



SCHOOL BOARD ACTION REPORT

DATE: May 20, 2020
FROM: Denise Juneau, Superintendent
LEAD STAFF: Erin Romanuk, Student Support Services Supervisor, Behavior and Discipline, 206-252-0822
Patricia Sander, Executive Director, Coordinated School Health, 206-252-0705
Wyeth Jessee, Chief of Schools & Continuous Improvement, 206-252-0067

For Introduction: June 24, 2020
For Action: July 8, 2020

1. TITLE

Approval of Board Policy No. 3225, School-Based Threat Assessment, and amending Board Policy No. 4314, Notification of Threats of Violence or Harm

2. PURPOSE

This Board Action Report submits new Board Policy No. 3225, School-Based Threat Assessment, to the Board for approval in order to meet the new requirements in State law and submits edits to existing Board Policy No. 4314, Notification of Threats of Violence or Harm, to the Board for approval.

3. RECOMMENDED MOTION

I move that the School Board approve new Board Policy No. 3225, School-Based Threat Assessment, and amend Board Policy No. 4314, Notification of Threats of Violence of Harm, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

a. Background

On July 28, 2019 a new state law, RCW 28A.320.123, was made effective which requires school districts to establish a school-based threat assessment program. The school-based threat assessment program is a formal process of “evaluating the threatening, or potentially threatening, behavior of a student, and the circumstances surrounding that threat, to uncover any facts or evidence that the threat is likely to be carried out.”

The law requires districts to adopt a policy and procedure to establish a school-based threat assessment program meeting specific requirements identified in the law by the beginning of the 2020-21 school year. The Washington State School Directors’ Association (WSSDA) has developed a new Model Policy and Procedure 3225, School-Based Threat Assessment, and as well as revised an existing WSSDA Model Policy and Procedure 4314, Notification of Threats of Violence of Harm, to assist districts with implementing the new law. These WSSDA model policies and procedures were reviewed and were utilized as the basis for the proposed new Board Policy No. 3225, School-Based

Threat Assessment, and proposed revisions to Board Policy No. 4314, Notification of Threats of Violence of Harm. Draft Superintendent Procedures, to be finalized after Board Action on the accompanying policies, are also attached to the Board Action Report for reference.

b. Alternatives

Not adopt and amend these Board Policies. This is not recommended because the law requires a new policy to be put into place that requires changes to existing Board Policy No. 4314. In addition, both policies will provide necessary guidance for school and district staff to follow in the event of a reported threat.

c. Research

- House Bill (HB) 1216 – Relating to Non-Firearm Measures to Increase School Safety and Student Well-being; RCW 28A.320.123; RCW 28A.300.630;
- [“Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence”](#);
- [“A Study of the Pre-Attack Behaviors of Active Shooters in the United States Between 2000 – 2013”](#)

5. FISCAL IMPACT/REVENUE SOURCE

Fiscal impact to this action will be budget neutral.

The revenue source for this motion is N/A.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

With guidance from the district’s Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

The district’s Behavior and Discipline Department engaged with 148 students from 10 different schools, K-12, in January, February, and March 2020. The focus of this engagement involved the formation of student groups designed to hear from young people their perceptions about and

experiences with school discipline policies as well as learn what future steps are needed within the district to improve policies and practices.

In addition to gathering this invaluable information, the Behavior and Discipline staff gained insights from these students about what is needed to create safe and welcoming environments for all students and what students truly need from adults that result in changes to student behavior that does not rely on exclusionary practices.

Safe and welcoming environments are not only an integral part of the district's Strategic Plan, Seattle Excellence, but the foundation of the proposed Board Policy No. 3225 and the WSSDA Model Policy on which it is based. The proposed Board Policy No. 3225 states "Threat assessment best occurs in school climates that rely on trusting relationships between family, student, and staff, which are built with cultural humility, safety, respect, honesty, accountability, and with an eye towards equity." Furthermore, proposed Board Policy No. 3225 states that "the threat assessment team develops and implements supports and intervention strategies to shape and change the student's behavior in ways that promote a safe, positive, consistent, and predictable teaching and learning environment, without excluding the student from the school." This policy language aligns with the current discipline and behavior approach in Seattle Public Schools which has been in place since the 2017-2018 school year.

7. EQUITY ANALYSIS

Proposed Board Policy No. 3225, consistent with WSSDA's Model Policy 3225, specifically states, "The purpose of obtaining information is to evaluate situational variables, rather than the student's demographic or personal characteristics." Again, consistent with the WSSDA model, proposed Board Policy No. 3225 also states, "The threat assessment team will not base a determination of threat on generalizations or stereotypes. Rather, the threat assessment team makes an individualized assessment, based on reasonable judgment, best available objective evidence, or current medical evidence as applicable."

To further illustrate the importance of utilizing a structured framework approach to threat assessment, research published by the Federal Bureau of Investigation in 2018 titled, "A Study of the Preattack Behaviors of Active Shooters in the United States between 2000 and 2013" identified the offenders are more likely to identify as Asian or Caucasian ethnicity rather than African American or Hispanic ethnicity.

