



## SECTION IX POLICE DEPARTMENT

### 9.18 THREAT ASSESSMENT

#### A. Purpose:

In accordance with Marjory Stoneman Douglas High School Public Safety Act, the following is the Clay County District School Threat Assessment Policy for all schools. The Clay County District Schools shall annually review these policies and recommend any changes for the upcoming school year. The School Safety Specials (or designee) shall distribute this policy, via electronically, to school administrators by August 1 of each year. The threat assessment policy shall be interpreted and applied consistently with all applicable state and federal laws. The policy was developed in accordance with the legislation enacted by the State of Florida (Marjory Stoneman Douglas High School Public Safety Act, SB 7026), established research, and recognized standards of practice regarding threat assessment and management in school settings.

Threat: A threat is a communication of intent to harm someone that may be spoken, written, gestured or expressed in some other form, such as via text messaging, email or other digital means. An expression of intent to harm someone is considered a threat regardless of whether it is communicated to the intended target(s) or whether the intended target is aware of the threat. Threats may be implied by behavior that an observer would reasonably regard as threatening, planning or preparing to commit a violent act. Not all types of misbehavior that may warrant discipline or even criminal consequences are threats. It is limited to instances where there is a threat to harm someone else. If there is doubt, the communication or behavior should be treated as a threat and a threat assessment should be conducted.

Threat Assessment: The threat assessment is a systematic process that is designed to identify situations/persons of concern, investigate and gather information, and assess and manage the situation in order to mitigate risk. It is a fact-based process that emphasizes identification, evaluation, intervention and follow-up in order to prevent serious threats of harm or actual acts of violence from occurring.

- Threat assessment is not an emergency or crisis response. If there is an indication that violence is imminent, such as when a person is at school with a gun, a crisis response is indicated. School staff must take immediate action by notifying the School Resource Officer and/or calling 911 and following local crisis or emergency response plans.
- Threat assessment is not a disciplinary process. District procedures regarding discipline and referral to law enforcement should be followed, no matter the outcome of a threat assessment. Information learned in a threat assessment may be used in disciplinary proceedings, where appropriate.

- Threat assessment is not a suicide or self-harm assessment. While there may be cases where a threat to harm others may be accompanied by a threat to harm oneself, in most cases, a threat assessment should not be completed when someone is threatening suicide or self-harm. The individual still may require intervention and assistance, but it is a different process than a threat assessment. Threat assessment is focused on threats of harm to others.
- Threat assessment is not a means to profile the next school shooter. There is no known profile of a school shooter or student attacker. The threat assessment process is focused on prevention, not prediction. Because a student has been the subject of a threat assessment does not mean the student is a potential shooter or attacker; it simply means that a threat (whether minor or serious) was reported and evaluated by the threat assessment team.

Threat Assessment Team: The threat assessment team shall include, pursuant to Florida statute (s.1006.07(7), F.S.) persons with expertise in counseling, instruction, school administration, principal, when available, and law enforcement. Persons with expertise in counseling include school counselors, school psychologists, school social workers, and family counselors. Additional personnel with knowledge of the child or circumstances may also serve as members of the team.

Aberrant Behavior: Behavior which is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves actions, statements, communications or responses that are unusual for the person or situation; actions that could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person. These can include, but are not limited to:

- Unusual social distancing or isolation from peers and family members;
- Sullen or depressed behavior from an otherwise friendly and positive person;
- Out-of-context outbursts of verbal or physical aggression;
- Increased levels of agitation, frustration and anger;
- Confrontational, accusatory or blaming behavior; an unusual interest in or fascination with weapons; and a fixation on violence as means of addressing a grievance.

Imminent Threat: An imminent threat exists when the person's behavior/situation poses a clear and immediate threat of serious violence toward self or others that requires containment action to protect identified or identifiable target(s); and may also exhibit behavior that requires intervention.

