

<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 100-11</b>
<b>Subject: SCHOOL AND WORKPLACE SAFETY - BEHAVIOR THREAT ASSESSMENT</b>	<b>Issued: 9/4/19</b>
<b>Preparing Office: Office of the Superintendent</b>	<b>Amended: 3/17/21</b>

## Policy 111

### I. Purpose

To acknowledge the Board of Education's (Board) commitment to promote a culture fostering wellness, safety, and civility for students and staff, as well as the expectation to fully comply with Maryland law to ensure Frederick County Public Schools (FCPS) provides a safe and secure environment.

This document establishes procedures for assessment and intervention with students, staff, and other affiliated and non-affiliated individuals whose behaviors pose a threat to the safety of the school and work environment. This includes procedures for assessing and responding to workplace-related threats of violence in order to maintain a safe environment for victims of violence, fellow employees, and students.

### II. Definitions: General

- **Critical, life-threatening incident** means an event in which conduct occurred causing death or which resulted in serious bodily injury or the threat of serious bodily injury to one or more individuals, or which may be charged as a threat of mass violence under Criminal Law Article, §3-1001, *Annotated Code of Maryland*.
- **FCPS setting** shall mean the following for purposes of this regulation and Board Policy 111:

(1) **School grounds** means:

(a) The physical plant where the school is located and operated, including all buildings, physical structures, and real property owned or leased by the local school system for the operation of a school; and

(b) School transportation vehicles either owned by or contracted for by the local school system for the purposes of pupil transportation.

(2) **School property** means school buildings, school grounds, school system owned or leased vehicles, and any other location that is used for a school-sponsored event. For students, it includes any other location used for official curricular or extracurricular activities, including any field trips.

(3) **School-sponsored event** means an event organized by an employee in the scope of their employment.

- A **threat** is an expression of an intent to cause physical harm to someone and/or school property. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; and is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party; and regardless of whether the target of the threat is aware of the threat. Threats may be direct (“I am going to beat you up.”) or indirect (“I’m going to get him.”).
- A **behavioral threat assessment** is a structured, comprehensive process emphasizing an appraisal of observed (or reasonably observable) behaviors that present the risk of targeted violence posed by an individual or group. Its purpose is to identify potentially dangerous or violent situations, to assess them, and to manage/address them.
- 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 be resolved easily. A low risk threat may be addressed by the ordinary school disciplinary process at the discretion of the school administration.
- A **moderate risk threat** is one in which the person/situation does not appear to pose a threat of serious harm to self/others, at this time, but exhibits behaviors that indicate a continuing intent and potential for future violence or serious harm to self/others; and/or exhibits other concerning behavior that requires intervention. A moderate risk threat may also involve a parallel school disciplinary process.
- A **high risk threat** is one in which the person/situation appears to pose a threat of serious harm, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan; and may also exhibit other concerning behavior that requires intervention. A high risk threat may also involve a parallel school disciplinary process.
- An **imminent threat** exists when the person/situation appears to pose a clear and immediate threat of serious harm or violence toward self/others that requires containment and action to protect identified or identifiable target(s); and may also exhibit other concerning behavior that requires intervention.
- A **non-affiliated person** is a person who is not an employee, student, contractor, family member, or friend of a student or staff.
- **Frederick County Public Schools Threat Assessment and Management Oversight Team** (hereafter **TAMOT**) is a district-level team that provides oversight and support to school threat assessment teams. The TAMOT is comprised of the Supervisor of Security and Emergency Management/designee, a representative from the appropriate law enforcement agency, the Coordinator of Mental Health Services, the Director of Student Services/designee, the

appropriate Instructional Director, the Supervisor of Mental Health and Psychological Services, and the Supervisor of Behavioral Health and Student Services, with representative administrators from Special Education, Human Resources, and Legal Services as needed for consultation.

- **School Threat Assessment and Management Team** (hereafter **STAMT**) is a school-level team whose purpose is to identify, assess, and intervene with individuals whose behavior may pose a threat to the safety of the school or an individual attending, visiting, or working in an FCPS setting. The STAMT is comprised of building administrator(s), school psychologist, school counselor, certified special educator, and the school resource officer or other law enforcement representatives.