The proposed policy would actually provide a structured framework for schools to use in determining threat level, rather than making decisions based from personal characteristics, student demographics, generalizations and/or stereotypes. In addition, implementing a team approach to assess the threat level will also mitigate individual staff bias, especially as it relates to race, gender, disability status, and economic status.

The proposed Board Policy No. 3225 would also add a requirement, not included in the original WSSDA model on which it is based, that threat assessment teams receive training to address implicit bias and challenge systemic racism. The proposed policy also adds that an equity lens will be applied to each school-based threat assessment.

8. STUDENT BENEFIT

The legislature has determined that there are productive actions districts can take to reduce targeted school violence. Furthermore, effective threat assessment is based on facts, not on a student’s demographic or personal characteristics. Each situation should be viewed and assessed individually. Lastly, a school-based threat assessment program should be implemented within a school culture and climate that promotes safety, respect and emotional support.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

This Board Action Report would adopt the new Board Policy No. 3225, School-Based Threat Assessment, and amend Board Policy No. 4314, Notification of Threats of Violence or Harm.

11. BOARD COMMITTEE RECOMMENDATION


This motion was discussed at the Operations Committee meeting on June 4, 2020. The Committee reviewed the motion and moved the item forward for consideration with edits by the full Board.

12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, the new Board Policy No. 3225 and amended Board Policy No. 4314 will be posted online with the district’s Board Policies, and the accompanying Superintendent Procedures will also be finalized and posted online. Impacted school and district staff will be informed about the new and revised policies and procedures. Namely, school leaders will be informed and educated about the new requirements, the new district and school processes. In addition, district staff will be informed, educated and trained on the new processes to apply when a school has identified the need for a threat assessment. Existing staff within the Behavior and Discipline department will be supporting this work within their existing roles.

13. ATTACHMENTS

- New Board Policy No. 3225, School-Based Threat Assessment – clean (for approval)
- Amended Board Policy No. 4314, Notification of Threats of Violence or Harm – clean (for approval)
- Amended Board Policy No. 4314, Notification of Threats of Violence or Harm – tracked changes (for reference)
- Draft Superintendent Procedure No. 3225, School-Based Threat Assessment – tracked changes in comparison to WSSDA Model Policy No. 3225 (for reference)
- Draft Superintendent Procedure No. 4314, Notification of Threats of Violence of Harm – tracked changes (for reference)
- WSSDA Model Policy 3225, School-Based Threat Assessment – (for reference)
- WSSDA Model Policy 4314, Notification of Threats of Violence or Harm – (for reference)

	<p>SCHOOL-BASED THREAT ASSESSMENT</p>	<p>Policy No. 3225 MONTH XX, 2020 Page 1 of 4</p>
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The Seattle School Board is committed to creating healthy, supportive, and culturally responsive environments from the classroom to the central office. This policy establishes a school-based threat assessment program to provide for timely and methodical school-based threat assessment and management. School-based threat assessment programs will be supported by District level threat assessment staff in both the school-based threat assessment process and the management of plans created by school-based teams to manage or reduce the threatening, or potentially threatening, behavior of a student.

A safe and healthy school climate is important in promoting a sense of belonging and supporting excellence for each and every student. Threat assessment best occurs in school climates that rely on trusting relationships between family, student, and staff, which are built with cultural humility, safety, respect, honesty, accountability, and with an eye towards equity. Student behavior, rather than a student's demographic or personal characteristics, will serve as the basis for a school-based threat assessment. In addition, an equity lens will be applied to each school-based threat assessment. The lens also identifies concerns for bias toward underserved populations and minority groups that may lead to overreaction or unnecessary discipline.

The threat assessment process is distinct from student discipline procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension or expulsion and the district will not impose suspension or expulsion, including emergency expulsion, *solely* for investigating student behavior or conducting a threat assessment. Further, suspension, or other removal from the school environment may create the risk of triggering either an immediate or a delayed violent behavioral response, unless such actions are coupled with containment and support. However, nothing in this policy precludes district staff from acting immediately to address an imminent threat, including imposing an emergency expulsion, if the district has sufficient cause to believe that the student's presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of material and substantial disruption of the educational process. If a disciplinary response is imposed, the district will follow all conditions and limitations set forth in the Washington Administrative Code and outlined in the Seattle Public Schools' Student Rights and Responsibilities document which includes but is not limited to parent/guardian notification and disciplinary grievance and appeal rights.

Structure of Threat Assessment Teams

The superintendent shall establish and ensure the training of a multidisciplinary, multiagency threat assessment team or more than one such team to serve district schools. As the threat assessment team must be multidisciplinary and multiagency, and must have received training to address implicit bias and challenge systemic racism, it may include persons with expertise in:

- Counseling, such as a school counselor, a school psychologist and/or school social worker,

- School leadership, such as a principal or other school leader,
- Other district or school staff,
- Community resources,
- Special education teachers, and a
- Practicing educational staff member.

