

THREATS

FILE: JICK

TITLE: Threat Assessment Teams

POLICY:

The School Board of Orange County, Florida (“Board”) finds it essential that all Orange County Public Schools (“OCPS”) be safe and orderly to provide environments that foster learning; therefore, all statements, verbal, written, actions, or gestures that threaten the safety of any person or any OCPS school or facility, will be taken seriously, regardless of intent. All threats of harm to oneself or others shall be immediately reported to school administration and/or law enforcement, if applicable.

- (1) Definitions. For the purposes of this policy, the following definitions shall apply:
 - (a) “Aberrant behavior” means 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.
 - (b) “Behavioral Threat Assessment Instrument” means the standardized, statewide instrument for threats to others adopted by the Department for use by all public schools which addresses early identification, evaluation, early intervention, and student support.
 - (c) “Department” means the Florida Department of Education, Office of Safe Schools.
 - (d) “Education records” or “records” means any records or documents, including information derived from those records or documents that are directly related to a student and are maintained by an educational agency or institution, or by a party acting for the agency or institution. In most cases, this includes student health and mental health records maintained by an educational agency or institution. Law enforcement unit records, as defined by 34 C.F.R. ss. 99.3 and 99.8, are not considered education records.
 - (e) “Guardian” means the person appointed by the court to act on behalf of a minor.
 - (f) “Involuntary examination” means the taking of a person to a facility for involuntary examination if law enforcement evaluates the person and has reason to believe: (1) the person has a mental illness; (2) the person has refused voluntary examination, if the person is 18, or the parent/guardian has refused voluntary examination if the person is a minor; and (3) without care or treatment, the person is likely to suffer harm.

- (g) “Law Enforcement Officer” or “School Resource Officer” means any person who is elected, appointed, or employed full time by any municipality or the state or any political subdivision thereof; who is vested with authority to bear arms and make arrests; and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic, or highway laws of the state. This definition includes all certified supervisory and command personnel whose duties include, in whole or in part, the supervision, training, guidance, and management responsibilities of full-time law enforcement officers, part-time law enforcement officers, or auxiliary law enforcement officers but does not include support personnel employed by the employing agency. Law enforcement officers are the only designated official on Board property to conduct an assessment to determine if an involuntary examination is required.
- (h) “Mental illness” means an impairment of the mental or emotional processes that exercise conscious control of one’s actions or of the ability to perceive or understand reality, which impairment substantially interferes with the person’s ability to meet the ordinary demands of living.
- (i) “Minor” means an individual who is 17 years of age or younger and who has not had the disability of nonage removed.
- (j) “Petty acts of misconduct” means acts that do not pose a threat to the safety of students, staff, volunteers, or other persons, or Board property; or are not considered a crime under federal or state statutes.
- (k) “Substantive threats” means 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.
 - (i) Serious substantive threats are threats to hit, fight or beat up another person.
 - (ii) Very serious substantive threats are threats to kill, rape or cause serious injury with a weapon.
- (l) “Threat” means a communication of intent to harm oneself or someone else 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(s) is aware of the threat. This definition includes threats made to Board property (including, but not limited to, school buildings and OCPS transportation).

- (m) “Threat Assessment” means a problem-solving approach to violence prevention that involves assessment and intervention with students who have threatened violence. 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.
- (n) “Threat Response” means the process that is implemented when a student has indicated an intent to harm themselves which may include suicidal ideation and self-injurious behavior.
- (o) “Transient threats” means 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.
- (p) “Voluntary examination” means the voluntary consent and admission by a person who is 18 or older, or by the person’s parent/guardian if the person is a minor, into a facility for observation, diagnosis, or treatment for a mental illness.

(2) Threat Assessment Teams

- (a) Establishment
 - (i) Each school within OCPS shall establish a school threat assessment team (STAT). The principal at each school is responsible for designating the proper STAT members and ensuring compliance with this policy.
 - (ii) A district threat assessment team (DTAT) shall also be established to provide guidance and oversight to the school-based threat assessment teams.
- (b) Members. Threat assessment teams shall include persons with expertise in:
 - (i) Counseling;
 - (ii) Instruction;
 - (iii) School administration;
 - (iv) Law enforcement; and
 - (v) Any other Board employee deemed necessary by the threat assessment team that can provide valuable input, such as the mental health designee, staffing specialist, dean, etc.