### III. Definitions: Workplace-Related Threats of Domestic Violence

- **Domestic violence** as defined by Maryland law is the occurrence of one or more of the following between family or household members:
  1. Assault.
  2. An act that places a person in fear of imminent serious bodily harm.
  3. An act that causes serious bodily harm.
  4. Rape or sexual offense.
  5. Attempted rape or sexual offense.
  6. Stalking.
  7. False imprisonment, such as interference with freedom, physically keeping one from leaving one's home, or kidnapping.
- **Domestic violence** includes, but is not limited to, physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, stalking, economic control, harassment, physical intimidation, or injury between family or household members.
  - **Domestic violence threat assessment** is a fact-based investigative approach that evaluates whether an individual's behavior poses a risk to their safety or the safety of others. The appraisal of risk in a given situation focuses on an individual's actions, communications, and specific circumstances that might suggest that an individual intends to commit a violent act and/or is engaged in planning or preparing for that event.
  - A **workplace safety plan** is a strategy developed in collaboration with the victim to implement workplace safety options including, but not limited to: implementing court protection orders; procedures for alerting security personnel; temporary or permanent adjustment of work schedules and locations; change in parking places; and requests for escorts to and from the workplace location.

### IV. Procedures

- A. Philosophy: Consistent with the *Maryland Safe to Learn Act of 2018* and the *Model Policy for Behavior Threat Assessment* developed by the Maryland Center for School Safety (2018), these procedures are based on the assumptions that:

- Incidents of targeted violence are rarely sudden, impulsive acts.
  - Others besides students engage in targeted violence in schools.
  - Prior to most incidents, other people know about the plan for violence.
  - Significant losses, failures, suicidality, and/or feeling persecuted or injured often precede an individual's decision to enact targeted violence.
  - Violence is a dynamic process. Risk is an interaction between the individual(s), the situation, the circumstances, the provocations, and the inhibitory factors that are present.
  - An effective threat assessment and management process is necessary to help ensure the safety of schools, students, staff, and visitors.
- B. Process: It is the responsibility of all members of the school community to promote a safe environment for students, employees, and visitors. This includes immediately reporting safety concerns related to threats of violent acts against self or others to the school administrator, law enforcement as applicable, and/or tip lines established by local, state, or federal authorities. The threat assessment and management process is designed to: (1) identify situations and/or persons that may represent a threat to the safety of schools, students, employees, and/or visitors; (2) gather additional information; and (3) manage the situation to mitigate the potential risk of violence. 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.
- C. Applicable procedures include those documented in the most recent published version of the FCPS annual emergency plan, i.e.:
- Weapon on School Property
  - Active Assailant
  - Hostage Situation
  - Trespasser
  - Hostile Person
  - Sexual Assault
  - Threat Assessment Procedure
  - Checklist for Responding to Death of a Student or Employee
  - Suicide Prevention and Intervention
- D. FCPS shall establish and maintain school-based threat assessment and management teams (STAMTs) to identify, assess, and intervene with individuals whose behavior may pose a threat to the safety of the school or an individual attending, visiting, or working in an FCPS setting.
- E. FCPS shall establish a district-level threat assessment and management oversight team (TAMOT) to provide oversight and support to school-based threat assessment and management teams (STAMTs) to consult and coordinate with the Departments of Human Resources and/or Legal Services as warranted. Both school-based and district-level teams shall consult with local law enforcement, community mental health providers, and the Department of Social Services as needed.

#### F. Composition of Teams

- **School Threat Assessment and Management Teams (STAMT)** - The principal or administrative designee shall be the STAMT team leader. At no time will parents or students be on threat assessment and management teams, nor will they provide consultation to these teams. If the individual(s) posing a threat is, or is associated with, an FCPS employee, the TAMOT will be notified for immediate involvement and will include a representative from Human Resources. All threat assessment and management teams will work collaboratively with each other, with other school staff (as appropriate) and with community resources to support the purposes of the team. The team does not conduct disciplinary investigations nor does it suggest disciplinary consequences.
- **FCPS Threat Assessment and Management Oversight Team (TAMOT)** - The Supervisor of Mental Health and Psychological Services/designee will be the team leader. The TAMOT will provide oversight and support to STAMTs. The TAMOT will maintain processes for effective information sharing and documentation; assess the effectiveness of the threat assessment and management process district-wide, including processes for case management and outcomes measurement identification; and recommend changes to policies and procedures as needed to reflect known best practices.

#### G. Meetings

An official STAMT meeting shall include at least three members of the STAMT. If three are not available, the principal/designee shall request the participation of a member or members from the TAMOT.

An official meeting of the TAMOT shall include at least three members.

