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- You will be able to submit questions through the Q&A feature in the webinar platform.
- Questions submitted through this feature will not be visible to all participants but will be received and reviewed by staff.
- PCCD staff will allot 15-20 minutes at the end of the webinar to answer questions that have been submitted by participants through the Q&A feature.
- To the extent possible, any questions that we are not able to address in today's webinar will be answered on the Q&A section of PCCD's website.
- A copy of PowerPoint Slides from today's session will be posted on PCCD's website.



PA K-12 Threat Assessment

Documentation Overview & Resources
for Teams

September 16, 2021

Today's Presenters & Facilitators

- **Samantha Koch**, Senior Project Manager, PA Commission on Crime & Delinquency (PCCD)
- **Carol Kuntz**, Program Manager, School Safety, PCCD
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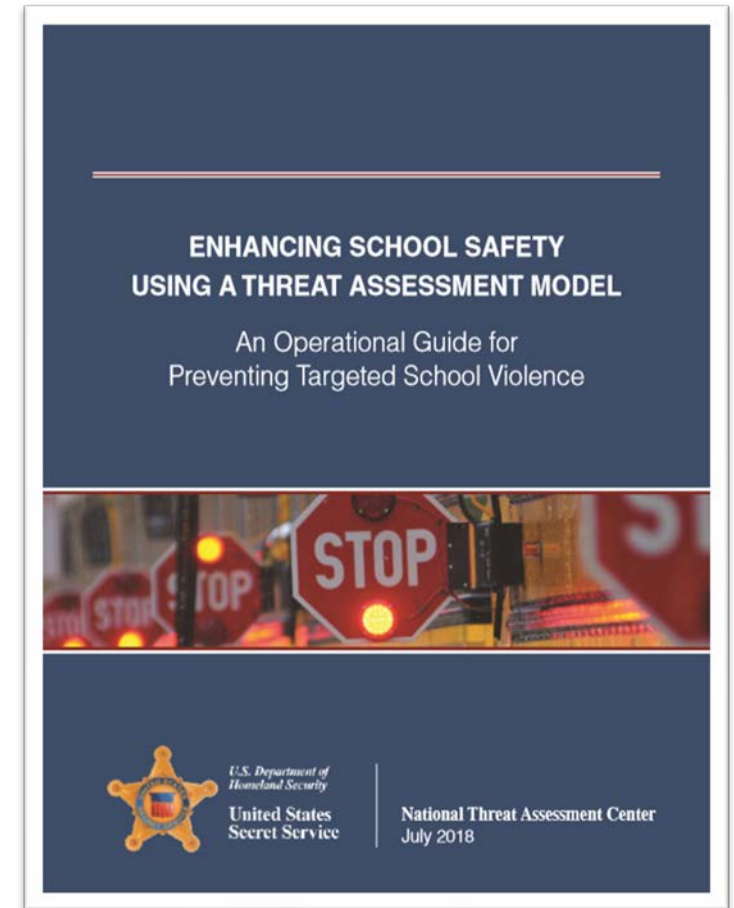
What We'll Cover Today

- 1. Housekeeping Rules**
- 2. Overview of Threat Assessment Documentation**
 - Intake forms and checklists
 - Individualized Management Plan
 - Re-entry process
- 3. Recommended Practices for Information Sharing and Records Management**
 - Information sharing and confidentiality considerations
 - Records retention, storage and access
- 4. Q&A**

What is Threat Assessment?

- Multidisciplinary team of individuals who direct, manage, and document the threat assessment process
- Receive reports about concerning students and situations, gather additional information, assess risk posed to school community, and develop intervention and management strategies to mitigate risk of harm

Source: [Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence](#), National Threat Assessment Center, July 2018.



Article XIII-E, Threat Assessment

- Role/responsibility of Threat Assessment Teams under [Article XIII-E](#):
 - “...the assessment of and intervention with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others”
- Under new law, all school entities in Pennsylvania must establish at least one Threat Assessment Team by the start of the **2021-2022 school year**.
 - “School entities” include school districts, Intermediate Units (IUs), career and technical centers (CTCs), charter schools, regional charter schools, and cyber charter schools.

