Florida Harm Prevention and Threat Management Manual

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INTRODUCTION

In 2023, the legislature amended Section 1001.212(12), F.S. to task the Department of Education's Office of Safe Schools with developing a statewide behavioral threat management operational process, a Florida-specific behavioral threat assessment instrument, and a threat management portal. The threat management process, as described in this manual, is designed to identify, assess, manage, and monitor threats to schools, school staff, and students.

The goal of all school safety efforts is to *prevent* violence or harm to members of the school community. Threat management uses a methodology that identifies students exhibiting threatening or other concerning behavior, gathers information to assess the risk of harm to themselves or others, and identifies appropriate interventions to prevent violence and promote successful outcomes. The process applies a non-punitive assessment to distinguish between innocuous and serious situations. The aim of the threat management process is to intervene at the earliest stage to provide assistance to students and to alter or disrupt concerning behavior for the benefit of the student and school.

DEFINITIONS

1. **Concerning Behavior:** An observable behavior that elicits concern in others regarding the safety of an individual or those around them. Important to determining whether behavior is concerning is whether it deviates from the person's baseline behavior. Some concerning behavior for one person may be "normal" behavior for another person. Concerning behavior is a spectrum that can include lower-level concerns, such as unusual interests in violent topics, conflicts or grievances between classmates, increased anger, increased substance use, or other noteworthy changes in behavior (e.g., depression or withdrawal from social activities), and prohibited behaviors that are objectively concerning and should trigger an immediate response, such as threats, weapons violations, and other aggressive or violent behaviors.

2. **Concerning Communication:** Unusual, bizarre, threatening, or violent communications made by an individual or group. Concerning communications may include explicit threats or allude to violent intentions; violence as a means to solve a problem; justification of violent acts; unusual interest in weapons; personal grievances; or other inappropriate interests. Concerning communications may be expressed verbally, visually, in writing, electronically, or through other means. Concerning communications may be considered threatening, even if they do not involve a direct and explicit threat of violence. Concerning communications may also allude to hopelessness or suicide.

3. **Education Records:** 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. 34 C.F.R. s. 99.3. 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.

4. **Imminent Threat:** An imminent threat exists when a situation, including the person's prohibited objective behavior, poses a clear and immediate threat of serious violence toward self or others that requires containment and immediate action to protect an identified or identifiable target.

5. **Individuals with Disabilities Education Act (IDEA):** The IDEA is a federal law that makes an appropriate, free public education available to eligible children with disabilities and ensures that special education and related services are provided to those children.

6. **Individualized Education Plan (IEP):** A written plan for each child eligible under the IDEA that governs how the district will educate that student. The parents, student (if appropriate) and a team of educators and professionals, known as the IEP team, develop the IEP, which details education and related services the student will receive and outlines required modifications, accommodations and behavioral interventions.

7. **Level of Concern:** The classification of an individual is based on their presenting risk and needs and balanced against protective factors. Levels of concern (also called threat levels) are classified as Low, Medium, or High:

    a. **Low Level of Concern:** A Low level of concern designation is appropriate where a person poses a threat of violence or exhibits other concerning behavior that is minimal and it appears that any underlying issues can be resolved easily. This level means the concern for future violence toward another person is low. There may nonetheless be significant concerns about the person but at that time, the concern for violence toward another is at the low end of the spectrum.

b. **Medium Level of Concern:** A Medium level of concern designation is appropriate where the person does not appear to pose an immediate threat of violence, but the person exhibits behaviors that indicate a potential intent to harm or exhibits other concerning behavior that requires intervention. This level suggests that violence toward another may occur, and although the situation is not urgent, violence cannot be ruled out. The threat management team may not have complete or completely accurate information to guide the outcome of the assessment.

c. **High Level of Concern:** A High level of concern designation is appropriate where the person poses a threat of violence, exhibits behaviors that indicate both a continuing intent to harm and an effort to acquire the capacity to carry out a plan, and may also exhibit other concerning behavior that requires immediate intervention and protective measures for the target. This level suggests the student of concern is reaching a critical point on the pathway to violence from which they perceive it may be difficult to turn back. A High level of concern requires immediate and continuing attention from threat management resources to ensure violence does not occur.

8. **Manifestation Determination:** When a student receiving special education services is being considered for a change in placement due to a behavioral issue, including a threat to others, the IEP team must determine whether the IEP was being implemented correctly at the time of the behavior, and whether the behavior was a manifestation of the student's disability. A manifestation means that the behavior had a direct and substantial relation to the disability.

9. **Student of Concern:** Any student reported to the Chair, Vice Chair, SBTMT or DTMT who exhibits any behavior or communication that may constitute a threat or concern regarding school safety.

10. **Student Support Management Plan (SSMP):** The Student Support Management Plan (SSMP) uses direct and indirect interventions to help create an environment less likely to produce violence. The SSMP is implemented by the threat management team imposing requirements on the student. Under the SSMP, a student of concern may be required to refrain from certain conduct or may be required to engage in certain actions that are designed to prevent harm to others. The SSMP is established for a specified period based on the level of concern and is reviewed each month by the School-Based Threat Management Team (SBTMT).

