

Informing Staff of Potentially Violent Students

Upon notice from juvenile justice authorities or law enforcement agencies, district employees will be informed that a potentially violent student is assigned to their classroom or under their supervision. The superintendent or designee will establish administrative procedures to guide administrators and supervisors in the application of this policy. Procedures will ensure adequate notice to staff of a potentially violent student, and will protect the student's statutory rights privacy.

Potentially Violent Student

A student will be considered a potentially violent student when in the judgement of the district administrator assigned to process this information one or more of the following criteria are met:

1. If the student has engaged in a property crime that has included violent activity toward a person(s).
2. If the student has engaged in a criminal activity including using force or violence or any crime that might suggest that staff need to keep a sharp lookout for their safety and safety of fellow students (i.e., arson, assault, use of weapons, etc.).
3. If the student has engaged in any behavior violating ORS 163.355 to 163.445 or 163.465, or any other offense if the juvenile department or law enforcement agency believes the youth offender represents a risk to other students or district staff.

Notice

Responsible building administrators and supervisors are expected to provide adequate notice to building counselors about a potentially violent student. In addition, administrators and supervisors will also notify staff members who are assigned potentially violent students in their courses, or staff who have the responsibility to supervise students when a potentially violent student may be under their supervision (i.e., playground supervision, study hall, bus rider, etc.).

Administrators and supervisors have the legal authority to decide which staff have a "need to know" this information. Information about a student that is reported to staff becomes a part of the student's records and is therefore covered by the federal Family Rights and Privacy Act (FRPA) and counterpart state laws.

If the responsible administrator or supervisor is in doubt regarding who has a need to know, the administrator/supervisor is encouraged to err on the side of wider distribution of the information.

Privacy

Information shared with staff regarding a student who is potentially violent is confidential and private. Information provided under this policy may not be shared with other staff, staff family members, patrons, or any individual not authorized to have access to this information either by statute or administrative or supervisory directive. Staff who are unsure about who they can share information with must consult with their administrator or supervisor when making the decision. Failure to keep information regarding students confidential and private may result in the revocation of a teaching license, disciplinary action by the Teacher Standards and Practices Commission, and/or formal disciplinary action by the district up to and including possible dismissal.

When staff believe that others should be informed of a potentially violent student, they must discuss their concerns with their administrator or supervisor. Under no circumstances will a staff member release information on a student to a non-authorized individual without first obtaining the authorization of the supervising administrator, supervisor, or the superintendent. If the staff member's administrator or supervisor denies the request to share information the staff member may appeal to their director, and subsequently to the superintendent to obtain authorization.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210 -166.370](#)
[ORS 332.107](#)
[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.260](#)
[ORS 339.327](#)
[ORS 809.060](#)
[ORS 809.260](#)
[ORS 163.355 - 455](#)
[ORS 163.465](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-053-0010\(5\)](#)
[OAR 581-053-0015\(7\)\(k\)](#)
[OAR 581-053-0545\(4\)\(c\),\(w\)](#)
[OAR 581-053-0550\(5\)\(v\)](#)

Gun-Free School Zones Act of 1990, 18 U.S.C §§ 921(a)(25)-(26), 922(q) (2006).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1427 (2006).
Family Rights and Privacy Act (FRPA)