Threat Assessment in Pennsylvania's K-12 Public Schools

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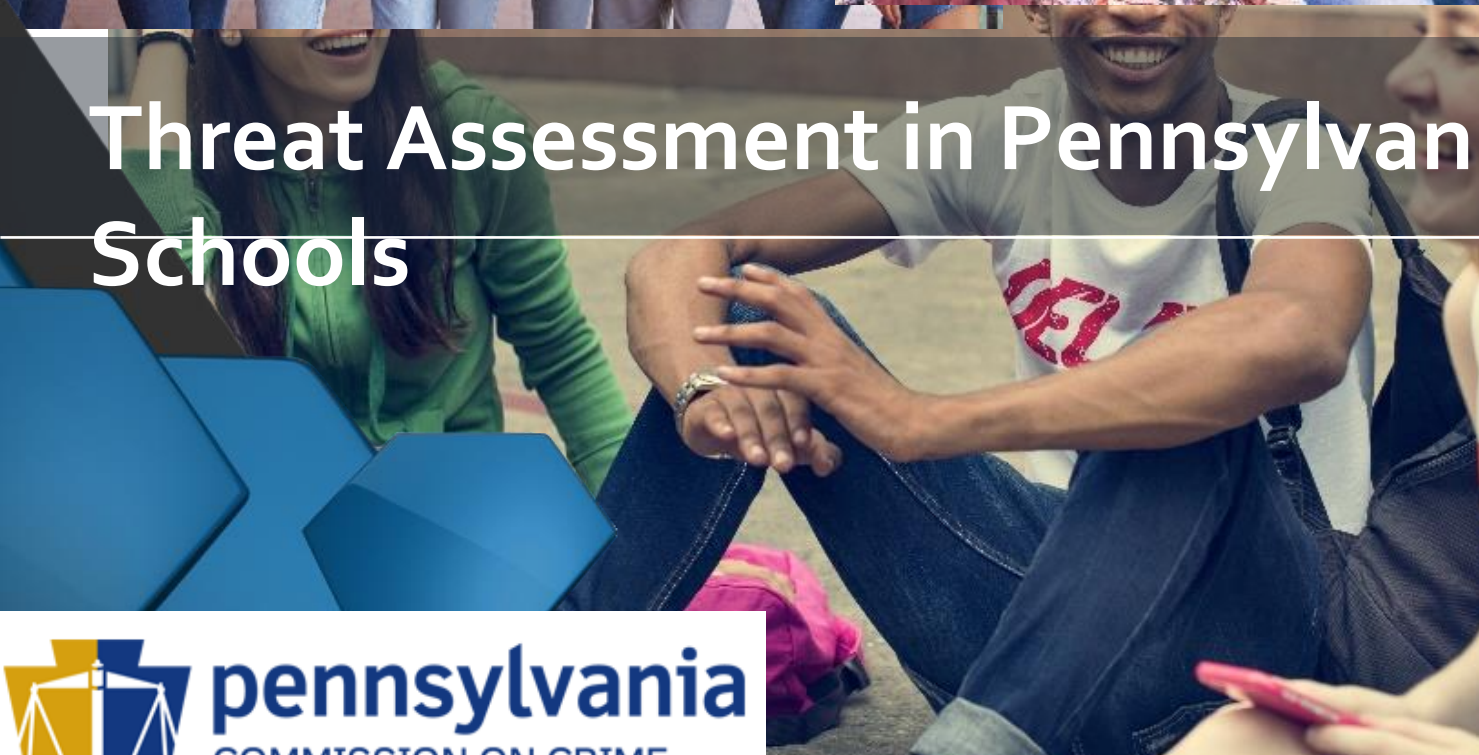
Preliminaries

Administration

- Alarms, exits and restrooms
- Timings
- Cellphones
- Lunch

Session expectations

- This is the time and space to be inquisitive – a safe environment
- Ask questions – challenge, explore, inquire
- Be positive, active engagement
- A good colleague – courteous in disagreement(!) and collaborative in co-working on answers
- Complete the Session Evaluation at the end of the day – and be candid!

Preliminaries

Between you and me…

- My background
- Your trainer and facilitator
- Creating collegial networks within PA for the collective benefit of Threat Assessment (TA) practice…
- …introduce yourself during the breaks, and share contacts at the end of the session

Why we are here…

- Pennsylvania law requires Chief School Administrators to establish a Threat Assessment Team (TAT)
- For the assessment of and intervention with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others
- You are at the front line of averting acts of targeted violence
- Research tells us that targeted violence is, in almost all cases, preventable

Keep a Record: Commit to a handful of practically achievable actions when you get back to work!

Extending your learning: Look out for the icon and the searchable internet references throughout the training

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PCCD's Model Procedures and Guidelines

- PCCD's Model Procedures and Guidelines: based on PA law and established standards of practice
- Not prescriptive – school boards have authority to establish any policies or procedures that are consistent with applicable laws and regulations
- This training is directly aligned to the PCCD Models
- Wide range of resources; provide the legal and administrative context

PCCD Model K12 Threat Assessment Procedures and Guidelines

What are we seeking to accomplish?

Training Goal
- To provide participants with an understanding of why violence prevention is possible and how behavioral threat assessment and management enables schools to identify, assess and intervene to avert potentially violent situations and manage students posing a risk for violence and situations of concern over time through the development of a holistic understanding of the factors pushing or pulling an individual along a pathway to violence

Intent: De-mystify the process, reduce anxiety, and increase skills and knowledge in the domain of Behavioral Threat Assessment and Management
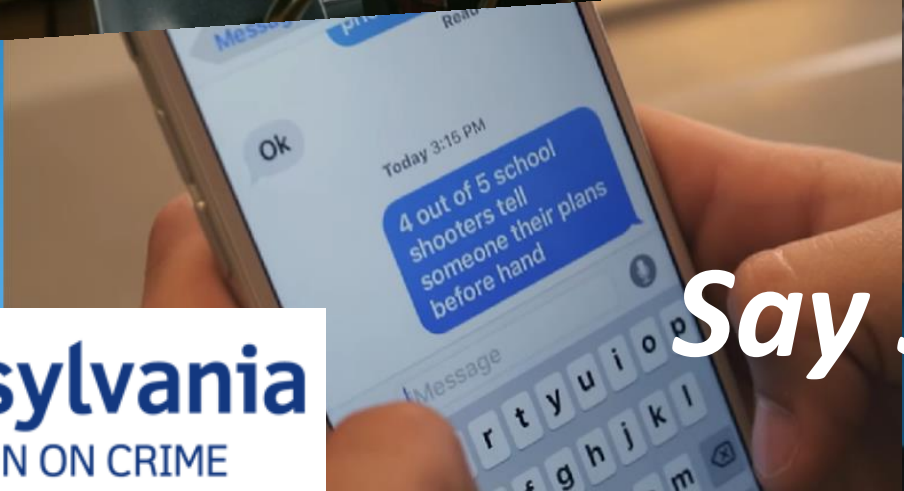
Section 1 | Introduction and Rationale for the Threat Assessment Approach

An Introduction to Threat Assessment

Evan

Say Something

Ok

Today 3:15 PM

4 out of 5 school shooters tell someone their plans before hand

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What do we mean by a 'Threat'?

- A concerning communication or behavior that suggests a person may intend to harm themselves or someone else
- May be expressed or communicated behaviorally, orally, visually, in writing, electronically, or through any other means
- A threat regardless of whether communicated directly to the target or to a third party
- A threat can be deduced *through an individual's behavior*

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What do we mean by a 'Threat'?

- Could be:
  - Direct or indirect threats of violence…
  - … statements – spoken or written…
  - … gestures…
  - … acts…
- … that a reasonable person would interpret as threatening, unusual or bizarre behavior that would cause a reasonable person to fear injury or harm
- Communications or behaviors indicating suicidality
- Behavior which is atypical for the person or situation and causes concern for the safety or well-being of those involved
- *Caution! Implicit bias – TA seeks to eliminate subjectivity and issues associated with implicit bias and equity*

Kirwan Institute – Implicit Bias Online Modules   *PDE Equitable Practices Hub*

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Threats to self and the connection with Threat Assessment

Under Act 18…

- "*Each school entity shall establish at least one team … for the assessment of and intervention with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.*"

And further in the Act…

- "*Be responsible [for] Assessing and responding to reports of students exhibiting self-harm or suicide risk factors or warning signs as provided for under section 1526* [of the PA School Code, 24 PS § 15-1526, brought into law under Act 71]."

What is your interpretation of this language in the Act?

Where do you think the responsibilities of the TAT and Act 71/Crisis Response Teams start and end?