11. **Threat:** A threat is communication or behavior indicating that an individual poses a danger to the safety of school staff or students through acts of violence or other behavior that would cause harm to self or others. A threat includes communication or behavior characteristic of a person who is on the pathway to violence. The threat may be expressed or communicated behaviorally, orally, visually, in writing, electronically, or through any other means. Communication or behavior is considered a threat regardless of whether it is observed by or communicated to the target of the threat, or to a third party, and regardless of whether the target of the threat is aware of the threat.

    A threat is not a communication or behavior that is an obvious joke or unequivocally known by the observer to be innocuous. The school personnel's personal knowledge of the person making the statement or exhibiting the behavior, as well as the person's age and history of exhibiting such behaviors or making such statements, are factors that should be considered in determining whether the communication or behavior constitutes an actual threat.

12. **Threat Assessment Protocols:** Threat assessment protocols are used to assess concerning behavior and threats. Threat assessment protocols are a series of documents, also referred to as a "threat assessment instrument," comprised of an intake and disposition form; student of concern questionnaire; parent/guardian questionnaire; witness/target of violence questionnaire; teacher survey; and mental health assessments used to help evaluate whether behaviors or communications indicate that a student

poses a risk of harm and what services are appropriate to mitigate that risk. The threat assessment process results in comprehensive information gathering from multidisciplinary sources, including law enforcement, mental health, and school records.

13. **Threat Management:** The threat management process is a systematic, fact-based method designed to identify, using threat assessment protocols, whether behaviors or communications constitute a concern for violence or harm to another person. Upon a determination that a risk of violence exists, the threat management process then results in determining the level of concern and appropriate management of the person posing the concern to mitigate the risk of harm and remove them from the pathway to violence. The SSMP is part of the threat management process. The threat management process is ongoing and ends only when the threat management team deems it appropriate under the circumstances, or responsibility is transferred to another threat management team.

    a. **Threat management is not a means to profile the next school shooter.** There is no profile of a school shooter or student attacker. The threat management process focuses on behavior-based prevention, not a prediction. Because a student has been the subject of threat management, does not automatically mean the student is a potential shooter or attacker; it simply means that a threat or concerning behavior (whether minor or serious) was reported and evaluated through the threat management process.

    b. **Threat management 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 or other weapon, school staff must take immediate action by notifying law enforcement and following the school's emergency response plans.

    c. **Threat management is not a disciplinary process.** School policy and procedures regarding discipline and referrals to law enforcement should be followed regardless of the threat assessment's outcome. Someone other than the threat management team will decide whether school discipline is appropriate. Information learned during the threat management process may be used in disciplinary or criminal proceedings, when appropriate.

    d. **The initial threat evaluation process may consider whether behavior constitutes a threat of self-harm because it is established that threats of self-harm may be a precursor to harm toward others.** However, threat management is not to be used for suicide or self-harm assessment, services, or a mental health related safety plan. In cases where a threat to harm others may be accompanied by a threat to harm oneself, threat management should only address the harm toward others and the threat management team should coordinate with those providing self-harm intervention services.

14. **Unfounded Determination:** An unfounded determination means that there is not a sufficient factual basis to support the allegation, or it can be determined that the threats were never made; what was said was clearly not a threat; or the incident/behavior of concern did not happen or rise to the level of posing a threat or concern of harm to the school community. The reporting person may simply have been mistaken about the behavior or based upon known facts about the situation, behavior, and context, no risk of violence exists. This unfounded summary disposition should only be used when it is clear and articulable that there is no basis for concern. The case should be advanced to the next step for further evaluation if there is any doubt.

THREAT MANAGEMENT ROLES AND RESPONSIBILITIES

Every school district is responsible for ensuring the integrity of the threat management process during the school year, including summer school, including assignment of the following roles and responsibilities:

Primary District Threat Management Coordinator (Primary DTMC): A person in each school district designated by the superintendent, or lead administrator where there is no superintendent, to oversee the district's harm prevention and threat management program. The Primary DTMC is the direct liaison between the school district and the Department of Education's statewide threat management coordinator. Pursuant to Rule 6A-1.0019, F.A.C., the Primary DTMC is responsible for ensuring the fidelity of the district's threat management program, which includes ensuring that all school threat management team personnel are appropriately trained. The Primary DTMC also serves on the District Threat Management Team.

Secondary District Threat Management Coordinator (Secondary DTMC): A person in each school district designated by the superintendent, or lead administrator where there is no superintendent, to provide support to the district's threat management process at the discretion of the Primary DTMC. The Secondary DTMC also serves on the District Threat Management Team.

District Threat Management Team (DTMT): Rule 6A-1.0019, F.A.C., and the Florida Model require each district superintendent, or lead administrator where there is no superintendent, to establish a District Threat Management Team, which is a multidisciplinary team that will receive referrals from the SBTMTs and assess serious situations. The DTMT must include the District Threat Management Coordinators, persons from school district administration and persons with expertise in counseling, instruction, and law enforcement. The Primary DTMC must Chair the DTMT. The DTMT may provide ongoing support and recommendations to the SBTMT as needed. The DTMT will also support the charter schools sponsored by or under contract with their school district.