- (vi) If there is not an SRO or other sworn law enforcement officer available, the school shall contact OCPS District Police in order to ensure the required law enforcement participation.
- (c) Training
- (i) All members of the threat assessment team shall participate in a Threat Assessment training once every four years or as needed if new guidance is issued by the Department.
- (d) Procedures for Threat Assessment Teams
- (i) Threat assessment teams shall follow the Threats Procedures Guide which is aligned with Florida Statutes, State Board of Education Rules, and the Department's model policy.
 - (ii) The threat assessment team shall meet monthly, or as often as necessary to ensure that students are appropriately assessed and referred to services. However, if there is an imminent threat to school safety, then the principal or designee shall convene an emergency threat assessment meeting to address the imminent threat.
 - a. The threat assessment team should coordinate with other multidisciplinary teams available within OCPS to ensure all available resources are provided to students in need of support.
 - (iii) Threat assessment teams shall discuss and document all types of reported threats, including threats to others and threats of self-harm.
 - (iv) Threat assessment teams 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.
 - (v) Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, the threat assessment team shall immediately report its determination to the Superintendent or designee. Nothing in this subsection precludes school district personnel from acting immediately to address an imminent threat.
 - (vi) Upon transfer of a student to a different school, the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team at the receiving school independently

determines the need for intervention services.

- (vii) Notwithstanding any other provision of law, OCPS may share records or information with other agencies that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.
 - a. All verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services, psychological evaluations, including therapeutic treatment plans and therapy or progress notes, shall be transferred within three school days when a student transfers schools.
- (viii) The STAT or DTAT may recommend to the Superintendent, or designee, the assignment or re-assignment of students to schools or programs located in or out of their assigned zone for the health, safety, or welfare of the student, other students, or staff.
- (ix) All information and/or records discussed and/or disclosed during a threat assessment meeting or by a threat assessment team member, as it relates to threats, are confidential and shall not be disclosed outside of the threat assessment team, unless specifically permitted by this policy, federal or state statute, or State Board of Education Rules.

(3) Threats to Others

(a) Reporting

- (i) All threats of harm to others shall be immediately reported to school administration and the SRO.
- (ii) All very serious substantive threats shall be reported to OCPS District Police Communications Center.
- (iii) Threat assessment teams shall report quantitative data on its activities to the Department in accordance with guidance set forth by the Department. Threat assessment teams shall utilize the threat assessment database developed by the Department pursuant to Section 1001.212, Florida Statutes.

(b) Notification and Consultation

- (i) Threat assessment teams shall consult with law enforcement when a student, OCPS employee, visitor, contracted vendor, or volunteer exhibits patterns of

behavior, based on previous acts, which pose a threat to school safety. However, if a threat is imminent or the threat assessment team believes the student, OCPS employee, visitor, contracted vendor, or volunteer poses a threat to the community, the threat assessment team shall consult with law enforcement immediately.

a. Petty acts of misconduct are not required to be reported to law enforcement, unless the school has a reasonable belief that a criminal act has occurred or the student or OCPS employee continually commits petty acts of misconduct and the school believes the student or OCPS employee poses a threat to school safety.

(ii) Notwithstanding any other provision of law, OCPS shall contact the parent/guardian of the intended target of a substantive threat to alert the parent/guardian to the threat as a health, welfare, and/or safety emergency notification and as required by the behavioral threat assessment instrument developed by the Department.

(c) Threat Assessment for Students

Threat assessment teams shall utilize the behavioral threat assessment instrument developed by the Department for all threats of harm to others, pursuant to Section 1001.212, Florida Statutes. A threat assessment shall be conducted if a student makes an explicit or implicit threat to harm others.

(d) Review of Threat Assessments

(i) The District Threat Assessment Team may review school-based threat assessment team threat classifications as identified in the behavioral threat assessment instrument. The District Threat Assessment Team shall have the authority to reclassify a school-based threat assessment team threat classification and shall notify the principal or designee of the decision and reasons for the reclassification.

(e) Discipline and Consequences

(i) A threat assessment is not part of the disciplinary process. Schools shall follow the Code of Student Conduct to determine student discipline. Nothing contained in this section prohibits information learned during a threat assessment from being used in a disciplinary proceeding, where appropriate.

- (ii) Any OCPS employee found to have made a threat of harm towards others shall be referred to law enforcement and Professional Standards, and may be disciplined in accordance with Board policies, procedures, and agreements.
- (iii) Any visitor, contracted vendor, or volunteer found to have made threat of harm to others shall be referred to law enforcement and OCPS District Police. In addition, after consideration of the nature and circumstances of the act, the visitor, contracted vendor, or volunteer may be trespassed from Board property with approval of the principal or designee or location administrator.

