

Rutland Windsor Supervisory Union Ludlow Elementary School District Mount Holly Elementary School District Plymouth School District Union #39 School District	THREATS AND DISRUPTION TO SCHOOL	Policy: F30
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Policy

It is the policy of the Rutland Windsor Supervisory Union, Ludlow Elementary School District, Mount Holly Elementary School District, Plymouth School District and Union #39 School District (hereinafter “District”) to respond quickly and effectively to any threat to the safety of students and staff. As a result, the Districts have adopted the following provisions that its personnel are directed to follow in order to prepare for, respond to, and follow up on 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.

I. Description

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 or 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, 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.

II. Definitions

- A. 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) or any other device similar to those devices enumerated in paragraphs (a) through (e) of this section.
- 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 subdivisions (a)-(g) of this section, which is lacking an explosive or incendiary charge.
- 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: 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. 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.

III. Investigation

The Superintendent and principal, and all other school personnel, shall cooperate with law enforcement personnel involved in investigating threats covered by this policy. School personnel shall not conduct any investigation independently but rather in conjunction with law enforcement authorities.

IV. Implementation

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.
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 bring destructive devices to school 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 destructive devices, hoax devices or toxic or hazardous substances. 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., Implementation.

- 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. Policy Dissemination: A copy of this policy shall be included in all school handbooks. In addition, handbooks for faculty, staff, parents, and students shall contain the following provision: While the School District intends 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, the school administration may have to search such items in order to assure the safety and protection of people and property.

All members of the school community are advised that any academic time lost as a result of a bomb threat, or other threats or acts that disrupt school operations, will be rescheduled, either on a weekend, vacation day, extended length of day, or following what would otherwise be the end of the school year. In the event of an evacuation, the school will be closed for the remainder of the day and all other school activities will be cancelled. If a school is affected by a threat or act which occurs at another school in the Supervisory Union, every attempt will be made to finish the school day at the evacuation site so that time does not need to be made up.

Under State law, the making of a bomb is a very serious criminal offense, punishable even as a first offense by as much as 2 years in prison and a \$5,000 fine. As a further consequence, if the person is under 18 years of age, or if the person is enrolled in a public school, an approved or recognized independent school, a home study program, or tutorial program; if the person has a motor vehicle operator's license, the Commissioner of Motor Vehicles shall suspend the license for 180 days for a first offense and two years for a second offense. If the person is too young for a license, the person's eligibility to obtain a license shall be delayed 180 days for the first offense and two years for the second offense.

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.

Legal Reference(s):

16 V.S.A § 1166 (State law Pursuant to Federal Law)

13 V.S.A. § 4004, 4016 (Criminal Offenses)

16 V.S.A § 1162 (Suspension and Expulsion)

13V.S.A § 1753 (False Public Alarms)

District:	Reviewed only	Date Warned	Date Adopted	Replaces
Rutland Windsor Supervisory Union		October 16, 2009	November 11, 2009	n/a
Ludlow Elementary School District		November 18, 2009	December 2, 2009	n/a
Mount Holly School District		October 8, 2009	December 21, 2009	n/a
Plymouth School District		October 6, 2009	November 2, 2009	n/a
Union #39 School District		October 16, 2009	October 28, 2009	n/a