Transient Threats: Threats where there is not a sustained intent to harm. The critical question is whether the person intends to carry out the threat, or whether the threat was made in the heat of the moment as an expression of anger, frustration or humor without intent to harm. Transient threats can be resolved with an apology, retraction or explanation by the person who made the threat.

Substantive Threats: Threats where the intent to harm is present, or not clear, and require protective action. The question is whether there is an express intent to physically injure someone beyond the immediate situation and there is at least some risk that the person will carry out the threat. If there is doubt or if the threat cannot clearly be categorized as transient, threats should be treated as substantive.

1. Serious substantive threats are threats to hit, fight or beat up another person.
2. Very serious substantive threats are threats to kill, rape or cause serious injury with a weapon.

Baker Act: Florida's Mental Health Act, known as the Baker Act (ss. 394.451-394.47892, F.S.), provides for voluntary and involuntary admission for mental health examinations and also provides procedures for civil commitment. Generally, when a person says someone "was Baker Acted," it means that the person was held up to 72 hours for an involuntary examination based on a threat of harm to themselves or others. Involuntary examination can be initiated by a law enforcement officer, physician, clinical psychologist, psychiatric nurse, clinical social worker or by the court through an ex parte order based on testimony from the person's friends or family. During that 72 hours, the treating physician at a Baker Act facility will determine whether the person can be released or whether the person meets the criteria for commitment or additional inpatient care.

## **B. Procedure:**

Each school principal shall identify a school-based threat assessment team with the mandatory team members. This team shall be identified and reported to the Office of the School Safety Specialist before students report to school each year.

1. The coordination of resources and assessment of and intervention with individuals whose behavior may pose a threat to the safety of staff or students pursuant to s. 1006.07(7), F.S. must be addressed.
  - a. The identification of mental health services available in the district/county, as required by s. 1012.584(4), F.S., and the procedure for referrals to those mental health services.
  - b. The procedures for behavioral threat assessments using the instrument, Comprehensive School Threat Assessment Guidelines ([CSTAG](#)), adopted by the Office of Safe Schools. s.

1006.07(7)(a), F.S.

- c. All school-based administrators and threat assessment team members must attend and complete mandatory threat assessment training. Also members of threat assessment teams and school administrators shall be trained in the use of the [CSTAG instrument](#) adopted by Office of Safe Schools.
- d. All threats of violence or physical harm to self or others shall be taken seriously, since the primary goal of threat assessment is the safety of all persons involved.
- e. Threat assessment team shall consult with law enforcement when a student exhibits a pattern of behavior, based on previous acts or the severity of the act, which would pose a threat to school safety (1006.13(2)(f), F.S. Policy of zero tolerance for crime and victimization).
- f. School administrators shall report threats to law enforcement and define criteria for reporting to a law enforcement agency any act that poses a threat to school safety that occurs whenever or wherever students are within the jurisdiction of the school (1006.13(2)(a), F.S. Policy of zero tolerance for crime and victimization). School-based threat assessment teams shall adhere to the rules and responsibilities within this policy.
- g. School administrators shall engage local behavioral crisis resources: If an immediate mental health or substance abuse crisis is suspected, school personnel must follow policies established by the threat assessment team to engage behavioral health crisis resources as provided by 1006.07(7)(e), F.S., to include:
  - Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, must provide emergency intervention and assessment, make recommendations and refer the student for appropriate services.
  - Onsite school personnel must report all such situations and actions taken to the threat assessment team, which must contact other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions.
  - Upon the student's transfer to a different school, the threat assessment team must verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

Each school threat assessment team will evaluate and assess each threat for risk level.