STAMT and TAMOT members will communicate actively, lawfully, and ethically with each other and with those who have a need to know particular information to support the safety and well-being of students, employees, and others on school property or at school-sponsored events.

#### H. Threat Identification

Note: In addition to procedures outlined below, cross-reference [FCPS Regulation 200-29 School Security and Facility Access](#).

All FCPS staff, students, volunteers, and contractors shall report immediately to an FCPS administrator or supervisor any expression of intent to harm self or others, including communication or concerning behaviors that suggest the likelihood of a threatening situation.

##### 1. Imminent Threats

If an imminent threat of harm to others is believed to exist, the individual perceiving the threat will notify the appropriate entity immediately, including contacting law enforcement and/or building administrators/front office staff. The team leader will be notified and immediately contact the Security and Emergency Management Department and any other threat assessment and management team members as appropriate. The team leader will take steps to contain the threat, including: (1) notification of law enforcement; (2) securing school, student, employee, and visitor safety; and (3) removal of the threatening individual.

If an imminent threat of harm to self is believed to exist, the team leader or designated member will immediately work to de-escalate the situation and involve FCPS mental health professionals, guardians (in the case of a minor child) and/or law enforcement professionals to ensure the individual receives the appropriate level of behavioral healthcare. In cases where risk for suicide is present, the individual will also be questioned regarding homicidal ideation. (See [FCPS Regulation 400-63](#) *Suicide Statements by Students*).

## 2. Triage

Following containment of an imminent threat, or if there is no imminent threat present, the team leader may designate a subset of team members to initiate an initial inquiry/triage of reported cases and make recommendations for dismissal or further action. This triage team will make a determination of the seriousness of the threat as expeditiously as possible, evaluating the threat in context, so that its meaning and the individual's intent can be determined and addressed.

The triage process assigns a level to the perceived threat (low, moderate, high, or imminent) which then directs the timeframe within which responses occur. During the course of assessment, information gleaned may result in changing the level of threat assigned during triage.

All members of the team shall be trained to triage cases, and the disposition of all cases will be reported to the team as a whole.

## 3. Moderate and High Risk Threats

Moderate and high risk threats may necessitate an assessment by the full team, analyzing known and/or reasonably knowable behaviors as necessary and appropriate, including:

- Review of the threatening behavior or communication.
- Review of school and other records for prior history and interventions with the individual(s) involved.
- Timely and thorough interviews of: the person(s) who reported the threat; the target(s) of the threat; other witnesses who may have knowledge of the threat; and individuals who allegedly engaged in the threatening behavior or communication.
- Threat assessment tools.
- When an individual is threatening to harm others, that individual will also be screened for risk of self-harm and suicidal ideation.
- Diversion will be encouraged as appropriate in cases of chargeable offenses.

4. When cases of threats involving students are referred to the full STAMT for further assessment, the team may recommend additional intervention and/or case management. The STAMT will report its findings and recommendations to the school principal, who will notify the Superintendent/designee. The STAMT will initiate and monitor school-based interventions to support both the student(s) making the threat as well as any identified targets affected by the threat.

5. When the individual of concern is an adult, follow-up activities will be managed by the TAMOT, which will notify the Superintendent/designee.

## I. Notifications

### 1. Imminent, High, and Moderate Risk Threats

In cases of imminent, high, and moderate risk threats and those requiring further intervention to prevent violence or serious harm, the threat assessment and management team leader will ensure notification of the individual and/or parent/guardian of any student who is the target of the threat as well as any student who made the threat. When necessary to protect health and safety, the team leader will provide intended victims and/or parents/guardians with information regarding the threat, including if necessary the name of the individual posing the threat (See [FCPS Regulation 400-20 Student Records](#), Section C "Release of Records", paragraph 2). In cases of imminent, high, and moderate risk threats, the STAMT leader will notify the TAMOT leader.

### 2. Low/No-Risk Threats

If the triage team determines that a threat is not identifiable, or has a low risk of violence or harm to self or others, the case will be presented to the full team for final review. If the full team determines that no further assessment, intervention, or monitoring is required, this will be documented. If the individual about whom the report was made does not pose a threat, but could benefit from additional assistance, the case (if a student) will be referred to the school's Student Services Team. Adults will be reminded of Employee Assistance Program services and/or referred to 211 for further applicable resources.

3. In all cases of behavioral threat assessments involving students with 504 Plans or Individualized Education Programs (IEPs), the incident should be referred to the appropriate case manager. Functional Behavior Assessments (FBAs), and Behavior Intervention Plans (BIPs) may be reviewed and updated or created as needed.