School-Based Threat Management Team (SBTMT): Section 1006.07(7), F.S., and Rule 6A-1.0019, F.A.C., require each school (as defined in rule) to have a School-Based Threat Management Team. The SBTMT is a multidisciplinary team at the school level and is comprised of at least four members with expertise in counseling; school instruction; law enforcement; and a school administrator. The SBTMT must also include a member with personal knowledge of the student of concern that is being evaluated by the team. Additional members of the team may be assigned by the school principal, or equivalent, as long as these four required roles are filled. Required team members must meet the following:

- **Counseling:** The counseling team member must be a school-based mental health services provider that is able to access student mental health records. This person must be a school psychologist certified under Rule 6A-4.0311, F.A.C., a school social worker certified under Rule 6A-4.035, F.A.C., a school counselor certified under Rule 6A-4.0181, F.A.C., or a mental health professional licensed under Chapter 490 or 491, F.S., who is employed or contracted by a district to provide mental health services in schools. This must not be the school principal, or equivalent.

- **Instruction:** The instruction team member must be a person who meets the definition of instructional personnel under Section 1012.01(2)(a)-(d), F.S., or someone who holds a current Florida Educator Certificate under Section 1012.56, F.S. This must not be the school principal, or equivalent.

- **Administration:** The administrator team member must be a person who meets the definition of administrative personnel under Section 1012.01(3), F.S. This must not be the school principal, or equivalent, unless they are the only administrator at the school, because the principal has administrative oversight of the SBTMT.

- **Law Enforcement:** The law enforcement team member must be a sworn law enforcement officer, as defined by Section 943.10(1), F.S., including a School Resource Officer, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat management team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center databases. Officers serving on school-based threat management teams must also have clearance to review Criminal Justice Information and Criminal History Record Information. This must not be the school principal, or equivalent.

    - A school guardian, as defined under Section 1006.12(3), F.S., or a school security guard, as defined under Section 1006.12(4), F.S., may not serve as the law enforcement member of a threat management team. However, because of their role and need for situational awareness, school guardians and security guards may be appointed to the SBTMT by the principal or equivalent.

    - Because all SBTMT members must be trained in the threat management process, calling a patrol officer who has not been trained in threat management to serve *ad hoc* as the law enforcement member of an SBTMT meeting is not permitted. Charter schools will likely have to meet with the sheriff or police chief to have a law enforcement officer designated for their school who will serve on the SBTMT.

- **Personal Knowledge:** If none of the designated SBTMT members are familiar with the student of concern being assessed, the Threat Management Chair must assign a member of the school's instructional or administrative personnel, as defined in Section 1012.01(2) and (3), F.S., who is familiar with the student being evaluated to consult with and provide background information to the SBTMT. Consulting personnel do not have to complete Florida Model training and may not participate in the decision-making process. Consulting personnel are assigned on a case-by-case basis.

Threat Management Chair and Vice-Chair: The principal, or lead administrator, of each school is required to appoint a Chair and Vice-Chair of the SBTMT. The Vice-Chair performs the Chair's duties in the Chair's absence or unavailability. The SBTMT Chair is the point person at each school for threat management and receives initial reports of all threats and concerning behavior that may result in harm toward self or others (although imminent threats must always be first reported directly to law enforcement). The SBTMT Chair is responsible for assessing and triaging each reported threat or concern and determining whether it has a factual basis and whether the matter should be summarily closed or reviewed by the entire SBTMT.

THEORY OF THREAT MANAGEMENT AND ANALYSIS OF CONCERNING BEHAVIOR

Best Practices and Research in Threat Management

Threat management is a proactive approach to preventing violence and other unwanted outcomes, and the procedures outlined in this manual incorporate best practice guidelines in the prevention of violence and threat management. Much of the research that establishes threat management best practices was conducted by the U.S. Secret Service's (USSS) National Threat Assessment Center (NTAC) and the FBI's Behavioral Threat Assessment Center (BTAC). Collectively, resources produced by NTAC and BTAC provide research-based guidance for school threat management teams in the identification and reporting of threatening and concerning behavior, the assessment processes, and case management.

It is important to recognize that threat management is not punitive but that a student's underlying conduct may violate laws or school district regulations. When a student violates laws or regulations it may be appropriate, or required in some cases, that punitive action occur. However, any punitive action for underlying misconduct must be distinct from and not associated with the threat management process.

AN IMMINENT THREAT TO LIFE OR PHYSICAL SAFETY MUST IMMEDIATELY BE REPORTED TO LAW ENFORCEMENT.

Reporting and Identifying Concerning Behavior

All threats or reports of concerning behavior should be taken seriously and thoroughly reviewed to determine their merit and the level of concern. Threats made anonymously and through electronic communication must be assessed no differently than those made in-person or where the reporting party is identified. It is critically important to gather as much information as possible to understand what is happening with a student of concern. Research on best practices suggests the following as critical to successful threat management:

- The continuum of identifiable indicators of violent intent, or warning behaviors, should be well defined and broadly known to all students, parents and school personnel. This set of indicators is often referred to as the *pathway to violence* (which is explained below). Early recognition of the warning signs is essential to successful intervention.

- Reporting mechanisms should be known by all students, parents, and staff, easy to understand and use, and offer a variety of means to report threats, including anonymous reporting.

- The school community should feel confident that reports will be taken seriously and handled appropriately.

- Building rapport can facilitate information-gathering efforts. Threat management team members should demonstrate their goal is to support students who may be struggling, while ensuring that the student and school are safe. When teams have established this rapport, parents or guardians may be more likely to share their own concerns, and the student may be forthcoming about frustrations, needs, goals, or plans.

- Reports made, information gathered, and intervention strategies taken should be documented in a shared electronic information system where available.

