

STUDENTS

False Fire Alarms/Bomb Threats/911 Calls/ Hoaxes-Imitation Infectious Biological, Toxic, or Radioactive Substances/Threat Assessments

A. False Fire Alarms/Bomb Threats/911 Calls

Activating a fire alarm without cause, making a false 911 emergency call, making a bomb threat, including false threats, against School Division personnel or School Board property, or encouraging, inciting, enticing, or soliciting any person to commit such a threat is unlawful and forbidden. Students guilty of this offense will be disciplined in accordance with the Code of Student Conduct and the Discipline Guidelines and shall be reported to Police.

A. ~~Threats Against a Person~~

~~1. Written Threat: Communicating a written threat (including by electronic means), causing a reasonable apprehension of death or bodily harm, against any person or persons who are on the way to or from school, on school property, at any school-sponsored extra-curricular or related activity, on a school bus, or while at a school bus stop is prohibited. A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted, by those to whom the maker communicates the statement, as a serious expression of intent to harm or assault or it materially disrupts the learning environment, involves substantial disorder, or invasion of rights of others.~~

~~Oral Threat: Making an oral threat to do bodily harm to any employee or student of any school while on a school bus, or on the way to or from school, on school property, or at school-sponsored extra-curricular or related activity is prohibited. A student shall be in violation of this rule regardless of whether the person who is the object of the threat receives the threat, so long as a reasonable person would foresee that the statement would be interpreted, by those to whom the maker communicates the statement, as a serious expression of intent to harm or assault or it materially disrupts the learning environment, involves substantial disorder, or invasion of rights of other.~~

B. Hoaxes – Imitation Infectious Biological, Toxic, or Radioactive Substance

Students are forbidden from: threatening injury to the person or property of another by the use of an imitation infectious biological, toxic, or radioactive substance; use of an imitation infectious biological, toxic or radioactive substance in such a manner as to place any person in reasonable apprehension of death or bodily harm, or with the intent to disrupt or interfere with the operations of any school, school bus or school-sponsored extra-curricular event or activity; to possess, manufacture, sell, give or distribute an imitation infectious biological, toxic or radioactive substance with the intent to

place a person in reasonable apprehension of death or bodily harm; or to knowingly release or place, or cause or procure to be released or placed in, on or around any school, school bus, school event or school activity any imitation infectious biological, toxic, or radioactive substance with the intent to place any person in reasonable apprehension of death or bodily harm. Students violating this rule shall be disciplined in accordance with the Code of Student Conduct and the Discipline Guidelines and reported to Police.

Definitions

- a. "Imitation infectious biological substance" means a substance, in any form whatsoever, which is not an infectious biological substance and which:
 - 1) by overall appearance, including color, shape, size, marking, packing or by representations made, would cause a reasonable likelihood that such substance in any form whatsoever would be mistaken for an infectious biological substance; or
 - 2) by express or implied representation purports to act like an infectious biological substance.
- b. "Infectious biological substance" means any bacteria, virus, fungi, protozoa, or rickettsiae capable of causing death or serious injury.
- c. "Imitation toxic substance" means a substance, in any form whatsoever, which is not a toxic substance and which:
 - 1) by overall appearance, including color, shape, size, marking, packaging or by representations made, would cause a reasonable likelihood that such substance in any form whatsoever would be mistaken for a toxic substance; or
 - 2) by expressed or implied representation purports to act like a toxic substance.
- d. "Toxic substance" means any substance, including any raw materials, intermediate products, catalysts, final products, or by-products of any manufacturing operation conducted in a commercial establishment, that has the capacity, through its physical, chemical or biological properties, to pose a substantial risk of death or impairment either immediately or over time, to the normal

functions of humans, aquatic organisms, or any other animal.

- e. "Imitation radioactive substance" means a substance, in any form whatsoever, which is not a radioactive substance and which:
 - 1) by overall appearance, including color, shape, size, marking, packaging or by representations made, would cause a reasonable likelihood that such substance in any form whatsoever would be mistaken for a radioactive substance.
 - 2) by expressed or implied representation purports to act like a radioactive substance.
- f. "Radioactive substance" means any substance that emits ionizing radiation spontaneously.

C. Discipline and threat assessment

The Superintendent or designee is authorized to develop regulations and procedures to discipline students for violations of this Policy and, as appropriate, refer students for a threat assessment. Students may be disciplined for violations of this Policy up to long term suspension or expulsion. Appropriate limitations may be placed on the student's ability to access School Board transportation, property, communication devices and networks, and to use personal devices and communication systems at school or school sponsored events. The student may be reassigned to another school, home based or homebound placement, online educational services or private placement if the Superintendent or designee determines that the student's return to the school setting would or could constitute a safety issue or would cause substantial disruption to the educational or work environment. At the principal's or equivalent administrator's determination that the conduct that constituted a violation of this Policy has caused the student to no longer have the privilege of participating in special opportunities, a student may be removed from sports or extracurricular teams or clubs, specialized programs, academies and/or may be denied the opportunity to represent the school in other manners

Legal Reference:

Code of Virginia § 18.2-60, as amended. Threats of death or bodily injury to a person or member of his family; threats to commit serious bodily harm to persons on school property; penalty.

Code of Virginia § 18.2-83, as amended. Threats to bomb or damage buildings or means of transportation; false information as to danger to such buildings, etc.; punishment; venue.

Code of Virginia § 18.2-84, as amended. Causing, inciting, etc., commission of act proscribed by § 18.2-83.

~~Code of Virginia § 22.1-79.4, as amended. Threat assessment teams and oversight committees.~~

~~Code of Virginia § 54-1-2400.1, as amended. Mental health service providers; duty to protect third parties; immunity.~~

City of Virginia Beach Ordinance #2674 adopted November 6, 2001 adding City Code Section 23.8.2 prohibiting certain uses of imitation infectious biological, toxic, or radioactive substances.

~~School Board Policy 6-75 Psychological Tests~~

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