STUDENTS WITH DISABILITIES

A representative with expertise in special education should be included as a member of the threat assessment team when faced with a threat made by, or directed towards, a student(s) receiving special education services. 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.

PROCEDURES

1. Identifying and Reporting Threats

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.

Anyone who believes that a person or situation poses an imminent threat of serious violence that requires containment should notify school security and/or law enforcement in accordance with local school system policies on critical incident response. The school administrator shall immediately report any act noted above that may constitute a criminal offense to the parents and/or guardians of any minor student who is alleged to have committed the act and shall report that the incident has been reported to local law enforcement. The school administrator shall inform the parents and/or guardians that they may contact local law enforcement for further information, if they so desire. In addition, the school administrator may report other threats to local law enforcement agencies as determined to be necessary and appropriate by the administrator.

2. Assessing Threats

When a threat is reported, the school administrator and/or 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.

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 themselves 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.

NOTE: In accordance with the Maryland State Department of Education’s “Emergency Planning Guidelines for Local School Systems and Schools” (October 2017), school responses may include actions such as evacuation, lockdown, and shelter-in-place.
If there is no imminent threat present, or once such an imminent threat is contained, the threat assessment team leader shall ensure that the situation is screened/triaged to determine if the full threat assessment team needs to be involved. This triage may include (as necessary and appropriate):

A. Review of the threatening behavior or communication.
B. Review of school and other records for any prior history or interventions with the individual(s) involved.
C. Conducting timely and thorough interviews (as necessary) 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, so that the meaning of the threat and intent of the individual can be determined.

If it is determined that the threat is not identifiable or a low threat of violence or harm to self or others, and the threat assessment team determines that no further assessment, intervention, or monitoring is required at the time to prevent violence:

A. The threat assessment team leader shall ensure that the incident and review is adequately documented consistent with local school system processes, forms and procedures. The threat assessment team shall maintain the documentation in accordance with local school system policy, or as otherwise required by State law.
B. If the individual (about whom the report was made) does not pose a threat but could benefit from or is in need of some additional assistance, the threat assessment team leader shall ensure that the individual is referred to the appropriate school or community-based resources.
C. In the event of a low risk threat by an individual (about whom the report was made) has an IEP or 504 Plan, then a Functional Behavioral Assessment (FBA) should be conducted, if warranted or determined by the IEP team.

If it cannot be determined with a reasonable degree of confidence that the alleged threat is a not a threat, or is a low risk threat, then a more in-depth assessment is to be undertaken by the threat assessment team to determine the nature and degree of any safety concerns and to develop strategies to prevent violence and reduce risk, as necessary. The assessment may include but not be limited to, reviews of records; interviews and consultations with staff, students or community who know the individual; and interviews of the individual and the target/recipient of the threat(s).

Based on the information collected, the school threat assessment team shall determine strategies to mitigate the threat and provide intervention and assistance to those involved, as needed.

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 or designee. The superintendent or designee shall immediately attempt to notify the student's parent or legal guardian.

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 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.

In cases involving unsubstantiated/low risk threats, the school administrator may notify the parent and/or guardian of any student who is the target/recipient of a threat and/or shall notify the parent and/or guardian of any student who made the threat.
3. Intervening, Monitoring, and Resolving Threats

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.

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.

For each case, a member of the threat assessment team shall be designated as a case manager to monitor the status of the individual(s) of concern (in that case) and to notify the threat assessment team of any change in status, response to intervention/referrals, or additional information that would be cause for a re-assessment and changes in intervention strategies. Updates regarding the case are to be documented in accordance with school system policy. These updates are to be submitted regularly (e.g., at least every 30 days) until the case is resolved and is no longer assessed to pose a threat to the school or its staff or students.

Resolution and closure of the case is to be documented in accordance with school system policy.

THREATS OF VIOLENCE ACCOMPANIED BY THREATS OF SELF-HARM

When a threat assessment team is investigating someone who is threatening to harm others, the threat assessment team shall also screen for risk of self-harm and suicidal ideation. Threats of self-harm or suicide unaccompanied by threats of harm to others should be promptly evaluated pursuant to existing local school system protocols on suicide prevention and intervention. The threat assessment team shall work collaboratively with other entities involved in the case.

See also:

- Local School System Student Conduct Policies (MSDE recommends - specify those dealing with threat/intimidation; ACPS Policy JBA – Student Harassment, Bullying, Cyberbullying, Intimidation, Violence)
- Local School System Suicide Prevention Policies and Procedures (ACPS does not have a policy)
- Local School System Critical Incident Response Policies and Procedures (ACPS does not have a policy – we do have procedures)