Not every multidisciplinary team member need participate in every threat assessment. When faced with a potential threat by, or directed towards, a student receiving special education services, the threat assessment team must include a team member who is a special education teacher.

Although parents, guardians, or family members are often interviewed as part of the threat assessment process, neither the student nor the student's family members are part of the threat assessment team. This does not diminish the district's commitment that school staff will make every reasonable attempt to notify the parents/guardians of the alleged threat and to involve parents/guardians and the student in the resolution of the student's behavioral violations, consistent with Policy Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the Seattle Public Schools' Student Rights and Responsibilities document.

Function of Threat Assessment Team

Each threat assessment team member, whether a teacher, counselor, school leader, other school staff, contractor, consultant, volunteer, or other individual, functions as a "school official with a legitimate educational interest" in educational records controlled and maintained by the district. The district provides the threat assessment team access to educational records as specified by the Family Educational Rights and Privacy Act (FERPA). No member of a threat assessment team shall use any student record beyond the prescribed purpose of the threat assessment team or re-disclose records obtained by being a member of the threat assessment team, except as permitted by FERPA.

The threat assessment team:

- Identifies and assesses the behavior of a student that is threatening, or potentially threatening, to self, other students, staff, school visitors, or school property. Threats of self-harm or suicide unaccompanied by threats of harm to others should be promptly evaluated according to Board Policy No. 2145, Suicide Prevention.
- Gathers and analyzes information about the student's behavior to determine a level of concern for the threat. The threat assessment team may conduct interviews of the person(s) who reported the threat, the recipient(s) or target(s) of the threat, other witnesses who have knowledge of the threat, and where reasonable, the individual(s) who allegedly engaged in the threatening behavior or communication. The purpose of the interviews is to evaluate the individual's threat in context to determine the meaning of the threat and intent of the individual. The threat assessment team may request and obtain records in the district's possession, including student education, health records, and criminal history record information. The purpose of obtaining information is to evaluate situational variables, rather than the student's demographic or personal characteristics.
- Determines the nature, duration, and level of severity of the risk and whether reasonable modifications of policies, practices, or procedures will mitigate the risk. The threat assessment team will not base a determination of threat on generalizations or

stereotypes. Rather, the threat assessment team makes an individualized assessment, based on reasonable judgment, best available objective evidence, or current medical evidence as applicable;

- Communicates lawfully and ethically with each other, school leaders, and other school staff who have a need to know particular information to support the safety and well-being of the school, its students, and its staff; and
- Reports its determination to the superintendent or designee in a timely manner.

Depending on the level of concern determined, the threat assessment team develops and implements supports and intervention strategies to shape and change the student's behavior in ways that promote a safe, positive, consistent, and predictable teaching and learning environment, without excluding the student from the school.

In cases where the student whose behavior is threatening or potentially threatening also has a disability, the threat assessment team aligns supports and intervention strategies with the student's individualized education program (IEP) or the student's plan developed under Section 504 of the rehabilitation act of 1973 (Section 504 plan) by coordinating with the student's IEP team or Section 504 plan team. Although some of the functions of a school-based threat assessment may run parallel to the functions of a student's IEP team or Section 504 plan team, school-based threat assessments remain distinct from those teams and processes.

Data Collection, Review and Reporting

The Superintendent shall establish procedures for collecting and submitting data related to the school-based threat assessment program that comply with OSPI's monitoring requirements, processes, and guidelines. The Superintendent will annually report to the Board on the use of the school-based threat assessment program.

Other tasks of Threat Assessment Team

The threat assessment team may also participate in other tasks that manage or reduce threatening or potentially threatening behavior and increase physical and psychological safety. This may include:

- Providing guidance to students and staff regarding recognition of behavior that may represent a threat to students, staff, school, the community, or the individual;
- Providing informational resources for community services boards or health care providers for medical evaluation or treatment, as appropriate;
- Assessing individuals other than students whose behavior poses a threat to the safety of students or staff and notify the superintendent or designee of such an individual.

The Superintendent or their designee is granted the authority to develop procedures to implement this policy.

Adopted: MONTH 2020

Revised:

Cross Reference: Policy Nos. 0030, 2145, 2161, 2162, 3143, 3231, 3240, 3248, 3432, 4200, 4210, 4310, 4314


Related Superintendent Procedure:

Previous Policies:

Legal References: Chapter 28A.300 RCW; Chapter 28A.320 RCW; CFR 34, Part 99, Family Educational Rights and Privacy Act Regulations

Management Resources: *Policy & Legal News*, December 2019

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	<p>NOTIFICATION OF THREATS OF VIOLENCE OR HARM</p>	<p>Policy No. 4314 MONTH XX, 2020 Page 1 of 2</p>
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Students and school employees who are subjects of threats of violence or harm will be notified of the threats in a timely manner. Parents will be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act (FERPA), other legal limitations, and the circumstances.

