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4362.01 - **REPORTING THREATENING BEHAVIORS**

Threatening behavior may take different forms, including but not limited to the following:

- A. face-to-face encounters in which words are used that indicate to the staff member that the staff member's safety and well-being are in jeopardy;
- B. any conduct or written/oral communications that include comments toward the staff member or the staff member's family which would imply or state explicitly that the staff member and the staff member's family may be subject to some form of physical or psychological abuse or violence;
- C. written or spoken comments to a staff member which could subject the staff member to blackmail or extortion;
- D. written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of the staff member's family; and
- E. written or spoken communication that causes a dwelling, a building, another structure, or a vehicle to be evacuated.

Definitions

Words used in this guideline shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to harassing, threatening, and/or intimidating behavior, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who is alleged to have engaged in harassing, threatening, and/or intimidating behavior, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

District community means students, District employees (~~i.e., administrators, and professional and support staff~~), and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include but are not limited to guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the District office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Any staff member who believes that the staff member is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, other member of the District community, or Third Parties, take promptly should the following steps:

- A. If the Respondent would be the staff member's supervisor, or a member of the District office staff, as soon as possible after the incident, the Complainant should contact the Superintendent or the District's Compliance Officer (CO) (see Policy 4362 - Employee Anti-Harassment).
- B. If the Respondent is not the staff member's supervisor or member of the District office staff, as soon as possible after the incident, the Complainant should contact the Complainant's immediate supervisor or the CO.
- C. If the Respondent is a student of the District, the supervisor, if not the student's director, should immediately inform the student's director of the alleged threat.

The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom the staff member believes to be responsible for the threatening behavior and the nature of the threatening behavior incident(s). A written summary of each such report is to be prepared promptly by the staff member receiving the report and forwarded to the supervisor, principal, or the District Compliance Office. In the event that a staff member hears or receives a threat of violence in or targeted at any school, the staff member shall immediately refer to Policy 8462.01 - Threats of Violence and proceed accordingly.

Each report received by the supervisor, ~~or~~ principal, or District Compliance Officer, as provided above, shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the matter outside of the investigation.

The purpose of this provision is to:

- A. protect the confidentiality of the staff member who files a complaint, except that a Respondent must be informed of the Complainant's identity;
- B. encourage the reporting of any incidents of threat; and
- C. protect the reputation of any party wrongfully charged with threatening conduct.

Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then appropriate, remedial, and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.

~~The District recognizes that determining~~ Determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, ~~the District recognizes that~~ false accusations of threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.

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