4. Threat assessment and management team (STAMT and TAMOT) recommendations are not disciplinary actions and shall not replace or conflict with published student or staff discipline policies.

## V. Case Management

If a student poses a moderate, high, or imminent threat of violence, the STAMT shall develop, implement, and monitor an individualized plan to intervene with, address, and reduce the threat. Plans will include safety strategies, timeline for implementation, resources and supports offered (i.e. schedule changes, individual counseling, medical services, academic support, etc.). A designated STAMT member will monitor progress until it is determined that risk of threat to self or others is no longer present. This will be documented.

If the individual does not pose a threat but could benefit from additional assistance, the STAMT leader shall ensure the individual is referred to the appropriate school or community-based resources.

## **VI. Training**

The FCPS TAMOT shall provide guidance to STAMTs regarding threat identification, assessment, and management procedures. STAMTs shall provide guidance to students and staff regarding threat recognition and reporting. STAMT training of students and staff shall include:

- Roles and the responsibility to report concerns.
- What information to report.
- Where and how to report the information.
- That reports are wanted and will be acted on appropriately.

Both STAMT and TAMOT members will be trained in policies, regulations, and procedures related to the threat assessment and management processes including:

- Reporting suspected incidents.
- How to triage reported cases.
- How to document threat assessment and management team meetings and interventions.

## **VII. Documentation**

All assessment and intervention plans must be documented. This documentation will not be part of the student's record or employee's record, but is retained by administration for three years.

Following the initial triage and/or assessment of a situation as moderate, high, or imminent risk that involves an FCPS employee, the TAMOT will document the immediate steps taken to prevent the plan from being carried out. When an employee will remain or return to the work site, the Human Resources Department will work collaboratively with TAMOT, including the employee's immediate supervisor, to create a plan to ensure safety.

Records that reflect STAMT interventions for students for imminent and/or high-risk threats will be maintained through the age of 21. If the threat resulted in discipline, it will be documented in the student information system that a threat assessment and management report has been completed. Discipline reports are part of the student record and shall be sent upon request from the receiving school. Per [FCPS Regulation 400-08 Discipline](#), all discipline resulting in suspension will be maintained as part of the student's permanent record.

For FCPS employees, records will be maintained according to Human Resources Department procedures.

## **VIII. Access to Information/Confidentiality – Student/Employee Information**

Threat assessment and management teams established by FCPS must review certain information in order to conduct the assessments.

A threat assessment and management team may request and obtain criminal history record information for an individual, where deemed appropriate. The team shall also have access to any student education and health records in possession of the school in order for the team to perform its functions.



State and federal law provide legal requirements to protect the information reviewed by the threat assessment and management teams from disclosure. <sup>1</sup>

FCPS recognizes and respects an employee's right to privacy and need for confidentiality. Therefore, FCPS shall maintain the confidentiality of an employee's disclosure to the extent permitted by law. When information must be disclosed to protect the safety of individuals in the workplace, the breadth and content of the information disclosed will be limited to that reasonably necessary to protect the employee and others. FCPS shall make every effort to provide advance notice to the employee of any disclosure required by law or to protect persons in the workplace.

## **IX. Notification and Follow Up with The Maryland Center for School Safety**

### Critical, Life-Threatening Incidents

The FCPS Supervisor of Security and Emergency Management or designee shall notify The Maryland Center for School Safety (MCSS) of a critical, life-threatening incident that occurs on school grounds as soon as practicable, but no later than 24 hours after FCPS learns of the incident. An after-action meeting and review will be held within 45 days of the occurrence of the incident and a report filed within 60 days of completion of the after-action meeting.

The FCPS Supervisor of Security and Emergency Management or designee will host an after-action review and evaluation of lessons learned from the event and will invite MCCS, local law enforcement agencies, and emergency responders to participate in the after-action review and evaluation. A report will be filed with MCCS on the after-action review and evaluation.

Approved:

*Original signed by*

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Theresa R. Alban  
Superintendent

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<sup>1</sup> The Family Education Rights Privacy Act (FERPA)(20 U.S.C. §1232g, 34 C.F.R. Part 99), the Health Insurance Portability and Accountability Act (HIPAA)(42 U.S.C. §1320d, 45 CFR Part 162) , the Individuals with Disabilities Education Act (IDEA)(20 U.S.C. §1400 (2004)), and the Maryland Public Information Act (Md. Code Ann., General Provisions Article §4-101 through § 4-601)