Key Responsibility #2: Intake, Assessment, and Response

- Threat assessment team must assist in assessing and responding to reports received through the *Safe2Say* Program
- Assess/respond to reports of students exhibiting self-harm or suicide risk factors or warning signs
- Assess, respond and make appropriate determinations and referrals and related notifications to designated individuals
 - This can include coordination with the SAP, IEP team or community-based partners, as appropriate, including county agency or juvenile probation departments
- Ensure parents/guardians are notified when determinations/referrals take place

Access to Student Information

- Article XIII-E explicitly provides Threat Assessment Teams with access to the following student information, to the extent necessary for fulfilling their duties and allowed by federal law:
 - Student health records;
 - Prior school disciplinary records;
 - Records or information shared with the school entity related to adjudication;
 - Records of any prior behavioral or mental health or psychological evaluations or screenings maintained by the school entity; and/or
 - Other records or information that may be relevant to evaluating a threat or determining treatment/referral options for a student that are maintained by the school entity.

Key Responsibility #3: Communication and Information Sharing

- Teams must also provide information necessary for fulfilling annual reporting requirements to the school entity's chief school administrator or designee.
- Note: Records/documentation developed or maintained by Threat Assessment Teams as well as the report and information presented to the school entity's board of directors and submitted to the School Safety and Security Committee at PCCD are not subject to Pennsylvania's Right-to-Know Law.

Documentation – Overview

- Article XIII-E directs the chief school administrator or designee to “ensure and establish procedures for the implementation of this section” – school entities may adopt board-level policies and/or administrative procedures or regulations to enact requirements
- PSBA Policy Guide – **Policy 236.1 Threat Assessment**
- PSBA Administrative Regulations –
 - **236.1-AR-0 Threat Assessment Intake Form**
 - **236.1-AR-1 Threat Assessment Checklist**
 - **236.1-AR-2 Individualized Management Plan and Re-Entry Process**

Documentation – Intake Form

- Form should be developed for documenting reports received **by** the threat assessment team (including through *Safe2Say*)
- The intake form should document:
 - ✓ Information about the reporting individual
 - ✓ Information about how the report is being made
 - ✓ Information about the student and the behavior that may indicate a threat
 - ✓ Whether any direct targets have been identified
 - ✓ Whether weapons are involved
 - ✓ Whether this is an imminent threat requiring law enforcement or medical attention
 - ✓ Notifications made to appropriate school personnel and parent/guardian

Documentation – Threat Assessment Checklist

- The threat assessment team should develop a list of steps to take in assessing the reported behavior, including determining when to transfer to law enforcement or another appropriate team
- Assessment checklists should address:
 - ✓ Information about the student and team members conducting the assessment
 - ✓ Documentation about the student’s communications and actions
 - ✓ Types of records reviewed by the team
 - ✓ Interviews conducted with the student, witnesses, friends, parents/family, staff, etc.
 - ✓ Any searches conducted, in accordance with law and policy
 - ✓ External information (online or media, law enforcement, weapons access)
 - ✓ Coordination with other teams (IEP/504 team, SAP team, child study team, etc.)
 - ✓ Protective factors considered
 - ✓ Key questions and considerations addressed in assessment discussions
 - ✓ Identified threat level of the reported behavior

Documentation – Individualized Management Plan

- Recommended, but not required, when the team has assessed a student’s behavior as posing a threat to the student, other students, employees, school facilities, the community or others
- No specific format required
- Document the team’s evaluation of the threat and recommendations for disposition of the threat, including response and intervention



