

POLICY

BOARD OF EDUCATION MOUNT OLIVE TOWNSHIP

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Threat and/or Risk to Others:
Management of Children and Young Adults

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The Board is committed to protecting the health, safety and welfare of students during the school day, and will take action necessary to provide for the safety and security of its students, staff and/or property. This policy establishes a process for identifying, assessing and managing students who pose either a risk or threat.

The primary purpose of this policy is to prevent future dangerous acts from occurring and is conducted when a student(s) engages in behavior that appears to threaten an act of violence or other dangerous behavior. The Assessment Inquiry or Investigation process is ultimately concerned with whether an individual poses a threat, not whether he or she has made a threat. (See Section I for definitions)

Assessment is the process of estimating the probability of violent or dangerous behavior in an attempt to limit the likelihood that the act will occur. Assessment is primarily focused on targeted violence by a student(s) and will entail a behavioral focus. Assessment will consider the circumstances surrounding the threat, to uncover facts or evidence that indicate a threat is likely to be carried out. The Assessment process goes beyond the determination that an individual poses a threat to include efforts to prevent the threat from being carried out by prescribing case-specific intervention(s).

Confidentiality of all reports of student and staff information will be preserved to the greatest extent possible. The district has an obligation to conduct an Inquiry which may include Investigation by law enforcement where information may be shared in an effort to protect the safety of the school community, property and others. All members of the school community involved in an Inquiry or Investigation are also expected and shall maintain confidentiality, understanding that they may impair the Inquiry or Investigation results by divulging information to persons outside of the process. All Inquiries, Investigations and reporting of findings will be conducted in compliance with state and federal confidentiality laws.

The Board reserves the right to exclude a student who has been determined to pose an imminent or foreseeable threat to self or other(s) or property pending appropriate Mental Health and/or Risk or Threat Assessment or Evaluation clearance.



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I. Definitions:

A. TAT (Threat Assessment Team)

The TAT operates under the umbrella of the District's Crisis Management Team. They are specially trained members of the school community who work collectively and collaboratively to conduct a preliminary Risk or Threat Assessment INQUIRY to determine whether a student poses an imminent or foreseeable threat to the safety of self, other(s) or property and whether a referral warrants any of the following:

1. Risk or Threat INVESTIGATION conducted by law enforcement.
2. REFERRAL for Mental Health and/or Risk or Threat EVALUATION completed by a licensed or certified mental health provider who is trained to conduct a Mental Health Evaluation or Risk or Threat Evaluation.

B. RISK:

A student poses a RISK when they present an imminent or foreseeable violent or dangerous incident.

e.g., A referral has been made to an administrator that a student is in possession of a weapon such as a firearm or knife on school grounds and has a past history of prior possession. This case would be presumed to indicate a high risk for violence, warranting a Law Enforcement Investigation.

C. THREAT:

A student poses a THREAT when there exists an imminent or foreseeable violent or dangerous incident which represents any expression suggesting intent to harm self, other(s) or property.



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A behavior is considered a Threat when there exists no known documented information confirming a past history of having engaged in a violent or dangerous incident. Threats may be spoken, written, emailed, or expressed in some other way, such as gestures or conveyed electronically. Threats can be made directly to an intended victim, communicated through third parties, or expressed in private writings. There are four types of threats:

1. Direct Threat

- a. Possession of object(s) or material(s) posing a threat to the health, safety or well-being of self, other(s) or property.
- b. A specific act or verbalization against a specific target and is delivered in a straightforward, clear, and explicit manner and which creates an imminent or foreseeable danger threatening the health, safety or well-being of self, other(s) or property.
e.g., suicidal or homicidal ideation(s) or attempt(s)
"I am going to place a bomb in the school's gym."
(See also Policy No. 5350 Pupil Suicide Prevention).

2. Indirect Threat

- a. Tends to be vague, unclear, and ambiguous.
- b. The plan, the intended victim, the motivation, and other aspects of the threat are masked or equivocal.
e.g., "If I wanted to, I could kill everyone at this school!"
While violence is implied, the threat is phrased tentatively - "If I wanted to" - and suggests that a violent or dangerous act COULD occur, not that it WILL occur.



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3. Veiled Threat

Strongly implies but does not explicitly threaten violence.

e.g., "We would be better off without you around anymore."

Clearly hints at a possible violent act, but leaves it to the potential victim to interpret the message and give a definite meaning to the threat.

4. Conditional Threat

Often, seen in extortion cases, it warns that a violent or dangerous act will happen unless certain demands or terms are met.

e.g., "If you don't change my grade, I will make your life a living hell!"

"If you don't give me your lunch money, I will beat you after school."

D. School-Based RISK or THREAT ASSESSMENT:

A school-based Assessment process that shall include, but is not limited to, conducting an INQUIRY where members of the TAT collectively and collaboratively collect facts for review using evidence based, age-appropriate, assessment instruments designed to determine whether a student poses a potential threat to the safety of self, other(s) and/or property at the conclusion of which a recommendation will be made for the next course of action. This Assessment process focuses on estimating the probability that a violence or dangerous act is imminent or foreseeable.

E. INQUIRY:

Questioning conducted by employees of the school district.

F. INVESTIGATION:

Questioning conducted by law enforcement.



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II. Discipline

- A. A student's exclusion based upon an identified risk or threat shall not be considered solely a disciplinary consequence.
- B. This Policy is intended to address as a primary focus mental health related issues to the degree that the student does not pose an imminent or foreseeable threat to the safety of self or other(s) and/or school property and does not supersede the implementation of appropriate disciplinary action for infractions of school regulations or action required by N.J.S.A. 18A:40A-12 or N.J.A.C. 6A:16-4.3 as described in policies and explained in student handbooks and/or Code of Student Conduct).

