<u>SB906: School Safety, Homicide Threats – The Role of Multidisciplinary Threat Assessment Teams in Schools as a Best Practice Approach for Crisis Prevention and Intervention</u>

I. Rationale

In response to widely publicized school shooting events, many states have enacted <u>legislation</u> designed to reduce the rare, but real possibility of school shooting events. Recently, California added its name to this list.

With the passage of Senate Bill (SB) 906, School Safety: Homicide Threats, signed by Governor Newsom on July 21,2022, two new requirements for California's public schools are slated to take effect with the start of the 2023/24 school year. First, this legislation will require Local Education Agencies (LEAs) to share with the primary caregivers of all K through 12th grade students information related to safe gun storage practices, including but not limited to criminal penalties if a child gains access to firearms due to inadequate storage. Specific to middle and high schools (serving grades 6 through 12), the second requirement, which is the primary reason for this document, directs all public-school employees to immediately report threats or perceived threats of a homicidal act to law enforcement. The bill's language goes on to describe reportable threats to include any action or writing related to the possession, use, or depictions of firearms, ammunition, shootings, or targets in association with the infliction of physical harm, destruction, or death as indicated in a social media post, journal, class note, or other media. Reported threats may come by way of a warning by a parent, pupil, or other individual. In turn, SB 906 requires law enforcement to immediately conduct a threat assessment and investigation, including reviewing the Department of Justice's (DOJ) firearm registry. Law enforcement is also required to keep a record of any report received from a local educational agency (LEA).

While SB 906 puts forward useful mandates pertaining to notification of firearm safe storage laws and utilization of the DOJ's firearm registry in the threat assessment process, the mandate to report threats and perceived threats *immediately* to law enforcement is met with pointed concern. This mandate is incompatible with decades of research and practice within the broader context of comprehensive school safety, unless an imminent threat to safety is evident (Louvar Reeves & Brock, 2018). Research has shown that as many as 70% of threats made by students may be transient, meaning they were momentary expressions and did not pose an actual threat (Cornell et al., 2004). In the vast majority of cases, resolution to such threats is best facilitated by established school resources and procedures.

Dating back to 2002, the US Department of Education in conjunction with the US Secret Service, published *Threat Assessment In Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates* (Vossekuil et al., 2002). This and other seminal resources outlined the key



findings of the Safe Schools Initiative's Study of Targeted Violence in Schools (Amman et al., 2017; Fein et al., 2004; National Threat Assessment Center, 2018, 2019, 2021). These guidance documents, and subsequent collaborative studies and findings that followed, cite that school-based threat assessment is an evidenced-based intervention process facilitated by highly trained, multidisciplinary teams that *include* law enforcement.

"When following Behavioral Threat Assessment and Management (BTAM) best practices, behavior is not first reported to criminal authorities unless there is imminent risk (i.e., weapon on campus, assault, imminent threat of violence). The first step is to engage the school/district multidisciplinary threat assessment team to conduct a screening, followed by a full threat assessment, if deemed appropriate." National Association of School Psychologists, 2021

II. Background

It is important to begin this paper by acknowledging that schools are among the safest places to be in our society, and safer today than in prior years (Irwin et al., 2022). While death by firearms is a leading cause of death among school age youth, less than 2% of these deaths occur on school grounds, on the way to or from school, at or on the way to or from a school-sponsored event (Centers for Disease Control, CDC, 2021). Further, data from the Youth Risk Behavior Survey (YRBS; Underwood et al., 2020; CDC, 2023) suggests that schools are safer today than they were in the 1990s. Despite the fact that school associated homicide is rare, and schools are safer today than in years past, high schoolers report more often avoiding school because of a safety concern (CDC, 2023). Driving this perception is the significant increase in multiple-victim incidences on school campuses (CDC, School Associated Violent Death Study, 2021) and the wide-scale media attention that follows. A 2022 State of School Safety Report found that the top school safety concern is an active shooter/attack, as reported across all stakeholders including students, teachers, parents, and public safety personnel who were surveyed. All survey participants agreed that knowing a process for identifying and managing a behavioral threat increases their feelings of safety in school (Safe and Sound Schools, 2023).