#### 1. Assessing Threats:

- a. Initial Evaluation: When a threat is reported, the threat assessment team should begin an initial evaluation of the situation pursuant to Clay County District policies. It is considered a best practice to begin this evaluation the same day the report is received.
- b. Threat assessment teams should employ a triage process, where the school administrator or threat assessment team leader works with at least one other member of the team to complete this initial evaluation.
- c. If there is an indication that violence is imminent, a crisis response is required by notifying the school resource officer or calling 911 and following local crisis or emergency response plans.
- d. If there is not an imminent threat present, or once the imminent threat is contained, the threat assessment team leader should ensure the threat is evaluated using the CSTAG model and in accordance with established district policies.
- e. Interviews: All cases, even threats that are determined to be transient, should include an interview of the person who made the threat. Other interviews may also be determined to be useful to the team's evaluation, such as with the target(s) of the threat, witnesses, parents and teachers or other staff involved.
- f. Key questions when conducting a threat assessment (these can be modified for situations involving a student):
  - What are the student's motives and goals? What first brought him or her to someone's attention?
  - Have there been any communications suggesting ideas or intent to attack?
  - Has the student shown any inappropriate interest in school - attacks/attackers, weapons, incidents of mass violence?
  - Has the student engaged in attack-related behaviors?
  - Does the student have the capacity to carry out an act of targeted violence?
  - Is the student experiencing hopelessness, desperation, or despair?
  - Does the student have a trusting relationship with at least one responsible adult?
  - Does the student view violence as an acceptable, desirable, or the only way to solve a problem?
  - Are the student's conversation and "story" consistent with his or her actions?
  - Are other people concerned about the student's potential for violence?
  - What circumstances might affect the likelihood of an attack?

## 2. Responding to Threats

- a. The CSTAG leads threat assessment teams through a 5-step "School Threat Assessment Decision Tree." Each step in the process is critical. The decision tree is summarized below:

## **STEP 1: Analyze information and classify the threat.**

Once the threat assessment team has interviewed the student and gathered necessary information, the team determines whether a threat is present, and if so, the kind of threat and the response indicated.

- If there is not a communication of an intent to harm someone or behavior suggesting an intent to harm someone, then there is not a threat. Remember, even if a threat is not present, the individual may still be expressing anger or exhibiting behavior that merits attention or requires services.
  - If there is a threat of suicide or self-harm, additional mental health assessments are needed. These are done outside the threat assessment process unless there is also a threat to harm *others*. While threat assessment and suicide risk assessment are generally two separate processes, there may be cases where both a threat to others and a threat to self are present. Threat assessment teams should involve mental and behavioral health experts to ensure the correct screenings and referrals are completed.
  - Even if no threat is present, the student may still be subject to disciplinary consequences as a result of the behavior or statement at issue. Local procedures regarding student discipline and involvement of law enforcement should be followed.
- Threats of violence or physical harm to self or others must be reported to the superintendent or their designee. The threat assessment team must immediately report its determination that a student poses a threat of violence or physical harm to self or others. s. 1006.07(7)(b). The superintendent or designee must immediately attempt to notify the student's parent or legal guardian. s. 1006.07(7)(b), F.S.
  - This required reporting does not prevent school personnel from taking immediate action to address an imminent threat, including contacting law enforcement and engaging in local crisis response procedures. s.1006.07(7)(b), F.S.
  - If an immediate mental health or substance abuse crisis is suspected, school personnel must follow policies established by the threat assessment team to engage local behavioral crisis resources, including, but not limited to, mobile crisis teams and SROs trained in crisis intervention. s.1006.07(7)(e), F.S.
  - Nothing prevents the threat assessment team from notifying the superintendent (or designee) of any individual (other than a student) who poses a threat of violence or physical harm to self or others. Reporting is required per s. 1006.07(7)(b), F.S.
  - Schools must follow the Clay County District Schools, Student Code of Conduct, regarding consulting with and reporting or referring to law enforcement and per s. 1006.13, F.S.

**STEP 2:** If a threat is identified, determine if the threat is transient. A

transient threat may be an expression of anger, rhetoric, humor or frustration that can be easily resolved with no sustained intent to harm another person.