- Regular training for all stakeholders should take place, including staff, administrators, students, parents, guardians, and law enforcement personnel.

Pathway to Violence

Most people learn to process and cope with negative experiences through healthy responses. However, individuals most at risk for perpetrating targeted violence do not possess healthy coping skills. Instead, they tend to obsess over injustices and are unable to withstand rejections or triggering events. The more stressors and triggers that exist in a person's life, the more difficult it becomes to cope and the greater the chance the person may enter the pathway to violence. A stressor can be anything that causes tension or anxiety for a student, such as:

- Bullying
- School or work-related failure or disappointment
- An unhappy home environment
- Social isolation
- Peer rejection
- Sudden change in peer group
- Self-isolation
- Financial distress (primarily family related)
- Relationship issues
- Material or status losses in family, peer, intimate, occupational and self-image settings; and
- Potential future events, such as divorce (parents), terminal illnesses, chronic pain and health issues.

Research suggests that an individual on the pathway to violence tends to cover a series of steps; however, the pathway to violence is not identical for everyone. The process may be linear or steps may be co-mingled. Time spent at each step may vary. Most often, deeply held grievances are the first step on the pathway to violence. Motivators can include:

- Need for revenge for a perceived injury or other grievance
- Quest for justice (as subjectively defined by the individual)
- Desire for notoriety or recognition
- Desire to solve a problem perceived to be unbearable, and
- Desire to kill or be killed.

The steps on the pathway to violence may include:

- Grievance *(i.e.*, personal grievance or humiliation based upon real or imagined injustices)
- Ideation (*i.e.*, idea that violence is an acceptable, or the only, means to achieve justice)
- Research and planning (*i.e.*, when, how, where, etc.)
- Preparation *(i.e.*, equipment, skills, resources)
- Probing (*i.e.,* testing the plan in some fashion),and
- Breach and attack (*i.e.*, circumvention of security measures at the target location and engaging in a preplanned or opportunistic attack).

Threat Factors and Warning Behaviors

Research has established that offenders may not make specific or direct outward threats toward their targets, but they do display identifiable indicators of violent intent prior to perpetrating an attack. Therefore, the lack of a specific threat should not drive the decision whether there is a possibility of harm to another person. While an expression of intent to inflict harm is an obvious identifier, a person on the pathway to violence may be identified by the presence of threat factors, along with other subtle concerning warning behaviors which need further exploration. Threats and these additional factors or behaviors enhance the probability that someone may be on the pathway to violence.

Threat factors may include, but are not limited to:

- **A history of violence** (*i.e*., history of past violence to include violence towards animals, childhood exposure to violence, past violence against or resistance to law enforcement);

- **Health/mental health factors** *(i.e*., substance use, personality disturbance, severe mental illness, history of attempting suicide or inflicting self-harm);

- **Access to weapons** *(i.e*., access, familiarity, or fascination with firearms, stabbing instruments, or explosives);

- **Problematic behavioral history** *(i.e*., history of stalking, harassing, threatening behavior, worrisome online behavior, or non-compliant behavior); and

- **Lack of social/environmental positive supports** *(i.e*., unhealthy support system, isolation, instability, demonstrated lack of effective coping mechanisms).

Predicting the occurrence or timing of a violent act is impossible; however, warning behaviors demand particular attention in gauging whether an act of violence may occur. Warning behaviors are changes in behavioral patterns that suggest an increased concern for violence. These can also help to assess the potential for imminent violence. While not required before commencing the threat management process, action should be taken when prohibited behavior occurs or a behavior is exhibited by a student of concern that causes fear in others, regardless of whether the behavior is listed below. The presence of one or more warning behaviors may indicate the need for threat management because the person is on the pathway to violence. At the same time, there may be innocuous explanations for these behaviors. Knowledge of the student's baseline behavior is important in determining the significance of any indicator.

Warning behaviors may include, but are not limited to:

- Student of concern engages in research, planning, or preparation *(e.g*., researching/obtaining weapons, selecting potential targets, conducting a rehearsal, engaging in an attack);

- Fixation warning behaviors such as an increasing preoccupation with a person or cause;

- Fascination with violence or weapons, military, or law enforcement paraphernalia, suggesting a warrior mentality and a desire to copycat previous attackers;

- Acts of aggression committed for the first time to test one's ability, such as animal cruelty, assault, firearm discharge, arson, vandalism, or rehearsed violence with inanimate objects;

- Leaked information to a third-party regarding thoughts, characterized by overt threats or by indirect expressions, can provide clues regarding an individual's thoughts, feelings, or an intention to harm someone;

- Implicit or explicit communications of a desire to do harm or kill;

- An approach or attempt to gain proximity to an intended target through trespassing, stalking, burglaries, or other criminal mischief, as escalation, pre-attack surveillance, or a final act of preparation;

- A burst of energy in would-be offenders, such as frequent trips, errands, purchases, or communications, has been noted to occur in the hours, days, or weeks prior to a targeted violence incident;

- End of life planning or terminal behaviors that may indicate last resort thinking and a plan to end one's life in the near future;

- Other last resort behaviors can include communications or actions indicating increasing desperation or distress, such as indicating that time is running out, exhibiting drastic changes in appearance, or a sudden onset of reckless behaviors;