Documentation – Individualized Management Plan

- The Individualized Management Plan should document:
 - ✓ Date of the plan, revisions to the plan and documentation of when the student’s behavior is no longer identified as a threat
 - ✓ Information about the student and team members
 - ✓ Summary of assessment and behavior identified as posing a threat
 - ✓ Recommendations or referrals to specific teams or providers (IEP/504 team, MTSS team, SAP team, behavioral service provider, county agency, etc.)
 - ✓ Interventions/Goals/Action Steps to be taken
 - ✓ Follow-up assessments

Documentation – Re-Entry Process

- The Re-entry process could be included as a part of the Individualized Management Plan where applicable for a student who has been absent for an extended period, or made separately
- Involves coordination with any outside providers, the student and the student’s parents/family
- Re-entry process documentation should address:
 - ✓ Release of information for sharing between teams/providers
 - ✓ Discharge information, where applicable
 - ✓ Student/Parent/Family meetings and discussions on re-entry
 - ✓ Identified ongoing supports and resources
 - ✓ Designated staff contacts for follow-up and monitoring

Document and Information Sharing

- Threat assessment teams have access to student information, in accordance with Article XIII-E
- Information and records must be used to fulfill threat assessment team duties only – may not be redisclosed or used for other purpose
- Maintain confidentiality:
 - PA Public School Code (for example, 1409, 1304-A, 1304-D)
 - Family Educational Rights and Privacy Act (FERPA)
 - Individuals with Disabilities Education Act (IDEA)
 - Chapter 12 regulations
 - Federal regulations – Part 2
 - Other PA and federal statutes and regulations



Document and Information Sharing

- Laws and regulations address exceptions for sharing information in emergency situations related to health and safety
- Confidentiality and sharing requirements for student **personally identifiable information** should be based on an analysis of:
 - ✓ Who created the record or information (i.e., teacher, nurse, law enforcement agency, juvenile court, outside behavioral health provider)?
 - ✓ Where is the record or information stored (i.e., in the guidance office, in a psychologist's files, in an outside clinic)?
 - ✓ What is the purpose of the record or information - why was it created?
 - ✓ Who has access to the record or information?

Confidentiality – FERPA/IDEA/HIPAA

- FERPA – Family Educational Rights and Privacy Act
- IDEA – Individuals with Disabilities Education Act
- HIPAA – Health Insurance Portability and Accountability Act



Records Management and Retention

- Student Records Plan
- Records storage
- Security, access, retention
- Searchability
- Vendor/agency access
- Litigation hold



The Network's Technical Assistance Services

- Online request form.
- Network Coordinator will connect requestor with TA provider.
 - Remote.
 - Face-to-face where required.
- Can assist with:
 - Advice and guidance on good practice processes, including on case management strategies applied to different individuals/situations of concern.
 - Working through realistic scenario-based examples to develop a school entity's ability and confidence in making sound assessments of the level of concern posed by different individuals and situations.
 - Generalized advice and guidance associated with ongoing cases.

The Network's Technical Assistance Services

- Cannot assist with:
 - The provision of legal advice.
 - Making decisions on a school entity's behalf.
 - Advice and guidance associated with decision-making that is time-critical and relates to a Critical/Imminent threat to life or of serious physical or psychological harm.
 - Receipt or review of sensitive, individual records or other similar information.

Additional Resources for Schools

- **[Model K-12 Threat Assessment Procedures and Guidelines](#)**, to support school entities in developing their own policies and threat assessment teams in compliance with the expectations delineated in Act 18.
- **[Guidance on Communication and Information on Confidentiality](#)**, in a Q&A format, to assist schools in ensuring open communication with other school-based intervention teams (particularly Student Assistance Program (SAP) and Individualized Education Program (IEP) teams) and maintaining appropriate confidentiality in accordance with state and federal law.
- **[School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act \(FERPA\)](#)**, addresses questions about how FERPA applies to schools' disclosures from student education records to school security units, outside law enforcement entities, School Resource Officers (SROs), and other schools.
- **[Joint Guidance on the Application of FERPA and HIPAA to Student Health Records](#)**, clarifies for school administrators, health care professionals, families, and others how FERPA and HIPAA apply to education and health records maintained about students.

Questions?

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