III. Behavior Threat Assessment and Management

SB 906, and its corresponding changes to Education Code relating to school safety (Article 8, §49390, Chapter 8, Part 27, Division 4, Title 2), will alter how schools conduct behavioral threat assessment and management (BTAM). With this reality in mind, we begin with an orientation to the key elements of the BTAM process.

BTAM is a fact-based, systematic process designed to identify, assess, and manage potentially dangerous or violent students. School safety experts, law enforcement officials, the U.S. Secret



Service, U.S. Departments of Education and Justice, and Federal Bureau of Education have cited research indicating that before a student commits an act of violence on a school campus, warning signs are usually evident (Amman, 2017; Cornell, 2014; Fein et al. 2004; Louvar Reeves & Brock, 2018; National Threat Assessment Center, 2018; 2019; 2021; Vossekuil et al., 2002). Furthermore, in the vast majority of cases where violence occurred, the attacker planned the attack over weeks and months, and eventually leaked information to others about their plans. Because of this, the opportunity exists to prevent tragedies for the individual and community alike.

A. Lessons learned from averted attacks.

The National Threat Assessment Center (NTAC; 2019) produced a study examining the outcomes of previous school attacks, characteristics of the attacker, and the various situational circumstances, in combination, that precipitated the attacks at schools. SB 906 calls for all educators to heighten their awareness and ensure their practices are rooted in evidence regarding how to minimize the risk of school-associated violent death. It is with this assertion in mind that we bring to your attention the work of the National Threat Assessment Center's Averting School Violence study (2021). Rather than focus on completed attacks, as was the previous focus in 2019, the 2021 study reviewed student characteristics, situations, interventions, and actions by others that prevented an attack. Their analysis of 67 averted attack plots asserted 10 key findings:

- 1. Targeted school violence is preventable when communities identify warning signs and intervene
- 2. Schools should seek to intervene with students before their behavior warrants legal consequences.
- 3. Students were most often motivated to plan a school attack because of a grievance with classmates.
- 4. Students are best positioned to identify and report concerning behaviors displayed by their peers.
- 5. The role of parents and families in recognizing concerning behavior is critical to prevention.
- 6. School Resource Officers (or partnering with local law enforcement agencies in your jurisdiction) play an important role in school violence prevention.
- 7. Removing a student from school does not eliminate the risk they may pose to themselves or others.
- 8. Students displaying an interest in violent or hate-filled topics should elicit immediate assessment and intervention.
- 9. Many school attack plots were associated with certain dates, particularly in the month of April.
- 10. Many of the student plotters had access to weapons, including unimpeded access to firearms.

B. <u>Multidisciplinary Teams</u>



"A multidisciplinary threat assessment team, in conjunction with the appropriate policies, tools, and training, is the best practice for preventing future tragedies . . . Tangible steps can be taken to reduce the likelihood that any student would cause harm, or be harmed, at school." (National Threat Assessment Center, 2019, p. v)

For a threat assessment process to be comprehensive, an inquisitive mindset must drive the process and the approach must be multimethod, multisource, and context driven. The core multidisciplinary BTAM Team must include school administration, preferably two mental health professionals (e.g., school psychologist, school counselor, school social worker) and a School Resource Officer/Law Enforcement Officer. If the student receives special education services, a representative of the IEP Team must also be involved. If the person of concern and/or the target speaks a language other than English, the team should also include an interpreter that is nuanced in the culture and language of the parties involved. Ad hoc team members could also include teachers, coaches, mentors, or relevant community based mental health providers who know the student well. If the situation is high-risk, the involvement of legal counsel may be necessary and, if the situation involves staff, human resources may also be a contributing member. Lastly, engagement of the parent/caregiver is critical to maintaining open and transparent dialogue about the assessment and intervention process and to help identify interventions and supports.