- Sudden cessations of medications or other substance use or sudden withdrawal from typical life patterns or obligations can signal that a person is making final preparations for an attack; and

- Giving away personal belongings;

Protective Factors
Protective factors may prevent or inhibit a student of concern from thinking about or carrying out an act of violence. Threat management teams should consider the following protective factors when deciding whether a person poses a concern and assigning a level of concern:

- Pursuit of non-violent, legally and socially sanctioned methods of conflict resolution;
- Sense of humor;
- Positive, realistic future short and long-term goals;
- Persons, things, or circumstances of sufficient value to the person that reduce the likelihood of violence;
- Supportive family (*e.g.*, provides healthy structure/supervision);
- Healthy social supports (*e.g.*, positive influences, religious affiliations, community group or club);
- Positive coping mechanisms (*e.g.*, exercise, healthy interests, hobbies);
- Access and receptiveness to assistance *(e.g.*, mental health, financial, medical);

Considerations for Threat or Level of Concern Determination
Threat assessment is always necessary when a report is received because there is no demographic profile for a violent offender. Threat management teams must consider the totality of threat factors, warning and concerning behaviors, stressors, precipitating events, and protective factors present in a student of concern's life. Once the team has gathered all available information, they can begin to assess whether a threat or other concerning behavior is present and if so, determine the level of concern. **There is no "crystal ball" and threat management teams must simply use the best information available to make the best possible decisions.**

The threat management process involves first determining whether there is merit to the claim and if so, the threat management team will then determine the level of concern and what action is necessary to ensure school safety. Human judgment, applied to the totality of circumstances surrounding the threat or concerning behavior must drive the threat management team's ultimate decision regarding the level of concern. The level of concern that a student poses can change over time due to the evolving nature of concerning behaviors, surrounding circumstances, and attempted interventions.

Also know that behavioral changes may occur in the student of concern when he or she becomes aware of the threat management process. Behavioral changes may include deception, hiding behaviors, acceleration of their plan, or increased feelings of persecution.

Sometimes the behavior that initiated the threat management process results in suspension or expulsion from school. When this is contemplated or occurs, teams and school administrators should consider how it might affect their ability to monitor the student. Removing a student from school does not eliminate the threat to the school or the community at-large and can exacerbate the situation. Best practices for effective threat management includes developing strategies to stay connected to the suspended or expelled student to determine whether the student's situation is improving or if the behaviors of concern are escalating so that they can respond appropriately.

Barriers to Threat Management Process Engagement

There are barriers that may hinder the effectiveness of the threat management process, particularly when analyzing indicators of potential violence. Some of these barriers can include: a lack of robust knowledge regarding threat management policies and procedures; fatigue and desensitization of SBTMTs due to the volume of cases being assessed, especially very minor incidents; limitations on open communication among involved entities; and limited or misinformation regarding the impact of mental health factors. To help overcome some of these barriers, effective policies, team structure, training, and open communication are all needed. A school culture of shared responsibility that empowers people who witness warning behaviors to come forward to report their concerns is necessary for an effective threat management process. A culture of shared responsibility is created by environments that foster positive connections among all persons. Safe school climates, which encourage positive, trusting relationships among classmates and their teachers, and break down "codes of silence" are a crucial component of preventing targeted violence at schools.

STANDARDIZED THREAT MANAGEMENT OPERATIONAL PROCESS

This section outlines the essential framework for threat management teams to conduct school-based threat assessments and manage threats or address other concerning behavior in Florida schools.

Reporting Responsibility for Members of the School Community
Where an imminent threat to life or physical safety exists, school personnel must immediately report the matter to law enforcement.

Each school district must provide multiple avenues for information affecting school safety to be easily conveyed and received. The FortifyFL anonymous reporting app and various other options are provided so that potential threats can be easily reported. School personnel are responsible for knowing the reporting options in their districts.

If you see something, say something. Effective threat management relies on all school employees, volunteers, and service providers reporting any threat or concerning behavior. All students, parents, guardians and caregivers are *strongly encouraged* to report any threat or concerning behavior.

Reports of concerns that may represent a threat to the community, school, or self must be routed to the Chair of each school's SBTMT for intake, initial evaluation, and an initial merit determination. The Chair must be well identified to everyone on each school campus.

The school-based threat management process involves:

1. Identification of threatening or concerning behavior and reporting to the SBTMT Chair;
2. Determining if the reported claim has a factual basis;
3. Evaluating the reported claim for threat of harm to self, others, or both;
4. Determining if the case should be referred to the full SBTMT;
5. Initial assessment to assign a preliminary level of concern and determine if interim SSMP is necessary;
6. Information gathering through interviews and data collection;
7. Assigning a concern level
8. If not unfounded or low level of concern, evaluating for Medium or High level of concern;
9. Referral to DTMT for some Medium cases and all High levels of concern;
10. Creating SSMP, when appropriate; and
11. Continual monitoring of the student during the SSMP period and continual evaluation of the SSMP to ensure it is effective;

Step 1: Report- Concerns are Reported to Chair
Concerning communications or behavior may be personally received or observed by school personnel, or personnel may receive reports from others. Regardless of the source, school personnel must immediately report any behavior or communications that may constitute a threat or concern regarding school safety to the SBTMT Chair. Before or after school hours, school personnel should immediately report the situation to law enforcement for evaluation if appropriate, and report it to the Chair as soon as possible but no later than immediately upon returning to school on the next school day. There should be no unnecessary delay reporting a threat or other concerning behavior. If a school administrator receives the information before the SBTMT Chair, the time for the chair of the SBTMT to review the report and complete the Intake and Case Disposition form begins at that time. The Chair must use the Intake and Case Disposition form (Form A) to document the receipt of the threat or other concerning behavior.