- Consider whether the person being assessed retracted the threat, offered an explanation or offered an apology that indicates no future intent to harm someone. **When in doubt, treat the threat as substantive.**
- Determining the appropriate response to a transient threat depends on the context of the threat, whether the threat requires disciplinary action and what is necessary to resolve the situation. Many transient cases come from a misunderstanding of what was communicated, something taken out of context, or a statement made in the heat of the moment without actions to indicate intent to cause harm. Transient threats can often be resolved with a clarification, explanation, retraction or an apology – all of which (in conjunction with the absence of any other behaviors of concern) indicate that the threat is minimal. Responses to transient threats may include, but are not limited to:
  - Parent notification: Transient threats, by definition, do not appear to pose an ongoing threat to safety and should not require protective action. Parents or guardians of the student who made a transient threat, as well as parents or guardians of the target (when the target is a student) may be notified at the discretion of the threat assessment team. Parents should be assured that a threat has been resolved and told of any action taken.
  - Discipline: Students making transient threats may be subject to disciplinary action based on school board policy.
  - Additional resources: Transient threats may be resolved with referral to school-based or community-based resources, as needed.
  - Monitor, as needed: The case management plan can be reevaluated or amended upon receipt of new information.

There may be cases that were determined to be transient that may need to be changed to substantive. This change and the factors that lead to it should be documented on the Key observations form under “Threat Classification.”

**STEP 3:** Respond to a substantive threat. A substantive threat is one where an intent to harm someone is present or not clear. Even if a threat appears to be transient, if there is doubt or one does not feel comfortable resolving the threat as transient, then the threat should be considered substantive. Substantive threats may be serious, meaning a threat to hit, fight or beat up someone else, or very serious, meaning a threat to kill, rape or cause very serious injury with a weapon. All substantive threats require protective action.

- For all substantive threats, the threat assessment team should take immediate action to protect victims, reduce the risk of violence, and manage the situation. Protective actions include:
  - Taking precautions to protect potential victims;

- Warning potential victims and their parents;
- Looking for ways to resolve conflicts; and
- Disciplining the student, when appropriate.

**STEP 4:** If the threat is a very serious substantive threat, the team should complete a safety evaluation. In addition to the protective actions listed above, when there is a very serious substantive threat, meaning a threat to kill, rape or cause serious injury with a weapon, the following actions are considered a best practice:

- Take immediate precautions to protect victims. This generally includes notifying the potential target(s) of the threat, as well as their parent or guardian if the target is a student. Parents should be made aware of the seriousness of the threat and any responsive action. Schools should take immediate action to monitor and supervise the subject of the threat so that the threat cannot be carried out at school, at a school event or on school transportation.
  - Screen the student for mental health services and counseling and refer the student for school-based or community-based services as needed. When a mental health condition is suspected to be the cause of the threat or behavior at issue, a mental health assessment should be conducted. Threat assessment teams should follow local procedures for referrals to community services or health care providers for evaluation or treatment.
  - Contact law enforcement. Law enforcement can assist with supervision and monitoring of the student and can determine the need for additional action. When appropriate, law enforcement should conduct an investigation for evidence of planning, preparation or criminal activity. Policies and agreements with local law enforcement are in place for the reporting of threatening behavior. s. 1006.13(4), F.S. School based SROs can assist where needed.
  - Develop a safety plan that reduces risk and addresses student needs. The plan should include a review of the student's IEP, if the student is already receiving special education services, and a disability assessment if appropriate.
- Develop a safety plan for the student to return to school. Most students are able to return to school following a threat assessment with appropriate services in place.
  - The school administrator should determine the conditions of readmission to school, which may include a required mental health evaluation. Situations where a parent refuses any element of the safety plan should be evaluated on a case-by-case basis in accordance with district policies and direction from legal counsel.

**STEP 5:** Implement and monitor the safety plan. The safety plan should be documented in the [CSTAG](#) (Behavior Intervention Plan contained in CSTAG-2021) and if needed, other school based documents. This plan should include maintaining contact with the student.