”Threats of violence or harm” means direct or indirect communications by any means of the intent to inflict physical injury upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious damage, danger, or harm.

The school-based threat assessment team, in partnership with a central office threat assessment team member will assess and address potential threats of violence or harm in a manner consistent with the district’s Board Policy No. 3225, School-Based Threat Assessment, other safety policies, and comprehensive safe school plans.

If the school-based threat assessment team, in partnership with a central office threat assessment team member determines a person poses a threat of violence or harm to students, employees, or others, the district may administer relevant district discipline policies and procedures and may refer to appropriate community agencies including law enforcement and mental health services. If it is determined that a student poses a threat of violence or harm, then school staff will make reasonable attempts to notify the parents/guardians and involve parents/guardians and the student in the resolution of the student’s behavioral violations. District staff will work with in-district and community-based professionals and services in all relevant areas of expertise to address threats of violence or harm, those threatened, and those making the threats. Necessary information about the person making the threat will be communicated by the school leader to teachers and staff, including security personnel.

State law provides the district, school district directors, and district staff with

immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The Superintendent is authorized to develop procedures for this policy, as necessary.

Adopted: September 2011

Revised: MONTH 2020


Cross Reference: Policy Nos. 2161, 2162, 3143, 3207, 3225, 3240, , 5281,

Related Superintendent Procedure: 4314SP

Previous Policies: F43.00; F43.01

Legal References: RCW 28A.320.128 Notice and disclosure policies — Threats of violence — student conduct — Immunity for good faith notice — Penalty; WAC 392-400 Pupils; 20 U.S.C. § 1232g Family Educational Rights and Privacy Act; 34 C.F.R. Part 99 FERPA Regulations

Management Resources: *Policy & Legal News*, December 2019; *Policy News*, February 2010; February 2003

 <p>SEATTLE PUBLIC SCHOOLS</p>	<p>NOTIFICATION OF THREATS OF VIOLENCE OR HARM</p>	<p>Policy No. 4314</p> <p>September 7, 2011 <u>MONTH XX, 2020</u></p> <p>Page 1 of 32</p>
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Students and school employees who are subjects of ~~eredible~~ threats of violence or harm ~~shall~~will be notified of the threats in a timely manner. Parents ~~shall~~will be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, (FERPA), other legal limitations, and the circumstances.

"Threats of violence or harm" means direct or indirect communications by any means of the intent to inflict physical injury upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious damage, danger, or harm.

The ~~district~~ school-based threat assessment team, in partnership with a central office threat assessment team member will assess and address potential threats of violence or harm in a manner consistent with the district's Board Policy No. 3225, School-Based Threat Assessment, other safety policies, disciplinary rules, and incident management and comprehensive safe school plans.

~~Persons found to have made threats of violence or harm against~~ If the school-based threat assessment team, in partnership with a central office threat assessment team member ~~district property, determines a person poses a threat of violence or harm to~~ students, employees, or others ~~will be subject to, the district may administer~~ relevant district discipline policies and ~~will be referred~~ procedures and may refer to appropriate community agencies including law enforcement and mental health services. If it is determined that a student poses a threat of violence or harm, then school staff will make reasonable attempts to notify the parents/guardians and involve parents/guardians and the student in the resolution of the student's behavioral violations. District staff ~~shall~~will work with in-district and community-based professionals and services in all relevant ~~disciplines~~ areas of expertise to address threats of violence or harm, those threatened, and those making the threats. Necessary information about the person making the threat ~~shall~~will be communicated by the ~~principals~~ school leader to teachers and staff, including security personnel.

State law provides the district, school district directors, and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The Superintendent is authorized to develop procedures for this policy, as necessary.

Definitions

- ~~1. Individual directed threats of violence or harm are those that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.~~
- ~~2. Building directed threats of violence or harm are direct or indirect communications by any means of the intent to cause damage to a school building or school property (e.g., bomb threats), or to harm students, employees, volunteers, patrons or visitors.~~
- ~~3. A “credible” threat of violence or harm means a communication that, after an initial review and investigation, appears reasonably plausible of being carried out.~~

~~Credibility will be determined by the Principal or designee, in collaboration with the Seattle Public Schools Threat Assessment Team, for threats made by students; the Superintendent or designee, in collaboration with the Seattle Public Schools Threat Assessment Team, will determine credibility of threats made by staff members.~~

Reporting Requirement

~~Students, staff, volunteers, and others in the school community have the responsibility to report in a timely manner all threats of violence or harm to the Principal, building security specialist, and/or the Seattle Public Schools Safety & Security Department. The Safety & Security Department (through its Threat Assessment Team) will collaborate with building administrators in the internal investigation of the threat and the development of a safety plan. Based on the significance and credibility of the threat, the Principal or the Safety & Security Department may report the threat to law enforcement.~~

Notification to Others

~~To promote the safety of all concerned, the principal shall determine if classroom teachers, school staff, school security, and others working with the student(s) involved in the threat circumstance, should be notified. Subject to the confidentiality provisions cited above, principals shall consider all available~~