Step 2: Initial Chair Determination- Is There a Factual Basis?
The ~~c~~Chair will initially evaluate the report to determine whether there appears to be a factual basis for the assertions that warrant further review. This determination must be completed in time for the SBTMT to meet the following school day if necessary. Unless the student or parent refuses, the Chair should ~~interview~~ speak with the student of concern in all cases when making this determination. If the student or their parents or guardian refuse to allow the student to be ~~interviewed~~ spoken with, then the refusal must be documented. This initial ~~interview~~ conversation to make a factual basis preliminary determination does not require use of the Student Interview form (Form B).

2A. Summary Closure and Unfounded Allegations
If the Chair determines that there is not a sufficient factual basis to support the allegation, the Chair may summarily close the matter as unfounded, as defined in ~~this~~ rule.

This disposition is appropriate only when it is clear there is no factual basis; the case should be advanced to the next step if there is any doubt. When using this summary disposition, the Chair must complete the Intake and Case Disposition form (Form A) and enter it in the threat management information system as soon as possible, but within one school day of receiving the report of concerning behavior. The principal must review the decision to close the case as soon as possible but within two school days and the district threat management coordinator must review the case as soon as possible but within two school days after its review by the principal.

Step 3: Type of Harm Determination- Self-Harm, Harm Toward Others, or Both
If the Chair determines there is a factual basis for the reported threat or concerning behavior or decides that there is not enough information to summarily close the case as unfounded, the next step is to determine whether the concern is one of self-harm, harm toward others, or both. If the threat or concerning behavior contains a threat of self-harm, it must be immediately referred to the appropriate entity to conduct a self-harm assessment. There must never be any delay in reporting a threat of self-harm to the appropriate entity that can assess the threat and provide protective services.

3A: Refer and Close: If the threat is self-harm only, with no other indicators of concern regarding potential harm toward others, then no further action is required by the Chair other than to appropriately document the referral on the Intake and Case Disposition form and summarily close the matter. For this summary disposition, the closure by SBTMT Chair and the review by the school principal and district threat management coordinator must be documented in the threat management information system. The principal should review the decision to close the case as soon as possible but within two school days and the district threat management coordinator should review the case as soon as possible but within two school days after its review by the principal.

Step 4: SBTMT Referral Decision- Is review by full SBTMT Appropriate and Necessary?
In making the determination whether to refer the matter to the SBTMT, the Chair should consider all relevant factors, including: the nature of the threatening or concerning behavior; circumstances surrounding the behavior; the person's age and ability to carry out a harmful act; the person's known baseline behavior; and the person's history, or lack thereof, regarding similar concerning communications or behaviors, special needs manifestations, or other behaviors as reflected in school records. If the threat of self-harm includes a potential risk of harm toward another person, or the matter is solely a risk of harm toward another person, and the Chair does not close as low- level (see below), then the Chair must refer to the SBTMT.

4A: Low Level Closure: If the Chair determines that the matter does not warrant review by the SBTMT and it should be summarily closed, then the Chair must assign the case a low level of concern. The Chair may refer the student for services, as appropriate, that are not part of an SSMP. The Chair should document the case on the Intake and Case Disposition form (Form A), including the reasons for not referring it to the SBTMT and if there was a referral to services, identify which services. The Chair should then close the matter and the decision to close the matter will be reviewed by the school principal and district threat management coordinator. The

principal should review the decision to close the case as soon as possible but within two school days and the district threat management coordinator should review the case as soon as possible but within two school days after its review by the principal. The Chair should also refer the matter for review under the student code of conduct or other disciplinary process as appropriate regardless of whether the matter is referred to the threat management team. Whether the matter is referred to the threat management team has no impact on whether it is a School Environmental Safety Incident Reporting (SESIR) reportable event.

Step 5: Preliminary SBTMT Meeting- SBTMT Assigns a Preliminary Level of Concern
If the Chair refers the matter to the SBTMT, the team must convene no later than the next school day after the concerning behavior was reported to the Chair or administrator, whichever was earlier. The Chair must determine whether an SBTMT member has personal knowledge of the student of concern and if not, identify a member of instructional or administrative personnel with personal knowledge of the student to consult with the SBTMT.

At this initial meeting, the SBTMT must conduct an initial assessment, assign a preliminary level of concern (Low, Medium, or High), and determine the necessity to implement an interim SSMP. In assigning a level of concern, it is important to recognize that concerning behavior does not necessarily imply or predict that an individual or group will become violent. Instead, it serves as an indicator that the student may need intervention or increased supports to prevent the situation from progressing into a more serious situation. Proactive intervention and de-escalation are key and should be part of any approach to violence prevention. The Florida Model assigns a Low, Medium, or High level of concern to each concerning behavior or threat reported to the threat management team that cannot be summarily closed as unfounded.