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Threats to self and the connection with Threat Assessment

- *Not* the intention of the Act to:
  - Create *duplication of effort* with a school entity's existing suicide awareness and prevention policies and procedures; *or*
  - Create a requirement that *all students* presenting with risk of suicide *must* be overseen by TATs; *or*
  - Create a requirement that *all students* presenting with risk of suicide *must* be routed through the threat assessment process set down in this training
- Because a single pathway would likely:
  - Be inefficient
  - Perpetuate misunderstandings about suicide risk among youth that may increase the stigma around help-seeking, which is counter to broader school-based suicide prevention efforts

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Threats to self and the connection with Threat Assessment

- TATs and Act 71 / Crisis Response Teams need to coordinate efforts

- Consider how and when students may need to be referred **to** and **_from_** TATs, and/or the potential points of overlap or intersection

- Develop policies and procedures that operationalize this coordination

- TATs' work [and this training] has a significant focus on acts of targeted violence toward others

- This is **_not to minimize suicide risk_**

- PAYS 2019: In the preceding 12 months, of students in grades 6, 8, 10, and 12:

  - 16.2% had seriously considered suicide

  - 9.7% had attempted suicide

  - 14.4% had self-harmed

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Threats to self and the connection with Threat Assessment

But it recognizes the following:

- Established, mature pathways exist to assess and intervene with those posing a threat to self… and, if procedures to assess and intervene in suicide risk *do not currently exist, these should be put in place*, but this is not for the TAT to action

- Most individuals posing a threat to self *do not pose a threat to others*

- The *converse is not true*… NTAC Protecting America's Schools analysis of targeted violence in K-12 settings found:

  - 41% of the students carrying out the violent acts were motivated by suicide

  - For 7%, this appeared to be their primary motive

  - An additional 34% had suicidality as a secondary motive

  - 54% had communicated about, or engaged in behaviors related to, suicide or self-harm

Threats to self and the connection with Threat Assessment

What does this mean in practical terms:

- TATs are unlikely to see the majority of students presenting initially with suicidal thoughts or behaviors

- This is because these students are rarely a threat to others, and so will be assessed and supported through the established suicide prevention pathways and referred into the TA process only where there are warning signs that may indicate a possible risk to others

- For this reason, TATs could *never* be deemed responsible for the assessment of, and intervention with, *all* students at risk for suicide

- Given the increased risk of suicide among students that pose a risk of violence to others, *any student referred to the TAT should be screened for risk for suicide*

Threats to self and the connection with Threat Assessment

- Members of TATs such as school counselors and school psychologists could act as a *pivot*, as they will frequently also be responsible for suicide risk screening or assessment within a school entity, providing a natural point of synergy

- Or this pivot role could be performed by other TAT members who are members of Act 71 / Crisis Response Teams (e.g., School Safety and Security Coordinator)

- TATs should establish protocols for information sharing and follow-up regarding the outcome of a suicide risk screening or assessment for a student who, because they also present a threat to others, will remain involved in the TA process:

  - Will avoid risks that parallel efforts are counterproductive / duplicative

  - Consideration will need to be given to confidentiality and relevance to case management

Threats to self and the connection with Threat Assessment

- TATs must be aware of both warning signs and risk factors for suicide

- State suicide risk prevention efforts have strongly encouraged schools to focus primarily on warning signs (not risk factors) to activate their suicide prevention protocols

- Risk factors alone should not activate those protocols as schools would find themselves then needing to screen nearly every student (given prevalence of risk factors)

- PDE's Model Administrative Regulations: "*Early identification of individuals exhibiting suicide warning signs is vital to the school entity's suicide prevention efforts*

- "*[However] In the* **absence** *of an immediate warning sign for suicide, students demonstrating suicide risk factors that appear to be adversely impacting the student should be referred through an appropriate mechanism (e.g., Student Assistance Program) for follow-up*"
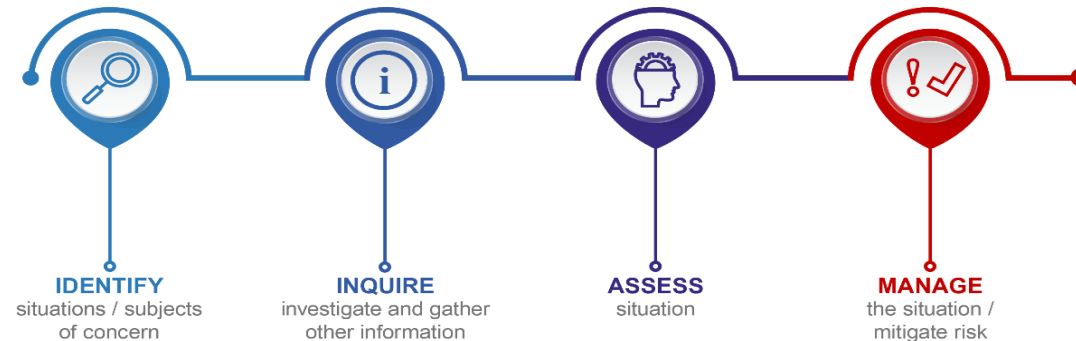
Prevent Suicide PA Online Learning Center
Youth Suicide Education Awareness and Prevention Model Curriculum
Suicide in Schools - A Practitioner's Guide to Multi-level Prevention, Assessment, Intervention, & Postvention

Threat Assessment: An integrated and systematic approach

- Developed to ensure TATs can conduct TA in a way that is coherent and consistent
- Integrated: Requiring a multi-agency approach / coordinated action between internal and external stakeholders
- Systematic: Process-driven approach that works logically through 4 steps:

IDENTIFY
situations / subjects of concern

INQUIRE
investigate and gather other information

ASSESS
situation

MANAGE
the situation / mitigate risk

- The Manage step is defined to reinforce the fact that an assessment of the threat is not a final product, but the beginning of a management process

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Rationale for the Threat Assessment and Management Approach

Where does the rationale for our approach come from?

- Based on several decades of research that intensified immediately after Columbine
- Seminal research published 2004 (U.S. Secret Service and DOE; Safe School Initiative (SSI))

SchoolSafety.gov

USSS Safe Schools Initiative Report

USSS Protecting America's Schools – Analysis of Targeted School Violence

FBI Making Prevention a Reality

USSS & DOE A Guide to Managing Threatening Situations

Defining an Approach to Assessing Risk for Targeted Violence

- NTAC's Protecting America's Schools (2019), compared SSI findings with analysis of more recent incidents
- Found original conclusions durable and consistent

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Where does the rationale for our approach come from?

- Research suggests that establishing or enhancing threat assessment capabilities as part of a comprehensive strategy can reduce the likelihood of violence and help address the mental and behavioral health needs of students.
    - The *2018 PA School Safety Task Force Report* also recommended implementing multidisciplinary threat assessment teams as a best practice.

Fact or Fiction?

- School attacks are often sudden, impulsive acts
  - **Fiction:** They are *rarely impulsive*; attackers typically don't "just snap"… *they decide*
- People often have no idea of the attacker's ideas or plans
  - **Fiction:** In most cases, *other people knew about the attack* before it took place

Averted School Violence

- Most attackers threatened their target directly prior to the attack
  - **Fiction:** Majority of attackers *did not make direct threats to their target(s)* beforehand
- Most attackers were "under the radar" showing no indicators they were in need of help
  - **Fiction:** Nearly all *engaged in behaviors, prior to their attacks, that caused concern or alarm* to at least one person

Fact or Fiction?

- Most school attackers are suicidal or at a point of desperation prior to their attack

  - **Fact:** Most attackers appeared to have difficulty coping with losses, personal failures or other difficult circumstances and, in many cases, *desperation and suicidal ideation was certainly manifest*. Most attackers *exhibited a history of suicide attempts or suicidal thoughts at some point prior to their attack*

- Potential school attackers can be identified by certain physical characteristics, personality traits and school history

  - **Fiction:** There are *no set of traits that described all – or even most – attackers*. The demographic, personality, school history, and social characteristics varied substantially

Meloy, J.R., Hoffmann, J., Deisinger, E.R.D. & Hart, S.D. (2020) '*Threat Assessment and Threat Management',* in Meloy & Hoffmann (Eds.) International Handbook of Threat Assessment, 2nd Edition. New York: Oxford.

*Evaluating the Risk for Targeted Violence in Schools*

Fact or Fiction?

- Many attackers felt bullied, persecuted or injured by others prior to the attack
  - **Fact:** Almost ***three-quarters of the attackers felt persecuted, bullied, threatened, attacked or injured by others*** prior to the incident
- Most attackers had access to weapons and experience using them
  - **Fact:** ***Experience using weapons and access to them was common for many attackers***. Nearly two-thirds of the attackers had a known history of weapons use

Fact or Fiction?

