

BERMUDIAN SPRINGS SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TERRORISTIC THREATS/ACTS

ADOPTED: March 14, 2006

REVISED: June 12, 2018

	218.2. TERRORISTIC THREATS/ACTS
1. Purpose 2. Definitions 18 Pa. C.S.A. Sec. 2706	The Board recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act. Terroristic threat - shall mean a threat communicated either directly or indirectly to: 1) commit any crime of violence with the intent to terrorize another; 2) to cause evacuation of a building, place of assembly or facility or public transportation; 3) to cause a reasonably foreseeable substantial disruption of school operations; 4) to otherwise cause serious public inconvenience; or 5) cause terror with reckless disregard of the risk of causing such terror or inconvenience. The Board prohibits any district student from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or school building. This policy applies to on-campus and/or off-campus communications, including but not limited to, social media content or messages posted using private devices after school hours. For purposes of this policy, the subjective intent, motivation, or purpose of the student is not relevant in determining whether the student's actions constitute a terroristic threat as defined herein. It shall be no defense to a violation of this Policy that the student was joking when he/she communicated the threat. The District reserves the right to obtain repayment or restitution from the student and/or the student's parents/guardians for any direct or indirect costs to the District that resulted from the student's violation of this policy.
3. Authority SC 1302.1-A	The Superintendent or designee shall react promptly to information and knowledge concerning a possible or actual terrorist threat. Such action shall be in compliance

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Pol. 805	with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.
4. Delegation of Responsibility	The Superintendent shall annually, by July 31, report all incidents of terroristic threats to the Office of Safe Schools on the required form in accordance with state law and regulation.
SC 1303-A	Staff members and students shall be responsible for informing the building principal regarding any information or knowledge relevant to a possible or actual terroristic threat or act.
Title 22 Sec. 12.2	The building principal shall immediately inform the Superintendent after receiving a report of such a threat or act.
	When an administrator has evidence that a student has made a terroristic threat the following guidelines shall be applied:
5. Guidelines	1) The building principal may immediately suspend the student.
Pol. 233	2) The building principal shall promptly report the incident to the Superintendent or designee.
	3) Based on further investigation, the Superintendent or designee may report the student to law enforcement officials.
	4) The building principal or Superintendent may inform any person directly referenced or affected by a terroristic threat.
	5) The Superintendent or designee may recommend expulsion of the student to the Board.
	If a student is expelled for making terroristic threats, the Superintendent or designee may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to others.
20 U.S.C. Sec. 1400 et seq Pol. 113.1	In the case of a student with disabilities, the District will take all steps necessary to comply with the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act and follow Board policy.
	References:
	School Code – 24 P. S. Sec. 1302.1-A, 1303-A
	State Board of Education Regulations – 22 PA Code Sec. 12.2

	Terroristic Threats – 18 Pa. C.S.A. Sec. 2706 <i>R.L. v. Central York Sch. Dist.</i>, 183 F. Supp. 625 (M.D. Pa. 2016); <i>A.N. By and Through Niziolek v. Upper Perkiomen Sch. Dist.</i>, 228 F. Supp. 3d, 391 (E.D. Pa. 2017) Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq. Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300 Board Policy – 000, 113.1, 233, 805
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