

Student Suspension / Discipline Policy
Direct Threat

Definition: “Direct threat” means an individualized determination that a student poses a direct threat to the health or safety of others, based upon reasonable judgment that relies on current educational, psychological, and medical knowledge or on the best available evidence, to ascertain; the nature, duration, and severity of the risk; the probability that the potential injury will actually occur.

Policy: Any student or staff member who becomes aware of any act or threat of violence directed to students, staff or District property, including threats/statements regarding self-harm or suicide, are to immediately report such acts or threat to the building Principal, who shall report these occurrences to the Superintendent. Law enforcement may be notified pursuant to Oklahoma law. The building Principal is also to report such acts or threats to the parents or guardians of any student victim and to the parent or guardian of the student who committed the violent act or made the threat, as well as to inform the school psychologist and/or counselor and the Director of Special Education, if a special education student is involved.

When District intends to impose adverse action on a student based on a direct threat, written notice of the District direct threat inquiry will be provided to the parent of the student and/or the adult student who is the subject of the direct threat inquiry. This written notice, subject to exceptional circumstances (as defined below), will include:

- An invitation to provide documents and other information related to the inquiry and notice that if a response is not received within 24 hours, the direct threat inquiry will proceed with the documents and other information the District has available;
- The name and contact information of the District employee coordinating the inquiry;
- Notice that the student will not be subject to disciplinary action on the basis of unfounded fear, prejudice, and stereotypes;
- The District’s determination that a student poses a direct threat to the health or safety of others will be an individualized assessment based upon reasonable judgment that relies on current educational, psychological, medical knowledge, threat assessment inquiry, and any other available evidence to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will occur; and whether reasonable modifications of policies, practices or procedures, or the provision of auxiliary aids or services will mitigate the risk;
- Notice that in exceptional circumstances, such as situations where safety is of immediate concern, the District may take interim steps pending a final decision regarding adverse action against the student so long as minimal due process (i.e., notice of the proposed action, the opportunity to present information on the student’s behalf, and a right to appeal) is provided in the interim and more extensive due process is offered later;

- Notice of the student's applicable appeal rights in the event of discipline or other adverse action; and
- A copy of this policy.
- When the district intends to impose adverse action on a student with a disability or perceived disability based on a direct threat, written notice will also include , Parents Rights in Special Education: Notice of Procedural Safeguards.

Appropriate District personnel will complete the Threat Assessment Inquiry. See EP-F.

The Threat Assessment Team ("TAT") shall be responsible for determining whether the student poses a direct threat. This committee will be appointed by the building principal, who will serve as the TAT Leader, and may be composed of the Executive Director of Academic Services, Director of Special Services, Building Principal, and a Teacher of the Student.

The TAT may consult with the student's medical, psychological, or therapeutic professional providers, if the parent or adult student consents to such consultation.

If the District determines that a student poses a direct threat to others, the District will communicate the nature of the adverse action to the parent of the student and / or the adult student. Additionally, the District may condition the student's future receipt of a benefit or service upon the student's provision of documentation showing the student is no longer a threat. Such evidence may include, but is not limited to, a treatment plan or periodic reports from a physician. This District will not condition the future receipt of a benefit or service on a showing by a student that he or she has eliminated behaviors that are a manifestation of a disability, unless the district determines that such behavior significantly contributed to the direct threat.

In cases resulting in the interim suspension or other adverse action, an appeal may be filed with the District's Superintendent. The adversely affected student or the student's parent shall have ten (10) calendar days from the notice of the interim suspension or other adverse action to appeal to the Superintendent. The Superintendent shall schedule a meeting to consider the interim suspension or other adverse action and the objections of the affected student. Following this meeting the Superintendent may adopt the decision of the TAT, enter the Superintendent's own decision, adopt the relief requested by the affected student, or take other action deemed necessary to achieve a reasonable resolution of the appeal. The decision of the Superintendent shall be final. The Superintendent's decision shall be rendered within fifteen (15) calendar days from the appeal meeting scheduled to discuss and consider the appeal.

Upon a preliminary determination (by the TAT) that an individual poses: (1) a threat of violence to others or, (2) exhibits significantly disruptive behavior or, (3) need for assistance, members of the TAT may request & obtain criminal history record information, any previous psychological evaluations, and health records.

- No member of the TAT shall re-disclose any criminal history record information, psychological information, or health information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

- The TAT may not maintain the criminal history record printed from the criminal records system access terminal, nor may they make copies of it.
- Criminal history information may not be placed in a student's educational file.

Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur when required by school board policy or Oklahoma laws.

Adopted: April 14, 2022

Revised: August 7, 2023