The primary goal of threat assessment in the context of schools is intervention, not discipline. School-based threat assessment teams can discern serious from non-serious threats, have greater knowledge of contextual and situational factors within the school and can help identify the appropriate response to the situation. Central to school-based systems and supports is the extensive training and knowledge of how to work with youth across the developmental continuum. School staff understand the developmental variations of anger expression and the impact of disability on emotional and behavioral regulation. For these reasons, the interview techniques and skill sets for talking with a six year-old who expresses the desire to "kill" someone likely varies between the disciplines of school-based mental health practitioners and law enforcement. While law enforcement serves an important role in advising, responding to illegal activity, and/or assisting in safety emergencies, their supportive stance should supplement and not supplant school-based teams. In addition, any law enforcement officer involved in the school-based threat assessment process must be carefully selected and well trained in collaboration with the school team members and engage in ongoing team development activities (i.e, table-top scenarios, equity assessments, and ongoing professional development). Not all threats will require direct law enforcement investigation but their engagement on multidisciplinary school BTAM teams is critical to prevention and mitigation of risk.

IV. School Climate & Comprehensive School Safety Planning



A positive school climate is important for school safety. Specifically, school climate influences student and staff behaviors around reporting concerns. School climate can contribute to the "codes of silence" if most reports result in disciplinary actions, thereby increasing the hesitancy of bystanders to make a report. Alternatively, school climate can help to break down "codes of silence" if reporting is perceived and responded to as getting someone help. Research consistently identifies positive school climates as being built on foundations of safety, respect, trust, and emotional support with high rates of positive student-staff connections (National Threat Assessment Center, 2018). Schools can build positive school climates by promoting diversity, keeping lines of communication open, facilitating conflict resolution, and explicitly addressing issues like bullying and harassment (Federal Commission on School Safety, 2018). Given this, threat assessment is most effective when embedded within a comprehensive multi-tiered system of supports (MTSS) that involves interdisciplinary, collaborative partnerships focusing on prevention within the context of a positive school climate.

A Framework for Safe and Successful Schools (Cowan et al., 2013) specifies best practices for establishing safe and successful schools utilizing MTSS. This framework can help to identify students before they enter onto the pathway to violence and also identify students in need of additional support. The outcomes of an effective BTAM process can lead to an increase in school engagement activities, additional interventions and supports within and outside of the school (student assistance teams, school/community mental health services), the initiation or current revision of plans (e.g., Individualized Education Program [IEP], 504 plan, functional behavioral assessment, behavior intervention plan), or engagement in a problem-solving process (NASP School Safety and Crisis Response Committee, 2020). The goal is to focus on providing interventions and support, not just punishment. While punitive outcomes are a possibility, particularly if a law or district conduct code has been violated, the overuse of punishment or punishment used in the absence of also engaging interventions and supports, can do more harm than good. Collaborative partnerships between schools, community agencies and providers, parents, and the student themselves, help lead to a pathway of successful educational and life outcomes. Focusing on strategies through a MTSS framework can effectively manage and mitigate risk while also providing comprehensive interventions and support (Reeves, 2021).

V. Establishing BTAM Procedures & Guidelines

The National Association of School Psychology (NASP) further expands that to facilitate data-based and objective decisions that school boards should adopt clear BTAM policy and procedures (NASP, 2022). In alignment with NASP recommendations, the following components are strongly encouraged:

• Establish authority for school professionals to act on reported threats or concerning behaviors and provide guidance on the adoption of an evidence-based model



- Establishment of a well-trained, multidisciplinary school or district-level BTAM team with clear expectations of roles and duties of all members including law enforcement
- Establishment of integrated and interagency systems, relationships, and partnerships
- Adopt proactive and preventive social and emotional initiatives and mechanisms for providing comprehensive school mental and behavioral health services
- Provide awareness training for staff, students, parents, and community partners
- Define prohibited and concerning behaviors
- Establish confidential reporting procedures, central reporting mechanism, and mandated requirements (i.e, duty to warn, law enforcement notification, etc.)
- Determine time frame required to responsibly act on a reported concern
- Adopt evidence-based BTAM protocol, procedures, and documentation methods including the storage of BTAM records
- Establish clear guidelines for information sharing and exceptions to confidentiality
- Determine internal thresholds for mandatory notification to law enforcement beyond the school-based team
- Develop clear and transparent procedures for determining disciplinary action and/or change of educational placement, when warranted
- Develop risk management options with ongoing intervention monitoring and case management