~~information when determining the extent of information to be shared, including prior disciplinary records, official juvenile court records, and documented history of violence of the person who made the threat.~~

Adopted: September 2011

Revised: ~~MONTH~~ 2020

Cross Reference: -Policy Nos. 2161, 2162, 3143, 3207, 3225, 3240, 3241, 5281, 6513

Related Superintendent Procedure: 4314SP

Previous Policies: F43.00; F43.01

Legal References: RCW 28A.320.128 Notice and disclosure policies — Threats of violence — student conduct — Immunity for good faith notice — Penalty; WAC 392-400 Pupils; 20 U.S.C. § 1232g Family Educational Rights and Privacy Act; 34 C.F.R. Part 99 FERPA Regulations

Management Resources: *Policy & Legal News, December 2019; Policy News*, February 2010; February 2003

Superintendent Procedure —3225SP **School-Based Threat Assessment**



Approved by: _____ Date: _____
Denise Juneau, Superintendent

Definitions

For purposes of district or school-based threat assessments of students, the following definitions will apply:

- A **school-based threat assessment** means the formal process, ~~established by a school district, of~~ in which a school, in partnership with a central office threat assessment team member, works together in evaluating the threatening, or potentially threatening, behavior of a student, and the circumstances surrounding the threat, to uncover any facts or evidence that the student or other actor is likely to carry out the threat.
- **School-based threat management** means the development and implementation of a school-based plan to manage or reduce the threatening, or potentially threatening, behavior of a student in a way that increases the physical and psychological safety of students, staff, and visitors, while providing for the education of all students.
- A **threat** is an expression of an intent to cause physical harm to self/others. 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, such as “I am going to beat you up.” or indirect, such as, “I’m going to get him.”
- A **low risk threat** is 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~~ may be resolved easily.
- A **moderate risk threat** is one in which the person/situation does not appear to pose a threat of violence, or 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 high risk threat** is one in which the person/situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm self/others and efforts to acquire the capacity to carry out the plan; and may also exhibit other concerning behavior that requires intervention.
- **An imminent threat** exists when the person/situation appears to pose a clear and immediate threat of serious violence toward self/others that requires containment and action to protect identified or identifiable target(s); and may also exhibit other concerning behaviors that require intervention.

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Principles

Six principles form the foundation of the threat assessment process. These principles are:

- Targeted violence is the end result of an understandable, and oftentimes discernible, process of thinking and behavior.
- Targeted violence stems from an interaction among the individual, the situation, the setting, and the target.
- An investigative, skeptical, inquisitive mindset is critical to successful threat assessment. All information sources should be approached with cultural sensitivity and all leads must be explored.
- Effective threat assessment is based upon facts rather than on characteristics or “traits.” There must be recognition that implicit bias toward students of color furthest from educational justice may lead to overreaction or unnecessary discipline.
- An “integrated systems approach” should guide threat assessment inquiries and investigations.
- The central question in a threat assessment inquiry or investigation is whether a student *poses* a threat, not whether the student has made a threat.

Identifying and Reporting Threats

Timely reporting of expression to harm is crucial to an effective school-based threat assessment program.

Anyone, including students, families, and community members may report communication or behavior that appears to be threatening or potentially threatening to ~~designate~~the school leader or the district’s Safety and Security office and ~~or district administrators~~.

All school district employees, volunteers, and contractors should report immediately to ~~designate~~the school administrator(s) leader or the district’s Safety and Security office 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.

Anyone who believes that a person or situation poses an *imminent* threat of serious violence that requires containment should notify ~~school security~~the district’s Safety and Security Office and/or law enforcement.

Assessing Threats

A School-based threat assessment is distinct from law enforcement investigation (if any). The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe, positive, consistent, and secure school~~predictable learning~~ environment, to protect and support potential victims, and to provide assistancesupport, as needed, to the individual being assessed. School-based threat assessment is also distinct from student discipline procedures. However, the

functions of school-based threat assessment may run parallel to student discipline procedures.

Triage

The ~~superintendent will designate a~~ Superintendent designates the school leader as the team leader for each threat assessment team(s), ~~such as a school principal or a district administrator.~~ The school leader will have access to a central office threat assessment team member for consultation and to determine next steps. If it is not feasible for all team members to be involved with the screening of initial reports referred to the team, the threat assessment team leader may designate a subset of team members to triage cases and determine their appropriateness for review and/or action by the full team. If a team implements a triage process, at least two members of the team will review initial reports and determine if the full team should further assess and manage the situation. All triaged cases must be shared with all members of the assessment team to ensure the cases were adequately addressed: through a racial equity lens. All threat assessment team members shall be trained and supported by the central office threat assessment team to triage cases effectively and to address implicit bias and challenge systemic racism.