- Threat assessment does not end after the initial assessment and response. Threat assessment is a continuous process designed to make sure the student continues to be able to access resources that are needed to be successful. Many cases should be kept open and subject to periodic review until the student is no longer attending that school. If the plan is no longer working, it may need to be revised.
- Clay County District School Administrators should consider the use of alternatives to expulsion or law enforcement involvement where appropriate. While threat assessment is a separate process from student discipline, the actions and behaviors that bring a student to the attention of a threat assessment team can lead to disciplinary action and law enforcement involvement in some cases. Clay County District School Administrators should consider alternatives to address disruptive behavior, such as restitution, civil citation, teen court, neighborhood restorative justice or similar programs, unless those alternatives would pose a threat to school safety. s. 1006.13(1), (8), F.S. It is considered a best practice to report all very serious substantive threats to law enforcement in accordance with district policies.

### **C. Roles and Responsibilities:**

1. The Director of School Safety and Security shall ensure compliance with this policy.
  - A. Each school principal shall identify members of a threat assessment team that includes persons with expertise in counseling, instruction, school administration, and law enforcement in accordance with 1006.07(7)(a), Florida Statute. Members will be trained on the roles and responsibilities of each team member.
  - B. Guardians, private security guards with guardian training, or other campus security staff may not serve in place of sworn law enforcement on threat assessment teams.
    - a. If there is not an SRO or other sworn law enforcement officer assigned to the school, the Board should work with local law enforcement entities in order to ensure the required law enforcement presence on the team. Having an active, sworn law enforcement officer on the threat assessment team is essential because an officer has unique access to law enforcement databases and resources that inform the threat assessment process.
  - C. All school-based administrators and threat assessment team members must attend and complete mandatory threat assessment training. Each mandatory team member shall report their completion of this requirement to their principal or designee.
  - D. The Threat Assessment Team must provide annual training and guidance to students, staff, and parents on recognizing behaviors of

concern, their roles and responsibilities in reporting the behavior, and the various options for submitting a report, including anonymous reporting.

- E. Each school principal must assign school-based staff members who can proactively monitor and respond to all incoming reports where safety is of concern.
- F. Each threat assessment team must respond, within 24 hours when school is in session, to any report of a threat or any patterns of behavior that may pose a threat to self or others. If school is not in session, the school principal must immediately refer the matter to law enforcement for evaluation, and the threat assessment team must meet no later than the end of the first day school is back in session to consider the matter and ensure it is resolved. The team shall gather information regarding the specifics of the threat and/or behaviors that may pose a threat, including but not limited to: details of the incident or threat, witness statements, and relevant artifacts.
- G. Every threat may not require a meeting of the entire threat assessment team. It is recommended that at least two team members be involved in the threat assessment process for transient threats. Substantive threats should engage several team members and may require more in-depth review and assessment.
- H. All members of the threat assessment team should be involved with the assessment and intervention of individuals whose behavior poses a serious substantive threat.
- I. When assessing a potential threat or concerning behavior, the threat assessment team must determine not only whether a threat has been made or communicated, but also if a person poses a danger to self or others or if they are potentially on a pathway to violence.
- J. For students deemed a threat to self, the threat assessment team must ensure the student's immediate safety, then refer the student to the school-based suicide designee or the Mobile Response Team (MRT) from Clay Behavioral. The individual still may require intervention and assistance, but it is a different process than a threat assessment. Threat assessment is focused on threats of harm to others.
  - a. If the threat assessment team determines that a student poses a threat to others, the team is responsible for assessing the level of threat by conducting student/parent interviews, reviewing all pertinent records, and following the threat assessment procedures.
  - b. The threat assessment team must coordinate resources to provide intervention to individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools.
  - c. The threat assessment team, at the direction of the school principal in

cooperation with Culture and Climate, must plan for the implementation and monitoring of appropriate interventions in order to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.

