Jefferson County Education Service District

Code: JFCM
Adopted: 5/7/08
Readopted: 4/01/09

Threats of Violence

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage ESD property, shall not be tolerated on ESD property or at activities under the jurisdiction of the ESD.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the ESD. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including removal from the ESD program. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The program administrator shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage ESD property;

2. Placing the student in a setting where the behavior will receive immediate attention from a program administrator, counselor, licensed mental health professional or others;

3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The program administrator shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;

2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;

3. Any school employee whose name appears on a targeted list threatening violence or harm to the ESD employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The ESD administration will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the studetn or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the ESD or component districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The ESD may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

As a part of the ESD's proactive safety efforts, the superintendent will plan staff development activities designed to alert staff to early warning signs of possible violent behavior.

END OF POLICY

Legal Reference(s):

ORS 161.015
ORS 166.210 - 166.370
ORS 334.125(7)
ORS 339.115
ORS 339.240
ORS 339.250
ORS 339.260
ORS 339.327
ORS 809.060
ORS 809.260
OAR 581-021-0050 to -0075
OAR 581-053-0010
OAR 581-053-0015
OAR 581-053-0545(4)(c)(W)
OAR 581-053-0550(5)(v)
Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2006).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 1427 (2006).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2008).