III. Procedures

- A. In situations where it is determined a student poses an imminent or foreseeable risk or threat to the safety of self or other(s) and/or to school property, school emergency procedures will be followed and supersede the provisions of Section III. D of this Policy. Once the risk or threat is contained the School Principal or designee shall mobilize the TAT.

In situations where a student posed an imminent and foreseeable threat and a referral was made for an immediate evaluation by and out-of-school Mental Health Service Provider, the parent(s)/guardian(s) shall ensure that a "Release of Confidentiality" is signed by them so that collaboration and communication can be considered in designing a final safety plan.

- B. Staff members shall immediately notify the School Principal, or his/her designee, of any behaviors that raise concerns regarding an individual's propensity to harm self or other(s) and/or school property. The behavior giving rise to the concern need not have been witnessed by the individual making the report.



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- C. Provisions shall be made for the appropriate care and supervision of the student pending either:
1. A determination that the exclusion of the student is not required; or
 2. The student's release to his or her parent/guardian and/or law enforcement and/or the Division of Child Protection and Permanency.
- D. School Principal (or designee) Responsibilities: In response to every report, other than IIIA above, the School Principal (or designee) shall immediately:
1. Mobilize the TAT;
 2. Notify the Superintendent of Schools; and
 3. Notify the student's parent or legal guardian.
- E. In response to all referrals, the TAT shall conduct a preliminary assessment INQUIRY to determine whether or not a student poses an imminent or foreseeable threat to the safety of self, other students or staff or property and whether a referral warrants any of the following:
1. Other School-based Evaluation;
 2. Law Enforcement INVESTIGATION;
 3. Referral for Mental Health and/or Risk or Threat Evaluation;
 4. Referral return to administration for further disposition.
(See also Policy No. 5350 Pupil Suicide Prevention)
- F. Mental Health and/or Risk or Threat Evaluation
1. When the TAT determines the student may pose an imminent or foreseeable threat to the safety of self, other students, staff or property a Mental Health and/or Risk or Threat Evaluation shall be required prior to reinstatement. The Principal or designee shall notify the student's parent/guardian of this determination.



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2. For purposes of the Mental Health and/or Risk or Threat Evaluation, it is necessary for the evaluator to have access to all relevant information regarding the student and the incident giving rise to the exclusion. The student's parent/guardian shall be asked to provide consent for a member of the TAT to contact the professional(s) or mental health facility completing the evaluation to provide necessary background information.
3. If a parent/guardian cannot be reached and the student has been determined by the appropriate school personnel as potentially posing an imminent or foreseeable danger of harming self, other(s) or school property, the school may initiate the process for an immediate Mental Health and/or Risk or Threat Evaluation.

Emergency Medical Services shall be called to transport the student to an appropriate Emergency Medical/Psych Facility for a Mental Health and Risk or Threat Evaluation.

In the absence of the student's parent(s), the principal or their designee shall make provisions for the appropriate supervision of the student including but not limited to:

- a. Waiting for transportation to and while waiting for and receiving the immediate Mental Health and Risk or Threat Evaluation;
- b. Awaiting the results of the Mental Health Evaluation; if appropriate; and/or
- c. Until the student is released to their parent(s) or other appropriate individual(s), including law enforcement personnel.



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4. The Mental Health and Risk or Threat Evaluation must include:
 - a. Identifying information;
 - b. Medical and family history;
 - c. Review of presenting problem or incident;
 - d. Mental status examination;
 - e. Diagnosis, as appropriate;
 - f. Triggers for reoccurrence, as appropriate;
 - g. Recommendations for follow-up services, as appropriate; and
 - h. Other information deemed relevant by the evaluator.

5. Clearance letter must include:
 - a. Evaluator's name and license number;
 - b. Student's name and date of birth;
 - c. Confirmation that the evaluator assessed the student in accordance with the standards set forth in Section III. F of this Policy following and in connection with the precipitating school-based incident;
 - d. The date of the Mental Health and Risk or Threat Evaluation; and
 - e. A specific statement regarding recommendation(s) for continuing care

IV. Refusal or Failure to Comply

1. A parent's refusal or failure to comply with any provisions of this policy including those provisions requiring their consent or permission, shall be treated as a violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25, 38-31 and child neglect laws pursuant to N.J.S.A. 9:6-1 et seq.

2. A student's refusal or failure to comply with any provision of this policy shall be treated as a violation of this policy and the Student Code of Conduct and handled in accordance with the discipline procedures hereunder.



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3. In the case of parent/student non-compliance, the student may be excluded from school and placed in an alternative educational placement. Attendance at school shall not resume until compliance with the provisions of this Policy have been met.

V. Right to Appeal

Any parent may appeal any action taken against their child pursuant to this policy, first to the Chief School Administrator and if no resolution is had, to the Board. Such appeal must be in writing and signed by the parent.

VI. Instruction during Exclusion:

Students will be provided with appropriate home or other out of-school instruction in accordance with N.J.A.C.6A:16-10.1 et seq. during any period of exclusion.

VII. Re-Entry to School

Following receipt of the school clearance letter, the District shall schedule a re-entry meeting with the student and his/her parents/guardian and an appropriate school district designee. Discussion may include, but is not limited to:

1. Consideration of CST referral, as appropriate;
2. Discussion with parents regarding follow-up treatment, as necessary;
3. Discussion with parents regarding access to additional evaluative information (beyond clearance letter);
4. Discussion with parent/guardian regarding support available during the school day.


