

EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TERRORISTIC THREATS/~~ACTS~~

ADOPTED: August 19, 2002

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218.2. TERRORISTIC THREATS/ ACTS	
<p>1. Purpose Title 22 Sec. 12.3 SC 1317</p>	<p>The Board recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of students, staff and community. In a continuing effort to provide a safe and secure environment within school buildings, on school property, on school buses, at any school activity, event or function before, during or after school hours for all school district students, all professional and non-certificated school district employees and all legitimate visitors to the school district, pursuant to law, the Board acknowledges the need for an immediate and effective response to a situation involving such a <u>terroristic threat</u> or act.</p>
<p>2. Definitions 18 Pa. C.S.A. Sec. 2706</p> <p>18 Pa. C.S.A. Sec. 2706</p>	<p>Communicate-shall mean to convey in person or by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex and similar transmissions.</p> <p>A terroristic threat shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another, or to cause evacuation of a building, place of assembly or facility of public transportation, or otherwise to cause serious public inconvenience, or cause terror or serious public inconvenience <u>with</u> reckless disregard of the risk of causing such terror or inconvenience.</p> <p>A terroristic act shall mean an offense against property or involving danger to another person.</p>
<p>3. Authority</p> <p>Title 22 Sec. 10.23 20 U.S.C. Sec. 1400 et seq Pol. 103.1, 113.1, — 113.2, 805.1</p>	<p>The Board prohibits any district student from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or property owned, leased or being used by the district.</p> <p>In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</p>

<p>4. Delegation of Responsibility SC 1302.1-A Pol. 805, 805.1</p>	<p>The Superintendent<u>Safety and Security Coordinator</u> or designee, in coordination with and the threat assessment team, shall react promptly and appropriately to information or knowledge concerning a possible or actual terroristic threat or act. <u>Such action shall be in compliance with state law and regulations, Board policy and administrative regulations, the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan.</u> The Superintendent shall be responsible formay developing administrative procedures<u>regulations</u> to implement this policy. Any Wwritten site-specific procedures and guidelines will be developed at the building level, under the auspices of the school principal, and will be available in each site's administrative offices. Such action shall be in compliance with state law and regulations, Board policy and administrative regulations, and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan.</p>
<p>5. Guidelines Title 22 Sec. 12.2</p>	<p>Staff members and students shall be responsible for immediately informing the school principal<u>administration/threat assessment team</u> or designee regarding any information or knowledge relevant to a possible or actual terroristic threat or act.</p> <p>The school principal shall immediately inform the Superintendent <u>or designee and the School Safety and Security Coordinator</u> upon receiving a report of such a threat or act <u>in accordance with Board policy and administrative regulations.</u></p>
<p>SC 1303-A Pol. 805.1</p> <p><u>Title 22</u> <u>Sec. 10.23</u> <u>20 U.S.C.</u> <u>Sec. 1400 et seq</u> <u>Pol. 103.1, 113.1,</u> <u>113.2, 805.1</u></p>	<p>In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of terroristic threats to the Office for Safe Schools.</p> <p><u>In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with the law enforcement agency with jurisdiction and Board policies.</u></p>
<p>SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.22, 10.25 Pol. 805.1</p>	<p>Where an investigation conducted by the school principal indicates a reasonable suspicion that the commission of such (an) act(s) has occurred, the following guidelines shall be applied:</p> <ol style="list-style-type: none"> 1. In an effort to preserve a safe school environment, the student involved in the commission of the threat/act <u>shall be subject to a search</u>may be requested to participate in a voluntary search by the school principal, <u>or designee</u>, in the presence of a witness. Such a search could include the student's locker,

clothing, bookbag(s), vehicle, or other property. Should the student object to being searched, either verbally or physically, the school principal will continue with the search out of concern for the well-being and safety of the school population under the doctrine of in loco parentis.

2. The school principal shall promptly report the incident to the Superintendent.
3. The school principal may report incidents involving terroristic threats on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the ~~local police department~~law enforcement agency that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.
4. The school principal shall immediately suspend the student.
5. The school principal shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat as a victim or suspect immediately, as soon as practicable. The school principal shall inform the parent/guardian whether or not the ~~local police department~~law enforcement agency that has jurisdiction over the school property has been or may be notified of the incident. The school principal shall document attempts made to reach the parent/guardian.
6. The school principal will coordinate the informal hearing procedures that pertain to the investigation and charges, securing written statements that include witness statements and anecdotal records substantiating or refuting the charges.
7. The ~~Superintendent, or designee shall develop a school principal will cooperate with the Superintendent in the development of a~~ public statement ~~as well as~~and ~~determining~~ the most effective method of informing school personnel, should there be such a need.
8. An administrative review hearing, ~~if deemed necessary~~, shall be convened before the Superintendent, who may recommend expulsion of the student to the Board.
9. ~~As is appropriate, the school principal will assist in the informative and notification requirements for the administrative review hearing before the Superintendent and recommendation before the Board for expulsion or other disciplinary action in accordance with the Pennsylvania School Code and Department of Education regulations or guidelines.~~

~~10. Any student who physically assaults a staff member during an investigation or otherwise will be immediately excluded from school and scheduled for an administrative review hearing.~~

~~11.9.~~ An elementary school student (K-5) who is found to have violated this policy shall be subject to disciplinary action up to and including expulsion from the school district. The age of the student and the nature of the violation may be considered in determining appropriate disciplinary action.

~~12.10.~~ If a student is expelled for making terroristic threats ~~or committing terroristic acts~~, the Superintendent and/or Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to himself/herself or to others.

~~13.11.~~ If a student is expelled for making terroristic threats or committing terroristic acts, upon return to school, the student shall be subject to random searches.

References:

School Code – 24 P.S. Sec. 1302.1-A, ~~1302-E~~, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, 10.23, 10.25, 12.2

Terroristic Threats – 18 Pa. C.S.A. Sec. 2706

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 000, 103.1, 113.1, 113.2, 233, ~~236.1~~, 805, 805.1

NOTES:

Act 76 of 1998 – Restitution Payments – 18 Pa. C.S.A. Sec. 2706

~~PSBA Revision 4/13~~