

The Policy Committee recommended this policy at its public work session on 8/28/19.

File: JLD

SCHOOL SAFETY – THREAT ASSESSMENT TEAM AND BEHAVIOR THREAT ASSESSMENT POLICY

I. Purpose

The purpose of this policy is to set forth a framework for the establishment of a threat assessment team or teams and to outline the procedures for conducting behavior threat assessments.

II. Background

On April 10, 2018, Governor Hogan signed into law Senate Bill 1265 (Chapter 30), the Maryland Safe to Learn Act of 2018, which provided for several updates and additions to the provisions of the *Annotated Code of Maryland* related to behavioral threat assessment teams in Maryland K-12 schools. These changes served to broaden the purview of school behavior threat assessment teams, and provided schools with a model policy “for the establishment of an assessment team or teams in each local school system. Legislative mandates require each local school system to adopt a policy that is consistent with Maryland law. In accordance with § 7-1507(c) of the Education Article, local school system policies must be consistent with the model policy developed by the Subcabinet of the Maryland Center for School Safety (MCSS). The MCSS model follows the legislative requirements, and sets forth a synthesis of best practices or standards of practices in behavioral threat assessment and management in school settings.

III. Definitions

Within the context of this policy, the following definitions apply:

- A. **Behavioral Threat Assessment**: A structured group process used to identify, assess, and manage the risk of threats of targeted violence posed by an individual or group.
- B. **Behaviors of Concern**: Behaviors or threats that indicated a student may pose a risk of self-harm or harm to others. Such behaviors include expressions of hopelessness; known drug use; suicidal gestures or statements; and known gang activity.
- C. **High Risk Threat**: One in which the person/situation appears to pose a threat of serious harm, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan; and may also exhibit other concerning behavior that requires intervention. A high risk threat may also involve a parallel school disciplinary process.
- D. **Imminent Threat**: Exists when the person/situation appears to pose a clear and immediate threat of serious violence toward others that requires containment and action to protect identified or identifiable target(s); and may also exhibit other concerning behavior that require intervention.
- E. **Low Risk Threat**: One in which it is determined that the individual/situation does not appear to pose a threat of serious harm to self/others, and any exhibited issues/concerns can be resolved easily. A low-risk threat may be handled by the ordinary school disciplinary process at the discretion of the school administration.
- F. **Moderate Risk Threat**: One in which the person/situation does not appear to pose a threat of serious harm to self/others, at this time; but exhibits behaviors that indicate a continuing intent and potential for future violence or serious harm to self/others; and/or exhibits other concerning behavior that requires intervention. A moderate risk threat may also involve a parallel school disciplinary process.

- G. Non-Affiliated Person: A person who is not an employee, student, contractor, family member, or friend of a student or staff.
- H. Safety Evaluation: A written assessment of the safety conditions in each public school, including ingress, egress, and access to areas of refuge for all students.
- I. School Emergency Plan: A plan for each local school system and each public school within the school system that addresses mitigation of, preparedness for, response to, and recovery from emergencies, including:
 - a. Violent or traumatic events on school grounds during regular school hours or during school-sponsored activities; and
 - b. Events in the community that affect school operations.
- J. School Resource Officer: A law enforcement officer as defined under §3-101(e) of the Public Safety Article of the *Annotated Code of Maryland* who has been assigned to a school in accordance with a memorandum of understanding between the chief of a law enforcement agency as defined under §3-101(b) of the Public Safety Article of the *Annotated Code of Maryland* and the local education agency.
- K. Threat: An expression of an intent to cause harm to someone. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; and is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party; and regardless of whether the target of the threat is aware of the threat. Threats may be direct (“I am going to beat you up.”) or indirect (“I’m going to get him.”).
- L. Threat Assessment: A comprehensive process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially dangerous or violent situations, to assess them, and to manage/address them.
- M. Wraparound Services: Services provided to students, and their families as appropriate, including:
 - 1. Mentoring;
 - 2. Tutoring;
 - 3. Child care services;
 - 4. Housing referrals;
 - 5. Transportation;
 - 6. Crisis intervention;
 - 7. Substance abuse prevention and treatment;
 - 8. Legal aid;
 - 9. Academic counseling; and
 - 10. Career counseling.