(4) Threats of Self-Harm

- (a) The Board is committed to fostering a learning environment that promotes a culture of safety, respect, trust, and social/emotional support. The Board also recognizes the increase of suicidal rates among children and the importance of parent/guardian involvement when a child makes a threat of self-harm or exhibits self-injurious behavior. To achieve this goal, OCPS employees shall follow the Threat Procedures Guide when an OCPS student makes a threat of self-harm or exhibits self-injurious behavior. At minimum, procedures addressing the following shall be included within the Threats Procedures Guide:
 - (i) A student's dignity and privacy shall be maintained to the extent possible at all times throughout the process;
 - (ii) Supervision of a student when the student makes a threat of self-harm or exhibits self-injurious behavior;
 - (iii) Notification to the school administrator(s) and OCPS mental health designee;
 - (iv) Notification and engagement of the parent/guardian throughout the process, unless a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect;
 - (v) Engagement of intervention and de-escalation strategies for the student conducted by the OCPS mental health designee;
 - (vi) Engagement of a mobile crisis unit, if needed; and
 - (vii) Engagement of law enforcement, if needed.
- (b) Reporting Threats of Self-Harm

- (i) All threats of self-harm made by students shall be immediately reported to school administration and the mental health designee, unless there is a reasonable belief that harm is imminent, then the threat shall be immediately reported to law enforcement and/or emergency services.
 - (ii) All threats of self-harm made by employees, visitors, contracted vendors, or volunteers shall be immediately reported to law enforcement and/or emergency services. This section does not include OCPS K-12 students.
- (c) Threat Response for Students
- (i) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow the Threats Procedures Guide, Florida Statutes, and/or State Board of Education Rules to engage behavioral health crisis resources, which may include, but is not limited to, conducting a suicide screener by the OCPS mental health designee, and engaging mobile crisis teams and law enforcement trained in crisis intervention.
 - a. Before a principal or designee contacts law enforcement, the principal or designee shall verify that de-escalation strategies have been utilized and outreach to a mobile response team has been initiated unless the principal or designee reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.
- (d) Notification to the Parent/Guardian
- (i) The principal or designee shall notify and engage the parent/guardian of a student who makes a threat of self-harm as outlined in the Threats Procedures Guide, unless such notification will cause a delay that places the student or another in imminent danger.
 - a. If a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect, the principal or designee may delay notification to the parent/guardian for no more than 24 hours after the student is removed for an involuntary examination, if the principal or designee deems the delay to be in the student's best interest.
 - (ii) The communication to the parent/guardian on behalf of OCPS is strictly for notification purposes and does not supersede the authority of a law enforcement officer to

conduct an assessment for an involuntary examination under Florida Statutes.

(e) Law Enforcement and/or School Resource Officer (SRO) Involvement

- (i) SROs are required by Section 1006.12, Florida Statutes, to complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.
- (ii) Law enforcement officers, including SROs, are the only officials on Board property that can conduct an involuntary examination assessment to determine whether an involuntary examination is required. In addition, law enforcement officers, including SROs, are the only officials on Board property that have the authority under Section 394.462, Florida Statutes, to transport a student and/or employee for an involuntary examination. The decision to allow the parent/guardian to transport rests solely with the law enforcement officer and/or SRO.
 - a. If a law enforcement officer or SRO deems removal of a student for an examination is necessary, the school principal or designee shall contact the parent/guardian to inform the parent/guardian of the removal, unless a report has been submitted to the central abuse hotline based upon knowledge or suspicion of abuse, abandonment, or neglect, then the principal or designee may delay notification for up to 24 hours. This notification is in addition to the notification requirements set forth in Section 394.4599, Florida Statutes.
 - b. To the extent possible, and if needed, an OCPS employee may volunteer to accompany the student to the involuntary examination facility if the student is removed from the school. The OCPS employee will be required to drive separately and is not permitted to consent for treatment for the student.

SPECIFIC AUTHORITY: Sections 394.455; 394.4599; 394.4625; 394.462; 394.463; 744.102; 943.10; 1001.212; 1002.20; 1003.25; 1006.07; 1006.13, Florida Statutes

20 U.S.C. § 1232g; 34 CFR Part 99

ADOPTED: 8/20/2019
REVISED: 4/14/2020; 1/12/2020; 6/8/2021