

### **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 any 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 the staff member 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 expulsion. The program administrator shall notify the parent or guardian of any student in violation of this policy and the disciplinary action imposed. 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 ESD shall enforce this policy consistently, fairly and without bias against any student, including a student from a protected class as defined in Oregon Revised Statute 659.850.

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

1. If the student is enrolled in a Long Term Care and Treatment education program, the school staff will immediately notify the mental health provider for development of a safety plan;
2. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;
3. Placing the student in a setting where the behavior will receive immediate attention from a program administrator, counselor, licensed mental health professional or others;
4. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting<sup>1</sup>.

The program administrator shall attempt to notify:

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<sup>1</sup>A student removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the principal is able to show good cause that an evaluation could not be completed in that time period.

1. The parent of any student in violation of this policy and the disciplinary action imposed, unless the student is enrolled in a Long Term Care and Treatment educational program; where the mental health provider provides notification to the parent.
2. The parent or guardian of a student, when the student's name appears on a targeted list at school 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 at school;
3. Any ESD employee whose name appears on a targeted list **at school** threatening violence or harm to the ESD employee and when threats of violence or harm are made by a student or others at school.

The program administrator shall attempt to notify the above persons by telephone or in person promptly and within 12 hours of discovery of a targeted list or learning of a threat. Regardless, the program administrator shall issue a written follow-up notification 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 student or other individuals. Additionally, the program administrator 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 ESD policies.

The ESD or person participating in good faith in making the notification required by ORS 339.327 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the notification.

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](#)  
[OAR 581-021-0050 - 021-0075](#)  
[OAR 581-053-0010](#)

[OAR 581-053-0230\(9\)\(k\)](#)  
[OAR 581-053-0330\(1\)\(r\)](#)  
[OAR 581-053-0430\(17\)](#)  
[OAR 581-053-0531\(16\)](#)  
[OAR 581-053-0630](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).