- Attackers act alone and without the involvement of others

    - **Fiction:** Most _carried out_ their attacks on their own, _**but many were influenced or encouraged by others to engage in the attacks**_. Nearly 50% were influenced by others in deciding to mount an attack, dared or encouraged to attack, or both

- Most incidents are stopped by law enforcement

    - **Fiction:** Most attacks _**were stopped by school administrators, educators and students**_ or by _**the attacker stopping on their own**_

What does this tell us?
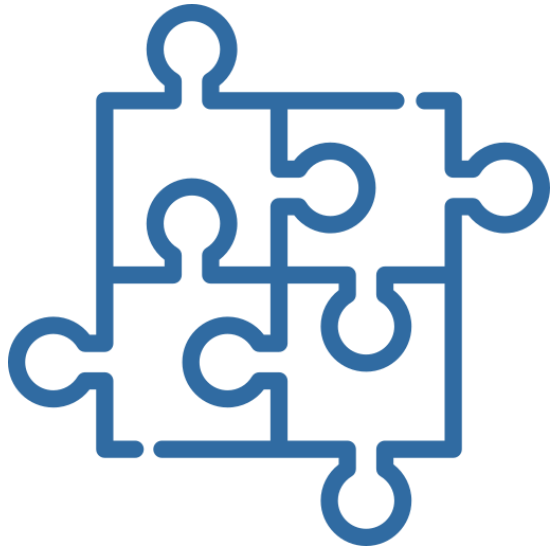
- Many acts of targeted violence are preventable... The challenge?

- Pieces of the puzzle are usually there; but information is often scattered and fragmented

- If we act quickly when we first learn about something concerning then we can figure out who might have some relevant information

- To do this, we need to **set a low bar to trigger the TA process**

- In evaluating information, ask: **Is the subject of concern on the pathway to violence?**

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The Path to Violence

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PBS Path to Violence
PBS After Newtown

Reflect on this from the National Threat Assessment Center

When establishing threat assessment capabilities within K-12 schools, keep in mind that there is no profile [of an attacker]. There have been male and female attackers, high-achieving students with good grades as well as poor performers. These acts of violence were committed by students who were loners and socially isolated, and those who were well-liked and popular.

Rather than focusing solely on a student's personality traits or school performance, we can learn much more about a student's risk for violence by working through the threat assessment process, which is designed to gather the most relevant information about the student's communications and behaviors, the negative or stressful events the student has experienced, and the resources the student possesses to overcome those setbacks and challenges.

U.S. Secret Service National Threat Assessment Center, July 2018

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Section 2 | The Principles of Threat Assessment

The principles of Threat Assessment | Pathway to Violence

- Targeted violence is the end result of an **understandable**, and frequently **discernible**, process of **thinking and behavior** known as the Pathway to Violence

GRIEVANCE

IDEATION

PLANNING

PREPARATION

IMPLEMENTATION

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The principles of Threat Assessment | STEP©

- Targeted violence stems from an interaction among the subject(s), the target(s), the environment and the precipitating events

©Deisinger & Randazzo (2008)

The principles of Threat Assessment

- Threat assessment is about *prevention, not prediction*
- Focus must be on the *central question*: Whether an individual *poses* a threat, not just whether the person has *made a threat*
- An *inquisitive, objective and diligent mindset is critical* to successful TA
- Effective TA is based upon *observations of behavior, rather than on characteristics –Behavioral Threat Assessment* – a *deductive process*
- Very different to profiling – an inductive process asserting certain traits are predictive of the probability an individual will engage in a certain form of behavior
- *Violence is a dynamic process*. No one is either always dangerous or never dangerous

The principles of Threat Assessment

- An *integrated systems approach* should guide threat assessment investigations
- Relationships with agencies and service systems within the school and community are critical to identifying, assessing, and managing individuals on a path to violence
- *Social media and on-line activity are often critical considerations*
- *The relationship between mental illness and violence is complex*. Serious mental illness increases general risk of violence, but is not the major factor that it is perceived to be *and* is *almost never the sole or primary explanation for a violent act*
- Proactivity to ensure *individuals who may pose a threat are identified and intercepted early* is necessary; achieved by setting a low bar to triggering TA

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The principles of Threat Assessment

Under-react... bar too high...
Missed opportunities to positively
intervene and support... too little,
too late...

⇄
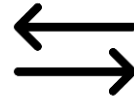
Over-react... Unintended
consequences of 'coming down
hard'... Impact on school
climate... 'Alert fatigue' within
school community and partner
agencies / professionals

TA is a mechanism that is logical, can be trusted and seeks to remove subjectivity

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Section 3 | Responsibilities and Composition of Threat Assessment Teams

Code-mandated responsibilities of Threat Assessment Teams

- Assessing and intervening with individuals who may pose a threat to self or others
- Ensuring **school employees** know:
  - **Who** the Team members are
  - **How** – and to whom – to report threatening or at-risk behavior, including through *Safe2Say Something*
- Reporting quantitative data to the Chief School Administrator / designee on the Team's activity
- Additionally recommended to provide advice, guidance, awareness raising materials and training **to the whole school community** on recognizing threatening or aberrant behavior, and how to report it

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Code-mandated responsibilities of Threat Assessment Teams

In addition, Teams are to:

- Upon a *preliminary determination* that a student may pose a threat of violence or physical harm to self or others, *notify* the chief school administrator or a designee, the student's building principal and the school safety and security coordinator

- The building principal or designee will immediately attempt to notify the student's caregiver*, unless abuse or neglect are suspected, in which case CPS would be notified, and **not** the student's caregiver

- *This general reporting requirement does not stop school employees from acting immediately to address an imminent threat

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Composition of Threat Assessment Teams

- As a minimum, each Team is to include individuals with expertise in:
  - School health
  - Counseling, school psychology or social work
  - Special education
  - School administration
  - + School Safety Coordinator

Who in your school might fulfill these roles? Can members fulfill more than one role?

- This composition of TAT members should not be understood as the final composition… A core team of 3-5 members, augmented by others…

Who else could be beneficially included either as a sitting member of a TAT or as someone called in on an ad hoc basis where specialized expertise would be of value?

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Section 4 | Conducting Threat Assessments – The Process in Overview

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Conducting Threat Assessments – The Process in Overview

Section 5 | Identifying and Reporting Threats

The importance of reporting

- Identifying individuals or situations of concern depends upon the willingness and ability of the school community to communicate with the TAT…

- …and the **ability to recognize warning signs**

- **How can we educate the school community on what to be alert for and how and when to report? And do so without creating a climate of fear and mistrust?**

- Early intervention to manage threats is best achieved when the whole school community are encouraged to report **any threats or other behavior that they find troubling or upsetting**

- However, TATs must be cognizant of the difference between **reactive aggression** (handled in most cases through established conduct and discipline mechanisms) and **proactive aggression** (what TA deals with)

Reactive and proactive aggression and violence

Reactive

- Fight or flight response to a perceived threat
- Fueled by adrenaline
- Aggressors lose control
- Emotional / tantrum
- **Goal:** Threat Reduction – self-defense

Remember… Attackers don't snap. They decide

Proactive

- Conscious response
- Fueled by *intent*
- Little or no emotion
- Predatory
- **Goal:** Multiple… notoriety, revenge, status, money, power, assumption of control over destiny, promotion of religious or political beliefs…
- …anything that the subject rationalizes will be 'won' by their actions

Behaviors notifiable to Law Enforcement

- Regardless of law enforcement action, Teams should conduct their own assessment to ensure the school is ready to respond to any risks / offer supportive interventions

- TATs must be familiar with these as they may discover criminal allegations or concerning behaviors as to criminal behavior in the process of their work

- Note, however, this reporting is a *school administration duty*, not a TAT duty

- In addition, school entities must immediately notify, as soon as practicable, the caregiver(s) of a victim or suspect directly involved in these incidents

- Caregivers must be informed as to whether the local police department has been, or may be, notified of the incident

- Again, while not a duty of the Team, in practical terms, where this relates to a TA case, it may well be the TAT who make the notification

- TATs must be clear on the procedures related law enforcement notification associated with students with a disability

Reportable behaviors and 'Leakage'

- **Threat:** A concerning communication or behavior that suggests a person may intend to harm themselves or someone else… It is an ***expression of intention*** to inflict injury or damage and often one of the first ways a person of concern may be identified

- Could be an actual expression of intent to do harm, a "leakage" of violent thought, or an inappropriate statement

- **Leakage:** *Communication* to a 3rd party of an intent to do harm to a target

- Communication varies: Planned or spontaneous utterances, letters, diaries, emails, journals, social media posts, text messages, video recordings…

- Leakage could be intentional or unintentional

  Why might leakage be intentional on the part of the subject?