Such a policy should be paired with other policies supporting school safety and well-being and should be reviewed regularly as part of the comprehensive school-wide safety plan required by California Education Code sections 32280–32289.5. The policy should address the entire school community, including all individuals who interact with students. The policy should be directive and transparent, providing clear guidance to parents, teachers, staff, and students alike to promote awareness of procedures supporting low-level to high-risk concerns in addition to crisis response procedures.

A. Establishing BTAM procedures utilizing an evidence-based system of practice

One of the primary purposes of the BTAM is to determine if the student making a threat is actually posing a threat. In other words, does the student of concern have the focus, means, methods, and desire to carry out an act of targeted violence to persons within the school context. The efficacious utilization of threat assessment and management process and procedures should act as a mediator between psychological safety and physical safety of school staff, students, and parents engaged with schools. For this reason, an evidence-based model should be adopted rather than a "piecemeal" practice.

To date, three evidence-based threat assessment models are available for consideration. Each model has its own inherent process, forms, and nomenclature. Mixing and interchanging models or



adapting models may reduce the fidelity of the BTAM approach as well as potentially increase the likelihood of liability if not following a model with its intended design.

Table 1 – Current BTAM Practice Models in Schools

Component	Salem-Keizer Cascade Student Threat Assessment System (SKC- STAS)	Comprehensive Student Threat Assessment Guidelines (CSTAG)	Secret Service, National Threat Assessment Center Model (NTAC)
Principal Author	John Van Dreal, Ed.S.*	Dr. Dewey Cornell	Secret Service/NTAC/ US Dept of Education
Dates of Inception/ Revision	1999, 2017	2001***, 2018	2002, 2004, 2018
Model Focus (Parallel Models)	K-12 (Higher Education) (Adult)	K-12	K-12 (Higher Education) (Workplace) (Community Teams)
Site-Based Team	Level 1: School Site/District	School Site	School/District
Community Based Team	 Level 2: Multidisciplinary Community Teams Threat Advisory Committee 	• None	Multidisciplinary Community Teams



Protocols	 Level 1: 6 Step Process 20-Questions-Protocol Bias and Equity Check Trauma-Informed Language Student Interview Student Witness Interview Teacher Questionnaire Parent Interview Level 2: Advanced Community Referral Process Threat Advisory Committee Recommendations to School 	5-Step Decision Tree Steps 1-2 Triage (Transient) Steps 3-5 Extensive (Substantive) *Includes a mental health assessment report template for substantive threats	Identify, Inquire, Assess, Manage: Receive report Screen report Gather information in response to the 13 investigative themes Organize and analyze information Conduct assessment If needed: Develop and implement intervention strategies Monitor and reassess Close and document case/inactive status
Research Evidence	 Community Case Studies Emerging Field-Based Research 	 Field Studies Controlled Studies 	 20+ years of qualitative studies, including direct interviews with attackers Expert Consensus/ Opinion Single case reports & observational studies Best practice guidelines assembled by expert consensus Expert committee recommendations

^{*}Adapted from Holifield, J.E. & Lemm, O. (2022)

^{**}Note: Contributors :Rod Swinehart, Paul Keller, Dick Horner, Mark Whittier, Courtenay McCarthy

^{***} Originally known as Virginia School Threat Assessment Guidelines

B. Preventing disproportionality

BTAM protocols have come under increasing scrutiny due to concerns that they over-identify minoritized and marginalized populations (Bloomfield, 2022). Given the reality of explicit (Ray, 2022; Starck et al., 2020) and implicit biases (Gilliam et al., 2016; Okonofua & Eberhardt, 2015) in schools, it is critically important that educators and their colleagues have mechanisms in place to not facilitate what some have termed as the school to prison pipeline. While preliminary research shows that, when implemented correctly, threat assessment processes reduce disparities in punitive and exclusionary disciplinary consequences associated with making threats (Cornell et al., 2018), there are disproportionately high discipline referral rates of youth and people of color (YPOC) for making threats or *presenting* as a threat to others (O'Malley et al., 2018).