- d. Interventions should remain in place until the team assesses that the student is no longer in need of support and does not pose a threat to self or others.
  - e. Threat assessment teams should use referrals to school-based, community, and/or health care providers for mental health services, evaluation, or treatment.
- K. If an immediate mental health or substance abuse crisis is suspected, school personnel must follow policies established by the threat assessment team to engage behavioral health crisis resources. As provided by s. 1006.07(7)(e), Florida Statute.
- L. All threat assessment outcomes and recommendations must be reported to the school principal. The school principal will review the documentation for all threat assessments to ensure completeness. The school principal will sign/acknowledge that the threat assessment documentation (CSTAG or other school based documents) is complete and will forward the signed/acknowledged assessment to the Office of School Safety Specialist, via the school SRO, a copy to the Office of Climate and Culture and a working copy for school based interventions. In addition, upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, the threat assessment team must immediately report its determination to school principal or his/her administrative designee. The principal or his/her administrative designee shall immediately attempt to notify the student's parent or legal guardian.
- M. Nothing in this policy shall prevent school personnel from acting immediately to address an imminent threat. Where an immediate threat to life or physical safety exists, reports must result in an immediate notification to law enforcement.
- N. Nothing in this policy shall prevent the threat assessment team from notifying the school principal, his/her administrative designee of any individual (other than a student) who poses a threat of violence or physical harm to self or others.
- O. If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies to engage behavioral health crisis resources, including, but not limited to, mobile response teams (MRT) from Clay Behavioral and school resource officers, who have been trained in crisis intervention. These individuals shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Threat assessment teams shall contact other agencies involved with the student and any known service providers to share information and coordinate necessary follow up. Any information from education records disclosed during this process shall

be done in accordance with The Family Educational Rights and Privacy Act (FERPA) (34 CFR 99.31(10), 99.36).

- P. The threat assessment team, such as the school counselor, shall identify members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
- Q. School Based employees, volunteers, and contractors are required to report to school administration any expressed threat(s) or behavior(s) that may represent a threat to the community, school, or self.
- R. Regardless of threat assessment activities, disciplinary action and referral to law enforcement are to occur as required by law and Board policies
- S. Upon a preliminary determination by the threat assessment team that an individual poses a threat, members of the threat assessment team may request and obtain criminal history record information in accordance with 1006.07(7)(c), F.S., and s. 985.04(1), F.S.
  - a. No member of a threat assessment team shall disclose any criminal history record information or health information obtained or use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.
  - b. The threat assessment team may not maintain the criminal history record or place it in the student's educational file.
- T. The threat assessment team must consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts, or the severity of an act, that would pose a threat to school safety.
- U. If a student commits more than one misdemeanor that is known to the school, the threat assessment team must consult with law enforcement to determine if further action is warranted.
- V. If a student is facing possible expulsion or suspension as a consequence of certain actions, the school should consider ways in which these can be safely enacted and identify resources that may assist the student during this time. In addition, a threat assessment team may use alternatives to expulsion or referral to law enforcement agencies unless the use of such alternatives will pose a threat to school safety.
- W. Threat assessment records are considered education records and shall be maintained and released in accordance with FERPA and state statute.
- X. Threat assessment teams should meet regularly to discuss new and ongoing cases.
- Y. Threat assessment teams should identify all means of reporting threats, including

FortifyFL (the statewide mobile suspicious activity reporting tool) and any similar reporting tools required by state law. Local hotlines, websites or other community-based resources should also be identified.

- a. Threat assessment records are required to be transferred when a student transfers school. Verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services, must be transferred within three school days when a student transfers from school to school, pursuant to s. 1003.25, F.S. and Rule 6A-1.0955, Florida Administrative Code (F.A.C.). Records shall be transferred when a student progresses from elementary school to middle school, or from middle school to high school.
- b. Every section of the CSTAG form is not required to be completed. Threat assessment teams should use their judgment as to what is appropriate to be completed for each assessment and intervention in accordance with district policies and the corresponding level of the threat.