- **Fact:** Behavioral Threat Assessment research finds leakage ***very frequently occurs***

The Concept of Leakage in Threat Assessment

Reportable behaviors: Examples

- Physical violence toward a person or property

- Direct or indirect threats of violence

- Bullying that continues after interventions to stop the behavior

- Possession of weapons on school grounds or school events

- Any statements or behaviors indicating suicidal thoughts or behaviors

- Any behaviors or communications that suggest the individual has engaged in:

  - Research or planning related to carrying out a targeted attack

  - Efforts to acquire the means to engage in an attack

  - End of life planning

Reportable behaviors: Other concerning behaviors

- Any act, gesture or statement that would be interpreted by a reasonable person as threatening or intimidating, such as:
  - Overt physical or verbal intimidation
  - Throwing objects or other gestures intended to cause fear
  - Making contextually inappropriate statements about harming others
- Unusual or bizarre behavior that would cause a reasonable person to fear injury or harm due to its nature and severity, such as:
  - Stalking
  - Erratic or bizarre behavior suggestive of mental disturbance or substance abuse
  - Fixation with mass murder, weapons, or violence generally
  - Fixation with hate group, terrorist, or extremist material

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Behaviors notifiable to Law Enforcement

- The PA School Code and wider state law requires a number of incident types to immediately be reported to law enforcement, including:

  - Homicide
  - Aggravated assault
  - Stalking
  - Kidnapping
  - Unlawful restraint
  - Rape
  - Sexual assault
  - Arson

  - Institutional vandalism
  - Burglary
  - Criminal trespass
  - Riot
  - Possession of firearm by minor
  - Possession, use or sale of a controlled substance or drug paraphernalia

Are those guns real…?

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They're all on my hit list...

I'm really worried about him…

Creepy Pasta drawings

Who reports, and how to report

- The ability of TATs to assess and intervene early is contingent on all potential reporters – the **school community as a whole** - being:

  - Clear on what represents concerning or aberrant communication and behavior

  - Having confidence their concerns will be heard – and by whom and by what process

- Requires the TAT to ensure the school community:

  - Can recognize concerning or aberrant behavior and communication

  - Know the reporting channels and the TA process and personnel reports will 'activate'

Who are threats reported to in your context?
How is this known to the school community?

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Who reports, and how to report

- Create multiple channels… all staff have a pastoral care role…

- Focus on fostering a positive school climate so barriers to reporting are broken down

- *Safe2Say Something*

- Act 44 required the establishment of Safe2Say, but it **does not create mandated reporting requirements**

- Instead, school entities **must develop procedures for assessing and responding to reports received through the Safe2Say Program**

- School entities do not report information **to** *Safe2Say Something*

Barriers to reporting

- **Bystanders:** Anyone positioned to have awareness of risk factors or to observe warning behaviors related to a person who may be considering acting violent

- **Upstanders:** This is what we want bystanders to be… willing to report what they know or see to a caring adult, someone in a position of authority at school or to law enforcement

- School climate affects whether bystanders come forward with information

What might create barriers to reporting?
How can we overcome these?

USS & DOE Prior Knowledge of Potential School-Based Violence

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Overcoming barriers to reporting

- There is no penalty for good faith reporting, even if the behavior seems low-level or unclear
- Open up discussions with the school entity solicitor on civil liability immunity as governed by local law. The context where guidance would be sought would relate to:
  - ***Whether immunity from civil liability would exist***…
  - …in circumstances where, ***in good faith*** with ***reasonable cause*** and ***without malice***…
  - … school personnel including TATs, but also the wider community of reporters which will include caregivers and students…
  - …***reports, investigates, or causes an investigation to be made into information that any person poses a credible danger of serious bodily injury or death*** to any other person on school property…
  - …or ***fails*** to report, investigate or cause an investigation to be made, ***in circumstances where they might reasonably be expected to have done so***.

Overcoming barriers to reporting

- Under state law, Teams **must** ensure that **school employees**: 1). Are aware of who TAT members are and how to report threatening or at-risk behavior; 2). Have access to informational materials regarding recognition of threatening or at-risk behavior that may present a threat

- TAT's effectiveness contingent on educating the **whole school community**

- Team's efforts are oriented around assistance, not punitive actions…

- …emphasize reporting as an act of caring; not "snitching" or "tattling"

- Provide multiple ways to report a concern

- Create a **culture of shared responsibility** helps turn **bystanders into upstanders**

- "Loop back" with anyone who reports a threat to let them know their report led to a better understanding of the situation and allowed interventions to be put into place

Section 6 | Gathering Information

The focus of information gathering

- Behavioral Threat Assessment and Management is a *fact-based* process
- Gathering information – the *facts* upon which analysis and assessment is performed – is centrally important
- Potentially enormous amount of information; requires a coherent approach to how we gather information
- Continuously reflect on all parts of *STEP* to ensure vital information is not missed
- Focus on NTAC's *investigative themes*… These are evidence-based, good practice
- For each of the themes, pose a question that will open up the line of inquiry

Investigative themes

Motive

- What are the student's motive(s) and goals? What first brought them to someone's attention?

Communications

- Have there been any communications suggesting ideas, intent, planning or preparation for violence?

Inappropriate Interests

- Has the student shown any inappropriate interest in, fascination, and / or identification with other incidents of mass attacks or other acts of targeted violence?

Investigative themes

Weapons Access

- Does the student have (or are they developing) the capacity to carry out an act of targeted violence?

Stressors

- Has, or is, the student experiencing stressful events, such as setbacks, challenges or losses or are there circumstances that might affect the likelihood of an escalation to violent behavior?

Desperation or Despair

- Is the student experiencing hopelessness, desperation, and/or despair?

Investigative themes

Mental Health Disorders and Developmental Issues

- Does the individual have a diagnosed mental health disorder or developmental issue or exhibit behaviors that suggest they may have a mental health disorder or developmental issue?

Violence as an Option

- Do they see violence as an acceptable, desirable (only?) way to solve a problem?

Concerned Others

- Are other people concerned about the individual's potential for violence?

Investigative themes

Planning and Capacity to Carry Out an Attack

- Does the student have the ability, intent and will to plan and carry out an attack?

Consistency

- Are the student's conversation and "story" consistent with his or her actions?

Protective Factors

- Does the student have a positive, trusting, sustained relationship with at least one responsible person?

Potential Sources of Information – Group Work Exercise

Sources of information

Background Information
- Recent and historical school or work performance history
- Prior TAT contact(s)
- Contact with law enforcement or security at school and in the community
- Student records

Other Sources of Information
- Information from the threat recipient, witnesses, target, student, caregivers, teachers and others who regularly interact with the individual
- Social media presence
- Internet usage / search history
- Criminal records
- Search of person, property, locker and/or desk
- Information from previous schools
- Information from community-based medical or mental health providers

Access health records and behavioral history

- Upon a preliminary determination a student's behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others … to facilitate the timely assessment of, and intervention, a Team *shall* (Art. XIII-E § 1302-E (d)) have access to the following student information *to the extent permissible under State and Federal law*:

  - Student health records

  - Prior school disciplinary records

  - Records or information relating to court adjudication (through juvenile probation)

  - Records of any prior behavioral or mental health or psychological evaluations or screenings *maintained by the school entity*

  - Other records or information that may be relevant to evaluating a threat or determining treatment or referral options for a student that are maintained by the school entity, e.g., SAP referrals

Access to health records and behavioral history

- There is a general principle that where school entitles request information from county agencies / juvenile probation service, those recipients shall comply...

- ...However, there are constraints on access, associated with:

  - 42 Pa.C.S. § 5944 relating to confidential communications to psychiatrists or licensed psychologists

  - The Family Educational Rights and Privacy Act (FERPA)

  - Individuals with Disabilities Education Act (IDEA)

  - Health Insurance Portability and Accountability Act (HIPAA)

  - DHHS prohibitions and limitations relating to the confidentiality of drug and alcohol treatment records

- in many cases however, there are exemptions associated with cases where there is an assessed threat to life or other emergency

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Access to health records and behavioral history

- Any information gained from health records or behavioral records is to enable the Team to fulfil its duty to:
  - *Evaluate a threat or the recommended disposition of a threat*...
  - ...and, *no member of a team may redisclose any record or information obtained [through exercise of their Code-mandated authority] or otherwise use any record of a student beyond the purpose for which the disclosure was made to the team*
- Documentation maintained by the TAT is not subject to PA Right To Know Law

How can obstacles to gaining allowable access to behavioral and mental health records and criminal history be overcome?