Imminent

Upon notification of threatening behavior or communications, the school ~~administrator~~ leader, threat assessment team, or triage team ~~shall~~ will first determine if an imminent threat is believed to exist. If the individual appears to pose an imminent threat of serious violence to themselves or to others in the school, the ~~administrator~~ school leader or assessment team ~~shall~~ will notify law enforcement.

Moderate or high-risk threat

If the threat assessment team cannot determine with a reasonable degree of confidence that the alleged threat is a not a threat, or is a low risk threat, then the threat assessment team will undertake a more in-depth assessment to determine the nature and degree of any safety concerns and to develop strategies to prevent violence and reduce risk, as necessary.

The threat assessment team's review may include but is not limited to, reviews of records; interviews and consultations with staff, students, family members, community members, and others who know the individual; and interviews of the individual and the target/recipient of the threat(s). The threat assessment team will also screen for risk of self-harm and suicidal ideation, regardless of whether the alleged threat also included possible self-harm.

Upon a determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the ~~superintendent~~ Superintendent or designee. The ~~superintendent~~ Superintendent or designee shall immediately attempt to notify the student's parent or legal guardian. The district will ensure that the notice is in a language the parent and/or guardian understands, which may require language assistance for parents or guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

In instances where the threat is deemed moderate risk or high risk, or requires further intervention to prevent violence or serious harm, the school ~~administrator~~leader shall notify the parent and/or guardian of any student who is the target/recipient of a threat as well as the parent and/or guardian of any student who made the threat. See Board Policy No. 4314 and Superintendent Procedure 4314-4314SP, Notification of Threats of Violence or Harm. The district will ensure that the notice is in a language the parent and/or guardian understands, which may require language assistance for parents or guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

If the threat assessment team determines that an individual poses a threat of violence, based on the information collected, the threat assessment team develops, implements, and monitors supports and intervention strategies to address, reduce, and mitigate the threat and assistance to those involved, as needed. If these strategies include disciplinary ~~consequences~~responses, the district will provide notice to the student and their parents or legal guardian consistent with ~~Student Discipline Policy and Procedure 3241~~Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the Seattle Public Schools' Student Rights and Responsibilities document.

The threat assessment team may assist individual(s) within the school to access appropriate school and community-based resources for support and/or further intervention. This includes assisting those who engaged in threatening behavior or communication, and any impacted staff or students.

In cases where the student whose behavior is threatening or potentially threatening also has a disability, the threat assessment team must align intervention strategies with the student's individualized education program (IEP) or the student's plan developed under ~~section~~Section 504 of the rehabilitation act of 1973 (~~section~~Section 504 plan) by coordinating with the student's IEP team or ~~section~~Section 504 plan team.

No identifiable threat or low risk threat

If the threat assessment team concludes that no further assessment is necessary to determine the reported possible threat is not identifiable or constitutes a low threat of violence or harm to self or others, the threat assessment team need not intervene or take further steps.

Data Collection, Review and Reporting

The ~~superintendent~~Superintendent shall establish procedures for collecting and submitting data related to the school-based threat assessment program that comply with OSPI's monitoring requirements, processes, and guidelines. The Superintendent will annually report to the Board on the use of the school-based threat assessment program.

~~Management Resources:~~ ~~2019-December Issue~~

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Approved: MONTH 2020
Revised:
Cross Reference: School Board Policy No. 3225

DRAFT

Superintendent Procedure 4314SP Notification of Threats of Violence or Harm



Approved by: s/S. Enfield

_____: _____ Date: 9/14/11

— Dr. Susan Enfield, Interim Denise Juneau,
Superintendent

Staff, students, volunteers, and others involved in school activities have the responsibility to report any threats of violence or harm to designated school officials. Based on the significance and credibility of the threat, it ~~shall~~ may be reported to law enforcement. Staff ~~shall~~ will involve ~~in-district multi-disciplinary professional~~ the school-based threat assessment team as well as a member of the central office threat assessment team in evaluating the threat and the needs of the person making the threat. If it is determined that a student poses a threat of violence or harm, then school staff will make reasonable attempts to notify the parents/guardians and involve parents/guardians and the student in the resolution of the student's behavioral violations. Consultation with or referrals to community-based professionals and services are encouraged where appropriate.

Under the Family Educational Rights and Privacy Act, (FERPA), the district may ~~only~~ only release student records only with permission from the parent/guardian or the adult student ~~permission or in~~ (a student who is over the age of 18), unless it is a health or safety emergency. For that reason, the district will identify students who have made threats of violence or harm when notifying the subjects of the threats; under the following conditions:

- A. The parent or adult student has given permission to disclose the student's identity or other information to the subject of the student's threat-;
- B. The identity of the student and the details of the threat are being disclosed to relevant district staff who have been determined to have legitimate educational interest in the information-;
- C. The identity of the student or the details of the threat are being released because the release of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, school officials ~~shall~~ will use their best judgment; and may take into account the "totality of the circumstances" pertaining to the safety or health of a student or other individuals-; or
- D. The district is responding to a court order or subpoena. The district must make a reasonable effort to notify the parents of the student or adult student of the subpoena in advance of complying; so that the family ~~can~~ may seek protective action, unless the court order or subpoena expressly forbids such notification.