IV. Policy Statement/Procedures

A. Threat Assessment Team(s)

The Superintendent shall establish a threat assessment team or teams.

B. Role of Threat Assessment Team(s)

- 1. The assessment team shall coordinate among school officials and law enforcement, mental health, and other appropriate entities to monitor and respond to information about

behavior, statements, or plans that may pose a threat of violence at a school or a school function.

2. In fulfilling statutory responsibilities, threat assessment team shall:

- a. Provide guidance to students and staff regarding recognition of threatening behavior that may represent a threat by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from threat assessment teams;
- b. Clearly identify members of the school community to whom threatening behavior should be reported; and
- c. Implement local school system policies in an effective manner for the assessment of and intervention with individuals whose behavior poses (or may pose) a threat to the safety of school staff or students, including (where appropriate) referrals to community services boards or health care providers for evaluation or treatment.

C. Role of Mental Health Services Coordinator

Every local school system in Maryland is required to appoint a mental health services coordinator. The mental health services coordinator is responsible for coordinating existing mental health services and referral procedures for mental health services. The mental health services coordinator is to work in collaboration with the local departments of health and social services, and other local resources providing mental health services to refer students for treatment. The mental health services coordinators shall develop plans for delivering behavioral health and wraparound services to students exhibiting behaviors of concern.

D. Threats

1. Identifying and Reporting Threats

- a. When an individual makes a threat or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation, the **Behavioral Threat Assessment Policy** shall be followed. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe and secure school environment, to protect and support potential victims, and to provide assistance, as needed, to the individual being assessed. Regardless of threat assessment activities, disciplinary action and referral to law enforcement must occur when required by school system policy or as otherwise established in Maryland law or regulations. All school system employees, volunteers, and contractors should report immediately to the designated school administrator any expression of intent to harm another person, concerning communications, or concerning behaviors that suggest an individual may intend to commit an act of violence.
- b. Nothing in this policy shall preclude school system personnel from acting immediately to address an imminent threat. Nothing in this policy shall preclude the threat assessment team from notifying the superintendent (or designee) of any individual (other than a student) who poses a threat of violence or physical harm to self or others. Upon a preliminary determination by the threat assessment team that an *individual* poses a threat of violence to self and / or to others in the school or school building or at a school campus event, the law enforcement member of the threat assessment team may request and obtain criminal history record information to further evaluate and assess the situation, where deemed appropriate.

2. Assessing Threats

- a. When a threat is reported, a school administrator designated by the Superintendent, and in the absence of the designated person the threat assessment team leader, shall initiate an initial inquiry/triage and, in consultation with the threat assessment team, make a determination of the seriousness of the threat as expeditiously as possible in accordance with the **Behavioral Threat Assessment Policy**.
- b. Upon notification of threatening behavior or communications, the school administrator, threat assessment team, or triage team shall determine if an imminent threat is believed to exist. If the individual appears to pose an imminent threat of serious violence to himself or herself or to others in the school, the administrator or assessment team shall notify law enforcement in accordance with local school system policies on critical incident response.

3. Intervening, Monitoring, and Resolving Threats

- a. If it is determined that an individual poses a threat of violence, the threat assessment team shall develop, implement, and monitor an individualized plan to intervene with, address and reduce the threat.
- b. The threat assessment team shall maintain documentation in accordance with school system policy. The threat assessment team shall assist individual(s) within the school who engaged in threatening behavior or communication, and any impacted staff or students, in accessing appropriate school and community-based resources for support and/or further intervention.

4. Students with Disabilities

A determination that a person with a disability poses a threat may not be based on generalizations or stereotypes about the effects of a particular disability and must be based on an individualized assessment, based on reasonable judgment relying on current medical evidence or on the best available objective evidence, to determine: 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 will mitigate the risk.

5. Administrative Regulation

The Superintendent is authorized to promulgate an administrative regulation addressing procedures associated with the above rules.

Legal resources: *Maryland's Model Policy for Behavior Threat Assessment*, Maryland Center for School Safety, September 2018
Annotated Code of Maryland, §7-1507

Adopted:
Board of Education of Washington County