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Access to health records and behavioral history

- Information is gathered in collaboration with the school entity's safety and security office, or other central office level staff, with legal advice / oversight where relevant

- Simplest option: Obtain permission from caregivers for records to be disclosed

- If not practical / getting results: Consider (with legal advice) whether Tarasoff Rule applies

- Tarasoff obligates mental health providers to use *reasonable care to protect the victim of a threat of violence*

Obligations under Family Educational Rights and Privacy Act [FERPA]

- ***Does not apply to oral communication*** between educators and others concerning information or knowledge ***that does not rely on the education record***

- ***Does not stop a school official from disclosing information*** about a student ***if the information is obtained through the school official's personal knowledge or observation***, and ***not from the student's education records***

- ***May not apply to images*** of students captured on CCTV or other security cameras maintained by the school's ***'Law Enforcement Unit'*** [LEU]. In many cases, FERPA will not apply, but consultation with your solicitor is advised in relation to the specific context presented by your school entity

Obligations under Family Educational Rights and Privacy Act [FERPA]

- **LEU:** Police officers or security staff employed or authorized by the school to monitor safety and security in and around school premises, or specifically designated school officials responsible for referring potential or alleged violations of law to local police authorities

- Investigative reports / other records created and maintained by LEU *are not considered subject to FERPA*

- These *can be disclosed*, including to outside LE, *without the consent of caregivers*

Education Record Disclosure exceptions under FERPA:

- In an emergency, school officials are permitted to disclose education records without consent to protect the health or safety of students or other individuals

FERPA's Relationship with Health Insurance Portability and Accountability Act [HIPAA]

DOE & DHHS guidance on relationship between FERPA and the HIPAA Privacy Rule:

Disclosures to Prevent a Serious and Imminent Threat: *Health care providers may share PHI with anyone as necessary to prevent or lessen a serious and imminent threat to the health or safety of the individual, another person, or the public … This permission includes the sharing of psychotherapy notes, which otherwise receive special protection under the [HIPAA] Privacy Rule.*

Thus, without a patient's authorization or agreement, health care providers may disclose a patient's health information to anyone who is in a position to prevent or lessen the threatened harm, including family, friends, caregivers, and law enforcement.

[DOE & DHHS Guidance on Application of FERPA and HIPAA to Student Health Records](#)

Response to a reported threat

- Use a standardized protocol for gathering information and for interviewing:
    - Who will interview students who might pose a risk for violence?
    - Who will talk to classmates, teachers, or caregivers?
    - How will information gained through interviews be documented?

Response to a reported threat: Initial interviews to verify a reported threat

- Where threat is not imminent, circumstance will help determine who and when to interview

- Student who might pose a threat of violence may be among the last to be interviewed

- Goal of initial interviews: Evaluate the potential threat in context and consider:
  - Student's explanation of the threat's meaning
  - Perceptions of the threat's meaning by the target / witnesses

- Record an interviewee's exact words

- Initial interviews should begin with open ended questions

- Ask witnesses and potential targets about their perceptions, feelings and interpretation of the student's communication or behavior

- Ask the student about their statements / behavior

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Response to a reported threat: Initial interviews to verify a reported threat

- Initial information gathering should include developing an understanding of the motivation of the *individual who initially reported the threat*

- This includes an understanding of the *relationship between the reporter and the individual of concern*

- The possibility that reports may be made for malicious / spurious reasons must be considered as a possibility and ruled out as part of TA

- In questioning the student, you are trying to gain an understanding of the context in which their behavior occurred, their intentions and motivations, their understanding of the impact of their behavior on others and their future plans

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Intake and Initial Inquiry

- Extent of information gathering undertaken impacted by the level of concern presented by the individual and / or the situation

- The initial information gathered is reviewed by a subset of the full Team. Goal: To determine *whether the threat can be quickly and easily resolved and whether existing resources and mechanisms are sufficient to address those concerns*

- The Intake and Initial Inquiry step also answers the critical question: *Is there an imminent or direct threat posed by the subject / situation?*

- If yes, immediate protective actions need to be taken and, dependent on the nature of the concern, notification to Law Enforcement

- Crisis response procedures (school entity's EOP) would be initiated and the TA 'paused'

- Once safety of student, target and environment are established, TAT can reconvene

Intake and Initial Inquiry > Triage

- Now the scope of the TA broadens to include more people and more information to develop a holistic view of the student who might pose a threat of violence / situation

- Triage will more fully develop lines of inquiry using STEP© as a framework, whether undertaken once actions to mitigate an imminent threat have been taken, or carried out where the Intake and Initial Inquiry step determined there was no imminent threat

- To perform triage, readily accessible information is gathered: interviews, records checks

- At the conclusion of Triage step:

  - If it cannot be determined with a reasonable degree of confidence that the subject of concern is **no threat or presents only a low level of concern,** a full **Inquiry** is undertaken by the full TAT and the subject / situation of concern are determined to pose a *Substantive Threat*

  - If Triage determines no threat / low level of concern (*Transient Threat*), case is either documented and closed or referrals / other supports to address remaining concerns occur

Intake and Initial Inquiry > Triage

- A third determination is also possible

- That the individual *poses no threat to others* <u>but</u> *does pose a threat to self*

- These cases will be rare

- If the TAT observe warning signs or risk factors for suicide risk, but no indicators of a threat to others:

  - Student should be immediately referred to the Act 71 team / Crisis Response Team

  - The TA case would be closed

  - If the Act 71 team / Crisis Response Team subsequently identify potential for threat to others, the student would be referred back into the TA process

Follow-up after triage: Focus of interviews

What should interviews with the following focus on:
- *Teachers / other school staff?*
- *Classmates or other peers?*
- *Caregivers?*
- *The student who might pose a threat of violence?*

Full corroboration of information across these sources will be powerful in helping to assess the level and nature of the threat…
…but what might significant differences in the information provided by these sources reveal?
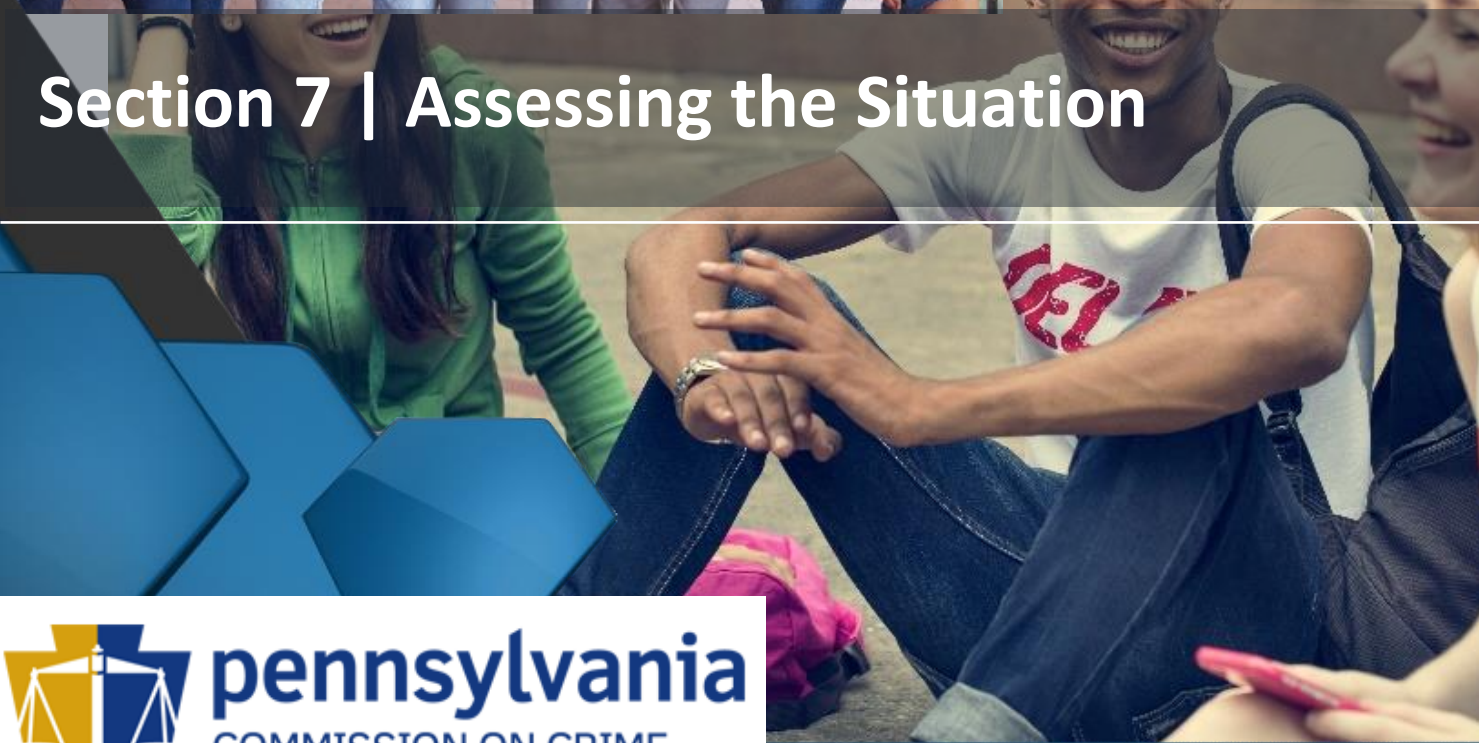
Are those guns real…?

