

COLCHESTER SCHOOL DISTRICT

POLICY: THREATS AND DISRUPTIONS TO SCHOOL OPERATIONS

DATE ADOPTED: June 17, 2003

I. POLICY

It is the policy of the Colchester School District to respond quickly and effectively to 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 the communication 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 and/or to the placement of a hoax device on school grounds or property.

II. CONDUCT PROHIBITED

It is a violation of this policy for any person to make, issue, or otherwise communicate by any means, a threat that a destructive device has been or will be placed on school grounds or property. 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 is strictly prohibited. It is a violation of this policy for any person to knowingly place or install a hoax device on school grounds or property.

III. DEFINITIONS

A. Definitions.

1. "Destructive device" means any (a) explosive, incendiary or poison gas bomb; or (b) explosive, incendiary or poison gas grenade; or (c) explosive, incendiary or poison gas rocket having a propellant charge of more than 4 ounces; or (d) explosive, incendiary or poison gas missile having an explosive or incendiary charge of more than one quarter (1/4) ounce; or (e) explosive, incendiary or poison gas mine; or (f) 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 (g) device similar to those devices enumerated in paragraphs (a) through (e) of this section.

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2. “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 subdivisions (a)-(f) of division 1. of this section, which is lacking an explosive or incendiary charge.
3. “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.
4. “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.

IV. INVESTIGATION

The Superintendent and principal, and all other school personnel, shall cooperate with law enforcement personnel involved in investigating a bomb threat or other threats covered by this policy. 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 independently but rather in conjunction with law enforcement authorities.

V. 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. Discipline.

1. A student violating this policy, in addition to any penalty imposed by law, shall be subject to disciplinary action by the school.
2. 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).
3. A student found by the Board after a hearing to have violated the provisions of this policy shall be expelled for at least one (1) calendar

year. However 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;
or
- c. a lengthy expulsion would not serve the best interests of the student.

4. 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.

- B. Aiding Other Students.** A student who in any way encourages another student to make a threat, and/or to bring a hoax device on school property or grounds, also endangers the safety of others. The School District expressly prohibits any such action. No student shall knowingly or willfully cause, encourage, or aid any other student to possess, handle, or transmit any hoax device on school property or grounds. No student shall knowingly or willfully cause, encourage, or aid any other student to 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. A student found to have violated this provision of the policy by causing, encouraging, aiding, etc. another student, shall be expelled for at least one (1) calendar year and treated in accordance with the provisions of section A., Sanctions.
- C. 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.

VI. NOTIFICATION AND TRAINING

- A. Procedure Dissemination.** A copy of this procedure shall be included in all school handbooks. In addition, handbooks for faculty, staff, parents, and students shall contain the following provision.

The Colchester School District has adopted a comprehensive policy on what to do in the event of a bomb threat or threats to disrupt school operations. You may obtain a copy of the complete policy by requesting one from the principal's office. 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 bomb threat or other threats, 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 bomb threat, or other threats 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, under State law, the making of a bomb threat is a very serious criminal offense, punishable for even a first offense by as much as 2 years in prison and a \$5,000 fine. The making of such a threat may also lead to civil liability.

- B. **Training.** The Superintendent shall develop a method of reviewing and discussing this policy with students and employees.

VII. PROCEDURES

The Superintendent shall develop comprehensive procedures designed to inform staff of appropriate responses, procedures and protocols to follow up on the receipt of a bomb threat or other threats intended to disrupt school operations; the coordination of responses with local safety and law enforcement agencies; building searches; and communications with the school community and the media.

Cross References: Board Policy: Weapons
Districtwide Discipline