

Direct Threat	G.6
<i>Adopted: October 11, 2016</i>	

“Direct threat” means an individualized determination that a student with a disability poses a direct threat to the health or safety of others, based upon reasonable judgment that relies on current 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; and whether reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk.

When the district intends to impose adverse action on a student with a disability based on a direct threat, written notice of the district direct threat inquiry will be provided to the parent of the student who is the subject of the direct threat inquiry. This written notice, subject to paragraph 6 below, will include:

1. An invitation to provide documents and other information related to the inquiry and notice that if a response is not received, the direct threat inquiry will proceed with the documents and other information the district has available;
2. The name and contact information of the district employee conducting the inquiry;
3. Identification of the appropriate district personnel responsible for making the determination of whether the student poses a direct threat to the health or safety of others;
4. Notice that the student will not be subject to disciplinary action on the basis of unfounded fear, prejudice, and stereotypes;
5. 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 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; and whether reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk
6. 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 is provided in the interim and due process is offered later;
7. Notice of the student’s applicable appeal rights in the event of discipline or other adverse action; and
8. A copy of this policy.