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I'm really worried about him...

Creepy Pasta drawings

Section 7 | Assessing the Situation

# Assessing the situation and classifying threats

- We use the information gathered to determine whether the threat is classified as:
  - Low Risk Threat - Low Level of Concern – **Transient Threat** unless other STEP© concerns
  - Moderate Risk Threat - Moderate Level of Concern – **Substantive Threat** at Moderate Risk / Level of Concern and beyond
  - High Risk Threat - High Level of Concern
  - Imminent Threat
  - Direct Threat
- Classification as *No Concern* is also possible and so is that the individual poses no threat to others but does pose a threat to self
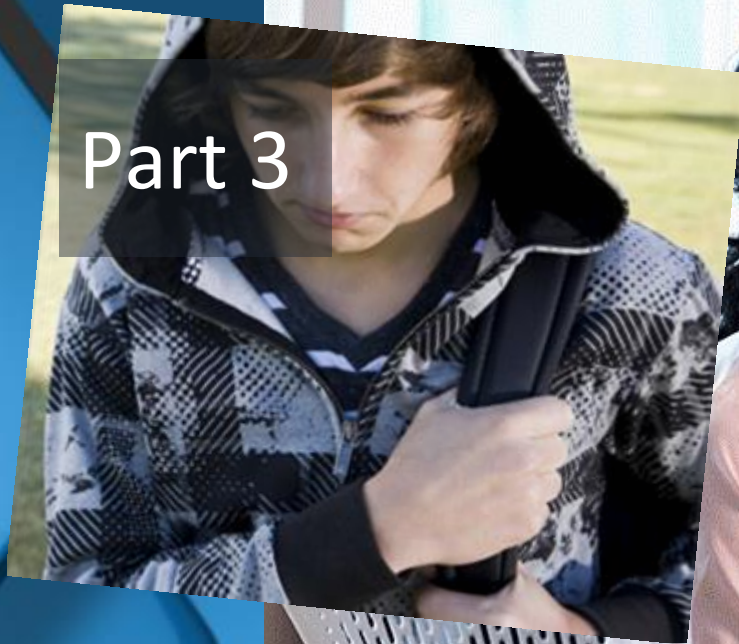
Are those guns real...?

Part 3
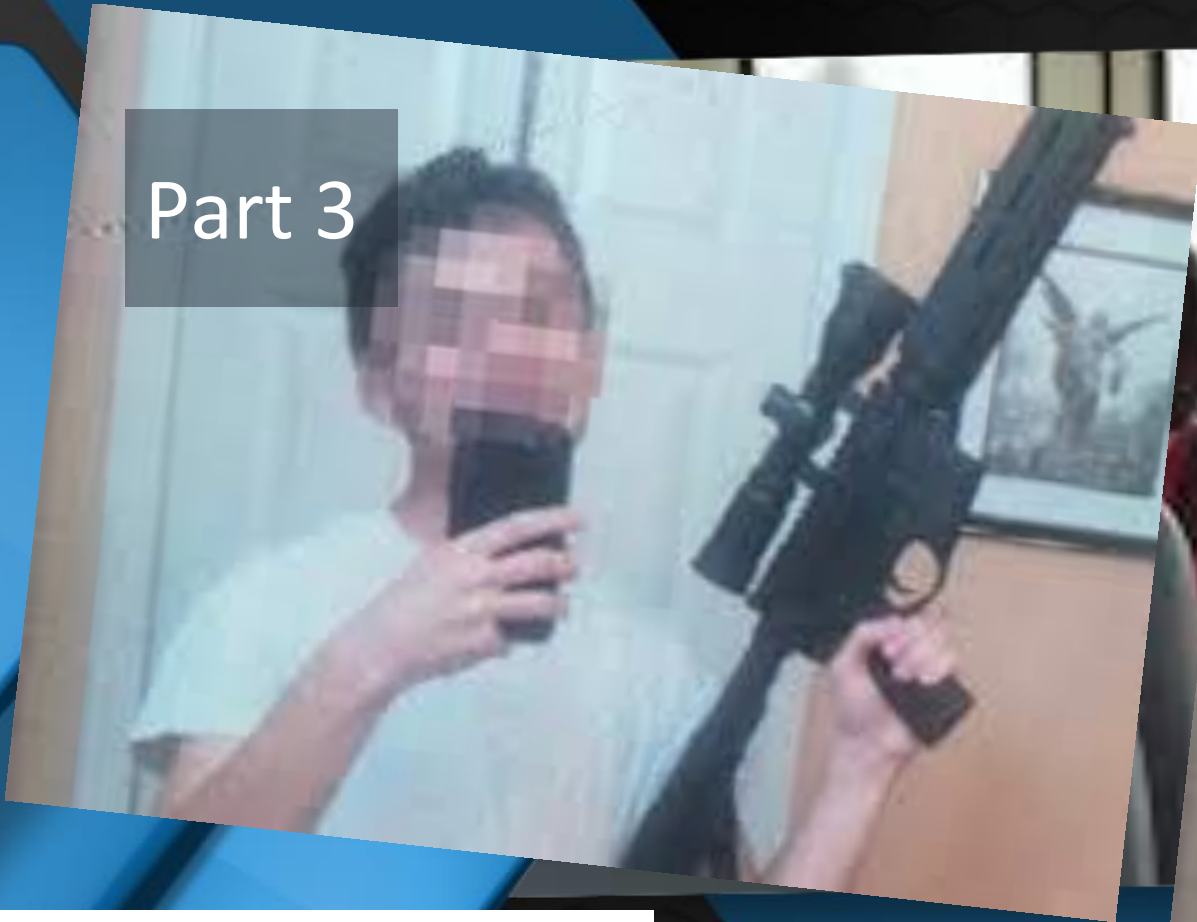
Part 4
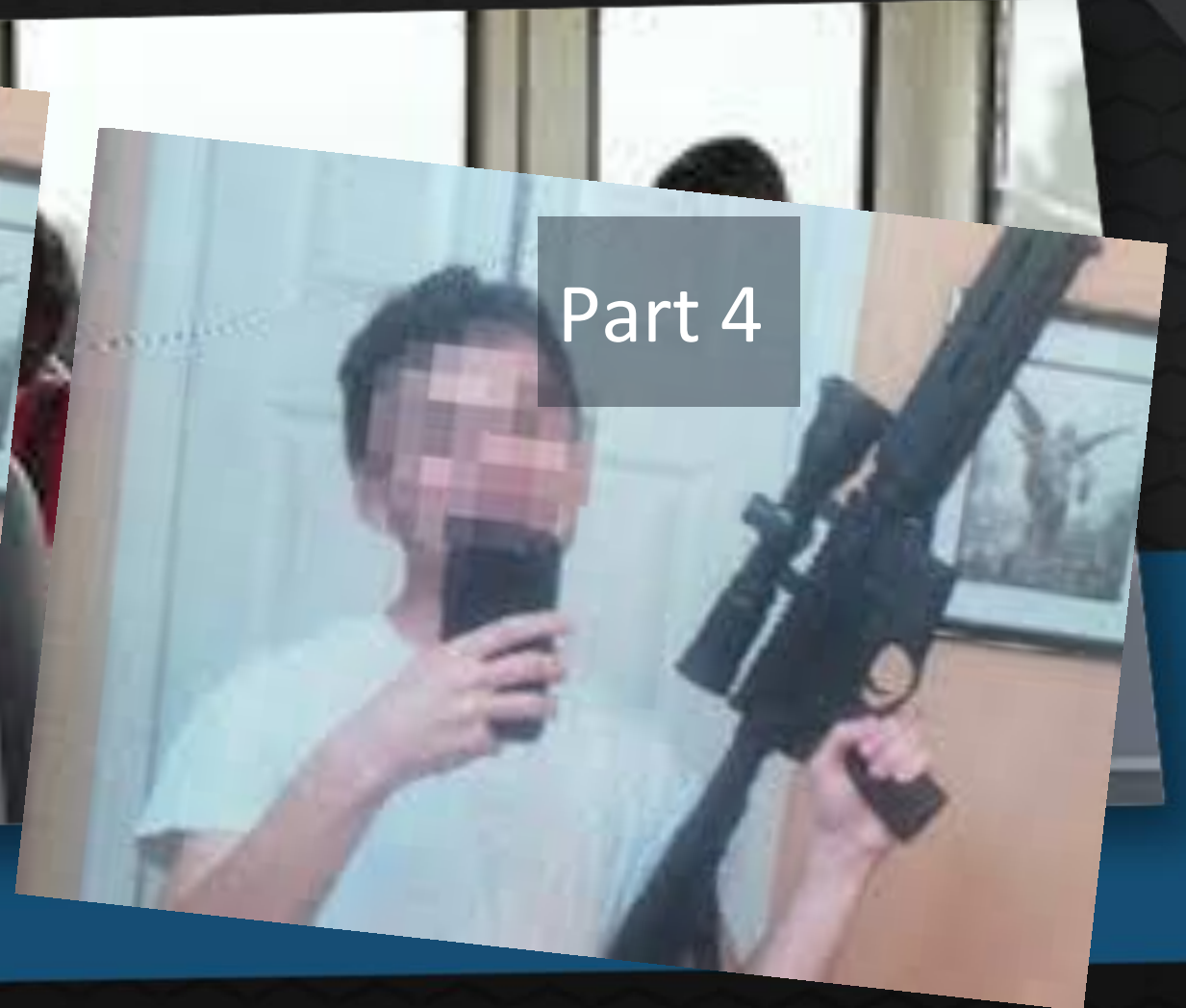
I'm really worried about him...

