the board at a disciplinary hearing to have violated the provisions of this policy shall be expelled for at least one (1) calendar year. The board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:
  - a. The student was unaware of their conduct;
  - b. The student is disabled and the conduct is related to the disability;
  - c. A lengthy expulsion would not serve the best interests of the student; or
  - d. The student, or their parent or guardian if a minor, voluntarily consents to undergo a comprehensive risk and threat assessment conducted by a licensed psychologist chosen and paid for by the district. In such cases, the board hearing shall be postponed and the student will remain suspended pending the processing of the assessment by the board at a disciplinary board hearing. At the hearing, the board may, at its discretion, rely upon such assessment to either limit or remove the need for further discipline of the student. The assessment may also serve as a basis for increased supervision should the student be allowed to return to school.

##### **B. Aiding Offender**

A student violating this policy as defined as an aiding offender, shall be subject to disciplinary action by the school as follows:

1. The student may be suspended until a school board hearing can be conducted (following the due process procedures as provided by the State Board of Education rules).
2. A student found by the board at a disciplinary hearing to have violated the provisions of this policy shall be expelled for at least one (1) calendar year. The board may modify the expulsion on a case-by-case basis when it finds circumstances such as, but not limited to:
  - a. The student was unaware of their conduct;
  - b. The student is disabled and the conduct is related to the disability;
  - c. A lengthy expulsion would not serve the best interests of the student;
  - d. The student, or their parent or guardian if a minor, voluntarily consents to undergo a comprehensive risk and threat assessment conducted by a licensed psychologist chosen and paid for by the district. In such cases, the board hearing shall be postponed and the student will remain suspended pending the processing of the assessment by the board at a disciplinary board hearing. At the hearing, the board may, at its discretion, rely upon such assessment to either limit or remove the need for further discipline of the student. The assessment may also serve as a basis for increased supervision should the student be allowed to return to school; or
  - e. The student ultimately alerted school officials or staff of their knowledge of primary offender student's conduct, plans, preparation, or intent.

**C. Staff Member Offender**

A staff member found to have violated this policy will be subject to appropriate disciplinary action up to and including termination of employment. Disciplinary action taken in accordance with this subsection shall be consistent with collective bargaining agreements, applicable employment agreements, and/or school district policies.

**D. Civil Liability**

The school district reserves the right to bring a suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

## **V. NOTIFICATION AND TRAINING**

### **A. Policy Dissemination**

Student and family handbooks shall contain the following provision:

*The Colchester School District has adopted a comprehensive policy on what to do in the event of an actual threat or a threat intended to disrupt school operations. The Threats and Disruptions to School Operations Policy can be found on the district website. While we intend to respect the legitimate privacy interests of all persons, it is lawful for school authorities within constitutional boundaries to conduct reasonable examination of personal property on school grounds, including but not limited to lockers, desks, backpacks, book bags, and automobiles. In the event of a threat, we may have to search such items in order to assure the safety and protection of people and property.*

*We also want all members of the school community to know that any academic time lost as a result of a threat intended to disrupt school operations, will be rescheduled, either on a weekend, vacation day, or following what would otherwise be the end of the school year.*

*In addition to expulsion under the school district's policy, the making of a threat is a very serious criminal offense and may also lead to civil liability.*

### **B. Training**

The superintendent shall develop a method of reviewing and discussing this policy with students and employees.