Relevant information about the threat ~~that does not improperly identify a student~~ shall will be provided to the subject of the threat, and the subject ~~shall~~ will be advised

that if law enforcement has been involved in the matter, the law enforcement agency may have more information that ~~can~~may be shared with the subject.

To promote the safety of all concerned, the school leader will consider all available information when determining the extent of information to be shared. Subject to the confidentiality provisions cited above, school leaders will determine if classroom teachers, school staff, school security, and others working with the student(s) involved in the threat circumstance should be notified. School leaders must provide information received about a student's conviction, adjudication, or diversion agreement to every teacher of the student for the offenses listed in Board Policy No. 3143, District Notification of Juvenile Offenders.

Suspension or other removal from the school environment may create the risk of triggering either an immediate or a delayed violent behavioral response unless such actions are coupled with containment and support. When considering the appropriate discipline for a student who has made a response to a student's threat of violence or harm, the student's ~~prior disciplinary records shall~~individual circumstances will be taken into account. Emergency expulsion ~~shall~~may be considered, ~~based on the credibility and significance of the threat. if the district has sufficient cause to believe that the student's presence poses an immediate and continuing danger to other students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.~~

Disciplinary responses to students making threats of violence or harm will be consistent with district policy and procedure regarding student discipline (see Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the Seattle Public Schools' Student Rights and Responsibilities document) and state laws and regulations. Discipline ~~shall only be imposed on~~of students eligible for special education services or with disabilities ~~consistent with policy and the~~ will be consistent with district policy and procedures (see Board Policy No. 2161, Special Education, and Board Policy No. 2162, Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973) and the associated legal requirements for special education.

~~If the threat by a student was significant and credible enough to warrant expulsion, the student may only be readmitted to the district through the readmission application process provided for in district policy. The readmission application process shall include meeting district readmission criteria established at the time of expulsion and should include completion of an assessment by an appropriate professional, with a report to the district, when the district determines such an assessment is necessary.~~

Discipline ~~against~~of district staff for making threats of violence or harm ~~shall~~will be consistent with district policy and procedure regarding staff discipline, (see Board Policy No. 5281, Staff Disciplinary Action and Discharge) and any relevant collective bargaining requirements.

Approved: September 2011

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DRAFT

School-Based Threat Assessment

The Board is committed to providing a safe and secure learning environment for students and staff. This policy establishes a school-based threat assessment program to provide for timely and methodical school-based threat assessment and management.

Threat assessment best occurs in school climates of safety, respect, and emotional support. Student behavior, rather than a student's demographic or personal characteristics will serve as the basis for a school-based threat assessment.

The threat assessment process is distinct from student discipline procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension or expulsion and the district will not impose suspension or expulsion, including emergency expulsion, *solely* for investigating student conduct or conducting a threat assessment. Further, suspension, or other removal from the school environment can create the risk of triggering either an immediate or a delayed violent response, unless such actions are coupled with containment and support. However, nothing in this policy precludes district personnel from acting immediately to address an imminent threat, including imposing an emergency expulsion, if the district has sufficient cause to believe that the student's presence poses an immediate and continuing danger to other students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.

Structure of Threat Assessment Teams

The superintendent shall establish and ensure the training of a multidisciplinary, multiagency threat assessment team or more than one such team to serve district schools. As the threat assessment team must be multidisciplinary and multiagency, it might include persons with expertise in:

- Counseling, such as a school counselor, a school psychologist and/or school social worker,
- Law enforcement, such as a school resource officer,
- School administration, such as a principal or other senior administrator,
- Other district or school staff,
- Community resources,
- Special education teachers, and a
- Practicing educational staff member.

Not every multidisciplinary team member need participate in every threat assessment. When faced with a potential threat by, or directed towards, a student receiving special education services, the threat assessment team must include a team member who is a special education teacher.

Although parents, guardians, or family members are often interviewed as part of the threat assessment process, neither the student nor the student's family members are part of the threat assessment team. This does not diminish the district's commitment that school personnel will make every reasonable attempt to involve parents and the student in the resolution of the student's behavioral violations, consistent with Policy and Procedure 3241 – Student Discipline [**modify as accurate for your district**].

Function of Threat Assessment Team

Each threat assessment team member, whether a teacher, counselor, school administrator, other school staff, contractor, consultant, volunteer, or other individual, functions as a "school official with a legitimate educational interest" in educational records controlled and maintained by the district. The district provides the threat assessment team access to educational records as specified by the Family Educational Rights and Privacy Act (FERPA). No member of a threat assessment team, including district / school-based members and community resource / law enforcement members, shall use any

student record beyond the prescribed purpose of the threat assessment team or re-disclose records obtained by being a member of the threat assessment team, except as permitted by FERPA.