Part 3

Part 4

Section 8 | Managing Threats

Goals of threat management

- Control the situation/individual to prevent the possibility of violence
- Protect and aid possible targets to the extent possible
- Provide support and guidance to help individuals deal successfully with their problems
- STEP© can provide a useful framework for approaching threat management coherently:
  - **S:** De-escalate, contain, or control the individual who may take violent action
  - **T:** Decrease vulnerabilities of the target
  - **E:** Address environment and systems to discourage escalation
  - **P:** Prepare and mitigate against precipitating events that may trigger adverse reactions
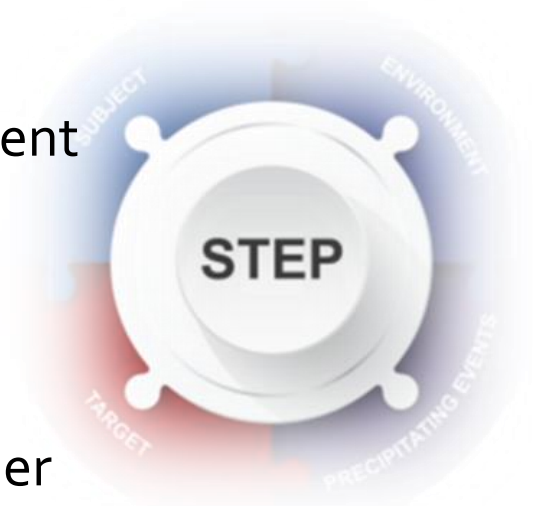
Subject [Student posing a threat of violence]

- Threat Management responses generally fall into: (1). Discipline; (2). Behavioral interventions and supports; (3). Mental health support and skill-building
- Examples of strategies:
  - Increasing engagement to build rapport, decrease isolation, problem solve about grievances, monitor reactions to interventions and precipitating events
  - Referral to SAP for assistance with academic, behavioral or social-emotional challenges
  - Referral for in-school / community-based mental health assessment and/or special education or 504 Plan evaluation via MDT/CST
- For students not identified with a disability, consider whether the information gathered suggests a referral to consider special education eligibility is appropriate

Subject [Student posing a threat of violence]

- Disciplinary actions / behavioral interventions… admonition and counseling, behavioral contracts, change class, short / long term suspension, alternative school placement or expulsion

- If behavior / communication of concern was Code of Conduct / school board policy violation, all disciplinary procedures followed, and student poses a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services…

- …the direct threat standard may be used to remove the student

- If a student posing a risk for violence is identified with a disability:
  - Follow due process under IDEA prior to taking actions which would constitute a change in placement
  - Consider referral to IEP team… Changes to goals, services, accommodations or placement warranted?

Target

TATs operate under the duty to *both* **Warn** *and* **Protect** individuals who may be under threat, at all times reiterating that the situation is not their fault, minimizing the risk of self-blame, and ensuring supports are available for them:

- Inform the target (and caregiver if a student) as to the **nature of the threat** and **who the student at risk for violence is**

- Provide coaching regarding personal safety approaches in dealing with the student at risk for violence

- Provide supportive counseling

- Support / implement strategies to minimize the target's contact with the student posing risk for violence

- Act 110 of 2020 protects students who are victims of sexual assault from having to attend the same school as the individual convicted or adjudicated delinquent of sexual assault against them

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Environment and Precipitating Events

- Implement a trauma-informed approach to create a trauma-informed school community

- Enhance bullying prevention programs

- Assess school / workplace climate and support efforts to build a caring community

- Intervene with others that support or encourage the individual's violent behavior

- Take steps to increase social-emotional learning and mental health awareness across the school

- Strengthen suicide prevention programs

- Assign a case manager to monitor the student posing risk for violence and notify the Team of any change in status or exacerbation of stressors – including "last straw" / triggering events

PDE School Climate Hub

National School Climate Center

Bullying Prevention – stopbullying.gov
Model Trauma-Informed Approach Plan
National Center on Safe Supportive Learning Environments

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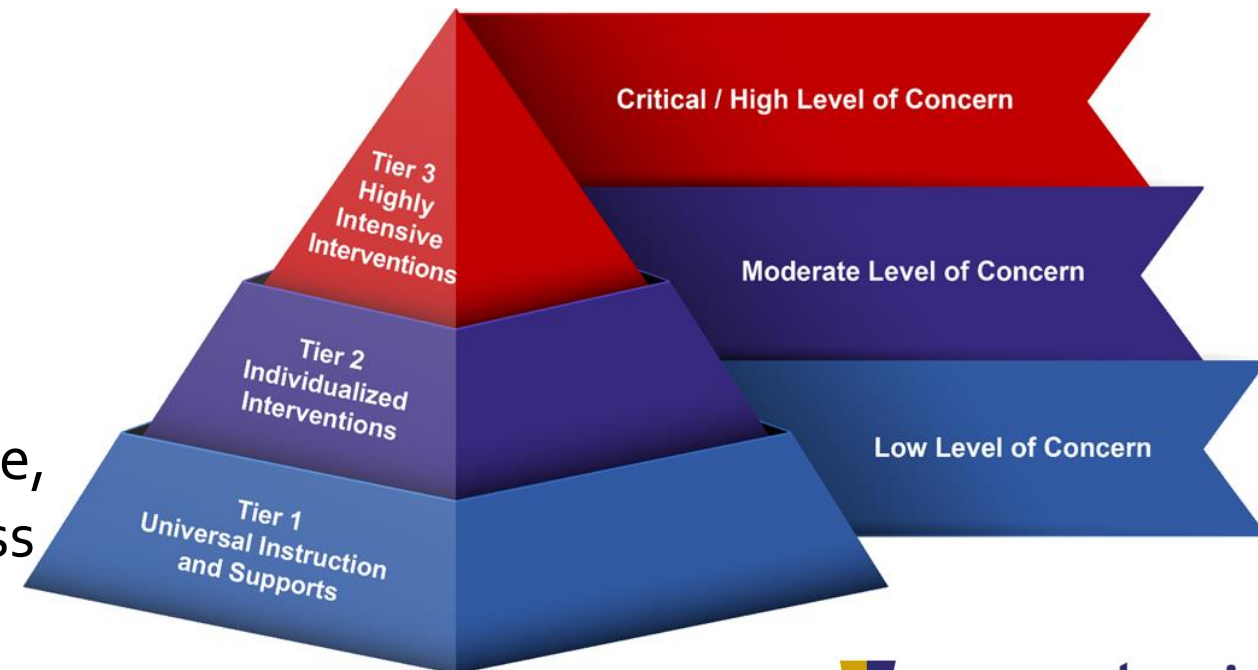# Coordinating with others

- TA is designed to work in conjunction with, and not in place of, existing programs and frameworks, including:

  - Student Assistance Program (SAP)