What follows are factors to consider when determining level of concern:

Low Level of Concern: A low level of concern designation is appropriate where a person poses a threat of violence or exhibits other concerning behavior that is minimal, and it appears that any underlying issues can be resolved easily. Factors to consider in designating a low level of concern are:

- A communication has been received or reported that causes some concern about potential for violence; however, it may be confusing, unrealistic, or improbable (e.g., “I will plant a nuclear bomb at work.”) or makes no allusion to violence at all.

- A clear grievance may not be stated or implied. If the student seems to have developed a grievance, it may not be to the level where violence appears likely in addressing it.

- The threat or other behavior may serve as venting rather than actually warning of future violence.

- Even though the student may have made a threat, it may appear through their actions and communications that they appear to be seeking a peaceful resolution of an issue.

- The communication or reporting person may not provide details to establish credibility or viability of the threat.

- The communication may reference information that is inaccurate about the target, suggesting a lack of inside knowledge.

- The student is highly unlikely to have access to the means or the potential target to carry out the threat.

- The communication is vague, indirect, or suggests a lack of commitment to follow through on a threat.

- The method of delivery is indirect (e.g., a mailed or emailed letter versus a hand-delivered communication to the target).

- Acting out violently may not currently be an acceptable means for them to achieve justice; this may be influenced by moral codes, spiritual/religious beliefs, a fear of legal sanctions, or other reasons.

- There does not appear to be a pressing timeframe/deadline for resolution of the student's grievance.

- The student may have exhibited few or no warning behaviors.

- The student may not have a significant number of risk factors, and there are protective factors (e.g., parental support, counseling, peer relationships) in place that mitigate the risk of violence.

Medium Level of Concern: A Medium level of concern designation is appropriate where the student does not appear to pose an immediate threat of violence, but the student exhibits behaviors that indicate a potential intent to harm or exhibits other concerning behavior that requires intervention. Factors to consider in designating a Medium level of concern are:

- The student has a defined grievance and seems to be considering violence as an option for resolution or as a means to achieve justice.

- There may be no sense of urgency in the communication; the student may still be pursuing peaceful alternatives to resolving their grievance. If a deadline is given, it may allow time for the threat assessment team to respond and find a resolution to the grievance.

- The student may not have decided about whether to act out violently (e.g., "I don't want to hurt them, but no one is helping me.")

- The student may have surpassed some of the low level of concern factors, or there is an absence of significant protective factors (e.g., parental support, peer relationships).

- Others may have articulable concerns about the student acting-out violently.

- The student may exhibit a cluster of warning behaviors, potentially combining both expression and action.

- The student may be engaged in the research and planning phase of a possible attack (e.g., information gathering and basic research pertaining to a target).

- The student may have an increased number of stressors or risk factors (e.g., acting out violently, disappointment/failure, a paranoid personality disorder, substance abuse, or instability in employment and relationships). At this point in time, these factors may or may not be appropriately managed by the student or those around the student.

- There may be significant information lacking from the investigation about the student, the potential victim, the context of the threat, or other substantial aspects, which make pinpointing a level of concern difficult. Critical factors which could impact the assessment one way or another are missing.

High Level of Concern: A High level of concern designation is appropriate where the student poses a threat of violence, exhibits behaviors that indicate both a continuing intent to harm and an effort to acquire the capacity to carry out a plan, and may also exhibit other concerning behavior that requires immediate intervention and protective measures for the target. Factors to consider in designating a High level of concern are:

- The communication may reflect an increase in intensity or severity in the tone and content—particularly in a series of communications, as well as the student's use of multiple methods of delivery (e.g., in-person, telephone, social media, mail, electronic, etc.).

- The language of the threat or other concerning behavior appears less emotionally driven and more action- oriented, suggesting that the student is operating in a predatory manner, as opposed to an emotional, reactive, or impulsive mode. The student has the means and ability to carry out the threat.

- The student conducted research on the target and has inside, personal, or background information on potential victims. It strongly suggests the student has knowledge necessary to approach and attack.

- The communication may indicate directions are being received from a higher power or that the student is experiencing delusions that encourage violent action.

- The communication may be directed and fixated on a cause or a person. There is a terminal theme to the communication, as if the relationship between the communicator and the target will soon be over.

- The student may convey that action may be taken to end the grievance and achieve resolution.

- The student may feel violence is the only available method of achieving justice or appears willing to accept all negative consequences resulting from violence.

- Highly concerning communications do not generally name the precise time, place, or target in advance. However, communications may reference a timeframe/deadline or suggest the student is losing patience.

- The student appears to have begun preparing or finalizing plans for a violent act. Such preparations may include weapons acquisition or training/practice that are out of character for the individual and an escalation from their norm. Evidence suggests the student may increase their focus and time spent on research and planning (e.g., surveillance, suspicious investigating, or approaches to the target location.)

- The student may have virtually or actually rehearsed the attack as a means to ensure they have both the ability and the internal will to commit violence.

- The student exhibits highly concerning warning behaviors. Suicidal/homicidal ideation is likely present.

- The student may exhibit a combination of serious mental illness, substance abuse or dependence, a history of violence or family of origin violence exposure, or other risk factors.

- The student of concern may desire recognition and fame and believe that violence can help achieve this.

- Stressors in the student's life appear to be escalating and the student's ability to cope appears diminished.