The threat assessment team:

- Identifies and assesses the behavior of a student that is threatening, or potentially threatening, to self, other students, staff, school visitors, or school property. Threats of self-harm or suicide unaccompanied by threats of harm to others should be promptly evaluated according to [modify as necessary for your district] Policy 2145 – Suicide Prevention.
- Gathers and analyzes information about the student’s behavior to determine a level of concern for the threat. The threat assessment team may conduct interviews of the person(s) who reported the threat, the recipient(s) or target(s) of the threat, other witnesses who have knowledge of the threat, and where reasonable, the individual(s) who allegedly engaged in the threatening behavior or communication. The purpose of the interviews is to evaluate the individual’s threat in context to determine the meaning of the threat and intent of the individual. The threat assessment team may request and obtain records in the district’s possession, including student education, health records, and criminal history record information. The purpose of obtaining information is to evaluate situational variables, rather than the student’s demographic or personal characteristics.
- Determines the nature, duration, and level of severity of the risk and whether reasonable modifications of policies, practices, or procedures will mitigate the risk. The threat assessment team will not base a determination of threat on generalizations or stereotypes. Rather, the threat assessment team makes an individualized assessment, based on reasonable judgment, best available objective evidence, or current medical evidence as applicable;
- Communicates lawfully and ethically with each other, school administrators, and other school staff who have a need to know particular information to support the safety and well-being of the school, its students, and its staff; and
- Timely reports its determination to the superintendent or designee.

Depending on the level of concern determined, the threat assessment team develops and implements intervention strategies to manage the student’s behavior in ways that promote a safe, supportive teaching, and learning environment, without excluding the student from the school.

In cases where the student whose behavior is threatening or potentially threatening also has a disability, the threat assessment team aligns intervention strategies with the student’s individualized education program (IEP) or the student’s plan developed under section 504 of the rehabilitation act of 1973 (section 504 plan) by coordinating with the student’s IEP team or section 504 plan team. Although some of the functions of a school-based threat assessment may run parallel to the functions of a student’s IEP team or 504 plan team, school-based threat assessments remain distinct from those teams and processes.

Data Collection, Review and Reporting

The superintendent shall establish procedures for collecting and submitting data related to the school-based threat assessment program that comply with OSPI’s monitoring requirements, processes, and guidelines.

Other tasks of threat assessment team

The threat assessment team may also participate in other tasks that manage or reduce threatening or potentially threatening behavior and increase physical and psychological safety. This may include:

- Providing guidance to students and staff regarding recognition of behavior that may represent a threat to students, staff, school, the community, or the individual;
- Providing informational resources for community services boards or health care providers for medical evaluation or treatment, as appropriate;
- Assessing individuals other than students whose behavior poses a threat to the safety of students or staff and notify the superintendent or designee of such an individual.

Cross References:

- 2121 – Substance Abuse Program
- 2145 – Suicide Prevention
- 2161 – Special Education and Related Services for Eligible Students
- 2162 – Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973
- 3143 – District Notification of Juvenile Offenders
- 3231 – Student Records
- 3432 – Emergencies
- 3241 – Student Discipline
- 4210 – Regulation of Dangerous Weapons on School Premises
- 4310 – District Relationships with Law Enforcement and other Government Agencies
- 4314 – Notification of Threats of Violence of Harm

Legal References:

- Chapter 28A.300 RCW
- Chapter 28A.320 RCW
- CFR 34, Part 99, Family Educational Rights and Privacy Act Regulations

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Notification of Threats of Violence or Harm

Students and school employees who are subjects of threats of violence or harm will be notified of the threats in a timely manner. Parents will be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act (FERPA), other legal limitations, and the circumstances.

“Threats of violence or harm” means direct or indirect communications by any means of the intent to inflict physical harm upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious harm.

The district will assess and address potential threats of violence or harm in a manner consistent with the district’s threat assessment policy, other safety policies, and comprehensive safe school plans.

If the district determines a person poses a threat of violence or harm to students, employees, or others, the district may administer relevant district discipline policies and procedures and may refer to appropriate community agencies including law enforcement and mental health services. District staff will work with in-district and community-based professionals and services in all relevant areas of expertise to address threats of violence or harm, those threatened, and those making the threats. Necessary information about the person making the threat will be communicated by the principal to teachers and staff, including security personnel.

State law provides the district, school district directors, and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The superintendent is directed to develop and implement procedures consistent with this policy.

Cross References: 6513 – Workplace Violence Prevention
5281 – Disciplinary Action and Discharge
3241 – Student Discipline
3207 – Prohibition of Harassment, Intimidation, and Bullying
2162 – Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973
2161 – Special Education and Related Services for Eligible Students
3143 – District Notification of Juvenile Offenders
3225 – Threat Assessment

Legal References: RCW 28A.320.128 Notice and disclosure policies — Threats of violence — Student conduct — Immunity for good faith notice — Penalty
WAC 392-400 Pupils
20 U.S.C. 1232g Family Educational Rights and Privacy Act
34 C.F.R. Part 99 FERPA Regulations

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