  - Multi-Tiered Systems of Support (MTSS)

  - Positive Behavior Interventions and Support (PBIS)

  - School climate initiatives

  - Trauma-informed approaches

  - Social-emotional learning

  - Suicide prevention and awareness

- It is ***vitally important that these Teams can work together*** and not in isolation or in conflict

PCCD Guidance for coordination and communication with other school-based teams for TATs

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Tiered interventions

- STEP enables us to track the complex, multi-factor nature of BTAM cases from Inquiry to Management

- TATs can additionally use MTSS to help determine the specific mix / intensity of interventions

- M TSS provides a framework for responding to situations of concern – whether those involving TA or complementary / parallel processes associated with academic performance, behavior and social-emotional wellness

- Must be applied holistically

Tier 3
Highly
Intensive
Interventions

Tier 2
Individualized
Interventions

Tier 1
Universal Instruction
and Supports

Critical / High Level of Concern

Moderate Level of Concern

Low Level of Concern

Tiered interventions

- **Tier 1:** Foundation for the MTSS framework and encompasses the entire school / practices that contribute to a positive school climate…

- … proactive classroom management strategies, positive relationships between staff and students, clear and objective behavioral expectations, PBIS, social-emotional learning curricula, restorative practices…

- **Tier 2:** Individualized, targeted interventions to address underlying factors…

- … in-school group counseling to develop coping, self-regulation and / or peer relationship skills, academic supports, check in / check out, behavior contract, referral to community based resources, assignment of a mentor…

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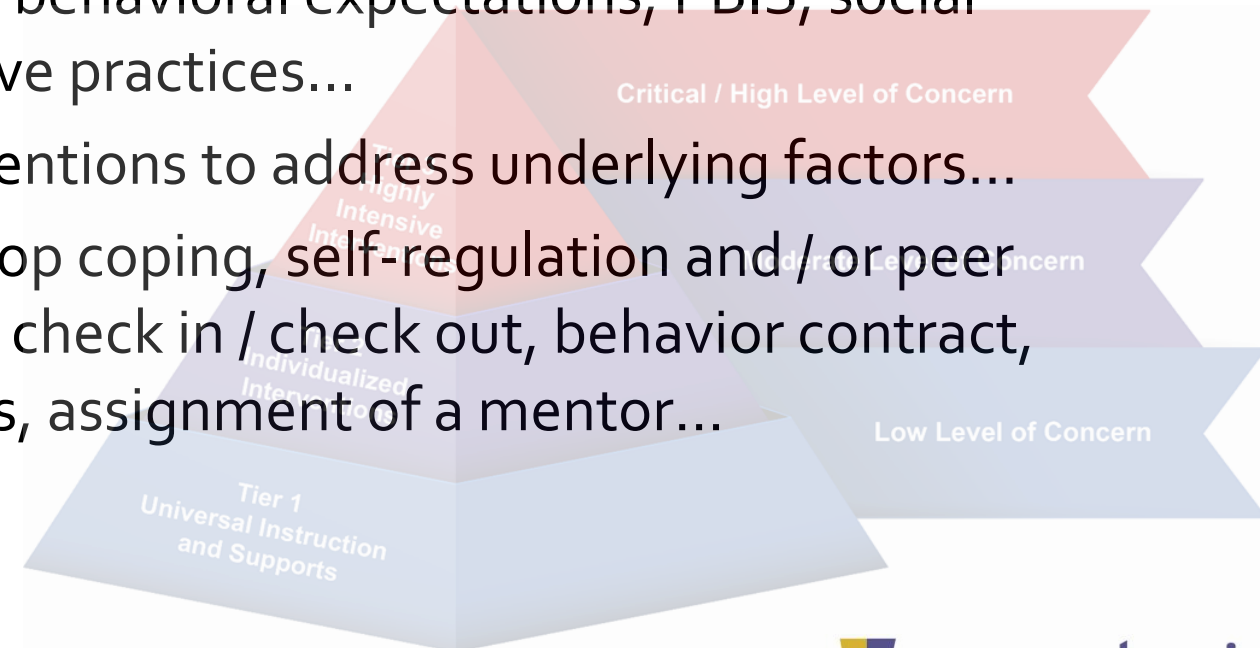
Tiered interventions
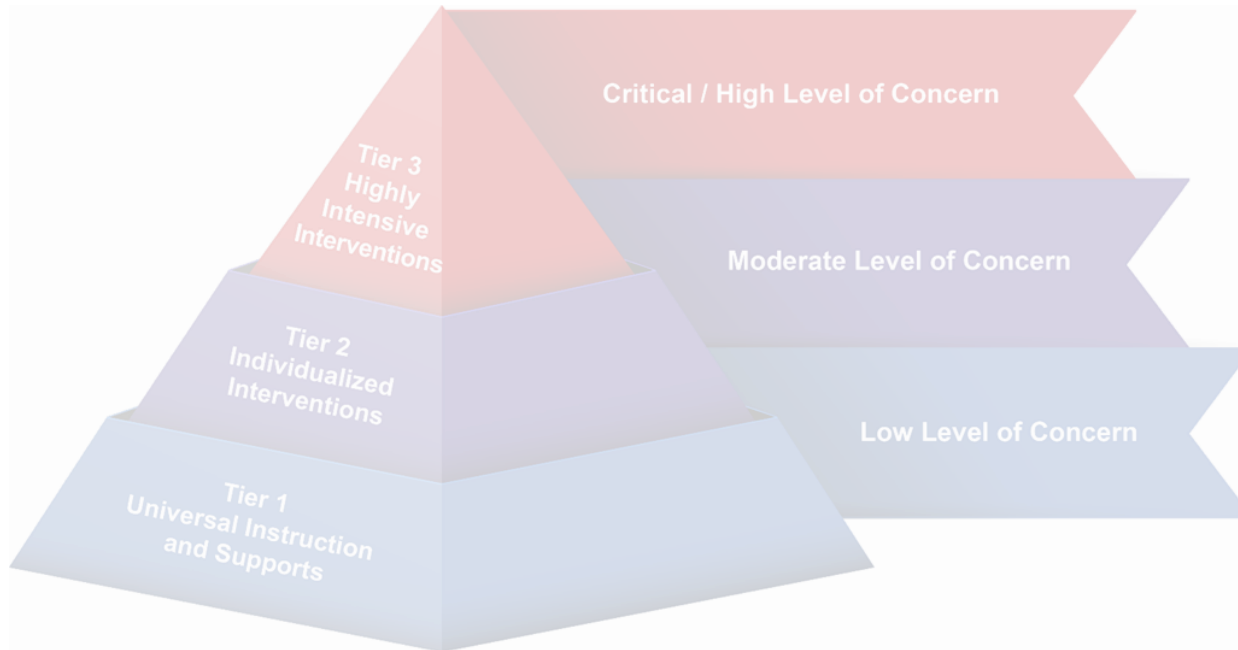
- **Tier 3:** Highly intensive, individualized interventions and supports…

- … multi-agency involvement, potentially criminal charges / high discipline consequences, potential change in educational placement, SPED eligibility or placement, referral for mental health assessment, increased supervision and monitoring, FBA, BIP…

Re-entry plans

- **Purpose:** Identify and address issues that led to the crisis
- Required for any student returning to school after a high-risk threat to self or others
- Case manager contacts caregiver(s) to arrange the meeting. If arranged by phone, a notification letter should be given to the caregiver(s) on the day of the meeting
- *Who should be included in the re-entry team meeting?*
- Team should secure a release to exchange information with the student's mental health provider, if student is in treatment
- If a disability is suspected, refer to the MDT / CST

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Re-entry plans

- Supports listed in the re-entry plan as actions to be taken by the school, caregiver, or student

- Ensure actions are assigned **to a named individual**

- Case Manager responsible for communicating the plan within the TAT and other school staff, for monitoring it and reconvening TAT if necessary

- Team, caregivers, student sign the plan and copy given to caregivers and student

- Plan should be attached and stored with the threat management case record

- *If determined the student poses a continued threat of violence, TAT will develop, implement, and monitor an individualized Safety Plan*

Safety plans

- **Purpose:** To establish and maintain consistent measures to follow in cases *when a student displays unsafe behavior AND is considered at risk for future unsafe behavior*

- Must be individualized

- Addresses a specific behavior that is dangerous to the student / others

- Safety Plans will generally cover:

  - Description of the specific unsafe behaviors and warning signs or triggers

  - Crisis Response Plan

  - Strategies known to be effective in de-escalating the situation

  - Supports to be put in place to lessen the likelihood of the unsafe behavior

  - Plan for monitoring and terminating the plan

Final Group Thoughts & Questions

Further Information

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