The changes to school BTAM processes brought about by SB 906 must not be allowed to further stigmatize and marginalize minoritized populations, as BTAM must follow a culturally responsive and competent approach. The systematic and proper implementation of BTAM helps avoid impulsive and potentially harmful decisions that can lead to over management (i.e., unnecessary suspension and expulsion) and requires teams to take into account the context of the threat rather than using a zero-tolerance approach. Equity-drivers such as cultural competency training and fidelity checklists, in conjunction with enlisting cultural brokers on threat assessment teams, should be anchored in this process.

Table 2 – BTAM Extensions for Cultural Competence

	Extension for Cultural Competence	
Prework	Select team members who have high degree of cultural dexterity; train team in culturally responsive consultation and trauma informed care; identify community partners (i.e., interpreters, translators, religious/spiritual leaders)	
Evaluating Threat	Engage family; consider third-party (neutral) team member from another school; ensure a cultural broker on team; consider implicit bias in witnesses' reports; consider power imbalances and historical experiences of racism/discrimination; consider language barriers; consider variables that may affect student's expression of emotion (i.e., enculturated notions of stress and wellbeing); consider individual and community trauma history; clarify rules and responsibilities in threat assessment process to family	
Safety (Intervention) Planning	Culturally adapted interventions for SEL, skill building, and culturally relevant healing approaches; provide opportunities for student/family to make choices about threat response/intervention; engage student's natural support network;	



	consider diverse family constellations to inform case conceptualization and intervention; connect mental health clinicians with special training in serving culturally diverse clients; involve family in writing of safety/intervention plans; translate written plan to family's primary language and deliver orally and in writing	
Follow-up	Conduct periodic assessment of the threat assessment system to evaluate whether disproportionality exists in the rates of referral for threat-related behavior of children with diverse racial, ethnic, and language backgrounds. Evaluate whether threat assessment procedures are fair and balanced and are not resulting in disproportionate punishments	

Note: Adapted from O'Malley et al. (2018)

VI. Conclusions

We have learned that school violence is preventable in large part by cultivating positive school climates that have transparent policies and procedures around school safety and discipline. School-based BTAM teams can discern when a threat is a serious threat and work with the school community to identify the appropriate response, with an emphasis on prevention and ongoing intervention. Automatically reporting all student threats to law enforcement for investigation, without taking the due diligence of making informed and necessary referrals, jeopardizes the comprehensive framework for school safety that our school communities require.

With this paper we hope to emphasize the importance of multidisciplinary school BTAM teams. These teams must include school employed mental health professionals (e.g., school psychologists) and school administrators (e.g., school principals). They must also have clearly articulated connections with law enforcement (ideally highly trained school resource officers). Working and training together these individuals provide a foundation for BTAM teams. Absent such a foundation, rooted in lessons learned from actuated and averted targeted school violence, we risk missing opportunities to help individuals who may be on a pathway toward violence. The current legislation (SB 906), as written, diminishes school BTAM team strengths by making law enforcement intervention the primary response. Rather, it is best practice for school systems to have in place multidisciplinary BTAM teams which include collaboratively trained law enforcement officers who work in tandem and in partnership with our school community. In doing so, the necessary reporting to law enforcement would be accomplished because law enforcement is established as an integral member of the school-based BTAM team.

Using a multi-tiered system of support (MTSS) in conjunction with evidence-based and transparent culturally responsive policies and developmentally appropriate procedures, school-based



multidisciplinary BTAM teams are best suited to rapidly identify, respond, and support students headed toward crisis and move them onto an improved pathway. If schools are following best practice recommendations when establishing their BTAM teams, law enforcement officers are already members of these teams. In many cases the BTAM process will not always require law enforcement investigation or intervention outside of the interventions collectively agreed upon and monitored by the school-based threat assessment team.

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