5A: SBTMT Determines Whether an Interim SSMP is Appropriate
If the preliminary level of concern is low the SBTMT may implement an interim SSMP. If the preliminary determination is Medium or High, then it must implement an interim SSMP. *(Note: If a change in placement is part of the SSMP and the student has an Individualized Educational Plan (IEP), a determination must be made whether the IEP was being implemented correctly at the time of the behavior, and whether the behavior was a manifestation of the student's disability. A manifestation means that the behavior had a direct and substantial relation to the disability. The SBTMT must consult with the appropriate authority within the district to make this determination if the student has an IEP. It is not the SBTMT's role to make an IEP manifestation determination).*

After the initial meeting and required preliminary determinations, the SBTMT will then begin the assessment phase of the threat management process by using the threat management instrument.

Step 6: Collect Information and Conduct Interviews
The SBTMT will obtain background information from school records, law enforcement records, and mental health providers, as available, to evaluate more thoroughly the threatening or concerning behavior and determine whether a threat toward others or actionable concerning behavior actually exists.

Note: The questions on all interview forms or questionnaires are intended to help guide the interview process but should not be read verbatim and are not a script; interviewers must use their best judgement and knowledge of the situation to ask appropriate questions and should document additional information learned.

This detailed information collection should include questionnaires and interviews with the student of concern (Initial Interview of Student of Concern Form B); people familiar with the student, including parents and guardians (Parent/Guardian Interview Form C); witnesses to and the target of the threat (Witness/Target Interview Form D); and all the student's teachers (Teacher Information questionnaire Form E). There should also be a review of formal academic, disciplinary, and law enforcement records, and social media postings. It is recommended that the school have an established process with the county sheriff or other police agencies through which the threat management team receives a comprehensive background report regarding the student of concern. Information regarding threat factors, concerning behaviors, and protective factors should be analyzed in the context of the student of concern's age and development to determine the credibility and seriousness of the threat.

As deemed appropriate for cases with a preliminary High or Medium level of concern, a school-based mental health services provider may complete mental health interview forms of the student of concern, as well as the parent or guardian (Parent/Guardian Mental Health Interview Form F and Student of Concern Mental Health Interview Form G). The purpose of the mental health interview is to help the SBTMT determine appropriate services that may benefit the student as part of the SSMP when applicable.

Steps 7-9: SBTMT Final Disposition and Level of Concern
Distinguishing the appropriate concern level is critical because it will determine the response to the reported threat or concern. The SBTMT must meet as soon as possible after it has acquired all necessary information, but no later than two school days after the preliminary meeting and determine that the case was unfounded or assign a level of concern. Any extension of this timeline must be approved by the school principal or higher authority and the extension granted may not exceed two school days. Additional extensions must be approved by the DTMC and may be granted for a maximum of one school day each and only due to exigent circumstances. All extensions must be documented on the Intake and Case Disposition form (Form A). There are four possible dispositions.

Close as Unfounded
To assign a disposition of unfounded, the SBTMT must determine after its information gathering that the threat(s) never occurred, what was said was clearly not a threat, or the incident of concern did not happen or rise to the level of being a threat. In sum, an unfounded threat has no factual basis for the allegation. The reporting person may simply have been mistaken about the concerning behavior. No threat management action is needed when a threat allegation is deemed unfounded. The matter should be documented and the decision to close the matter as unfounded reviewed by the school principal and DTMC. The principal should review the decision to close the case as soon as possible but within two school days and the DTMC should review the case as soon as possible but within two school days after its review by the principal.

Low Level of Concern (With or Without SSMP)
Low levels of concern in a school setting are generally expressions of anger, frustration, fear, or anxiety that are noticeable but do not represent a serious concern. The person may retract the threat or offer an explanation or apology that indicates no future intent to harm. A Low concern level is also where the person does not appear to pose a threat of violence and any underlying issues can be resolved easily. If the level of concern is designated as Low, the SBTMT team may decide to close the matter without any referral to services, refer the student to services without a formal SSMP, or place the student on an SSMP that may include services.

Medium or High Level of Concern (with SSMP)
If the case is not closed as unfounded or determined to be a low level of concern, the team must assign a level of concern of either medium or high. Medium and High levels of concern reflect an intent to harm others. These typically, but not always, include warning behaviors such as planning and preparation, recruitment of accomplices, and acquisition of a weapon. A Medium concern level is where the person does not appear to pose a threat of violence at that time but exhibits behaviors that indicate a continuing intent to harm or a potential for future violence. A High concern level is where the person appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm and efforts to acquire the capacity to carry out the plan. If the level of concern is designated as Medium or High, it must result in an SSMP.

Step 10: Review and Referral by the DTMC for Medium and High Levels of Concern
If the SBTMT determines that the level of concern is Medium, the DTMC upon review may refer the case to the DTMT for its consideration. If the SBTMT determines that the level of concern is High, then the DTMC must refer to the DTMT for review. The DTMT must convene to consider the case within two school days of receiving the referral from the DTMC. The DTMT may provide ongoing support and recommendations to the SBTMT as needed.

All Steps - Required Review by Principal and DTMC: All SBTMT final decisions and recommendations described in the steps above must be reported to the school principal, who must review the team's documents to ensure completeness and fidelity, and the principal will determine whether he or she concurs with the team's decisions. The DTMC must also review SBTMT's decisions. The principal must review the team's decision as soon as possible but within two school days of receipt of the decision of the SBTMT and the DTMC must review the case as soon as possible but within two school days after its review by the principal. If there is disagreement at any level of review about decisions made and the participants cannot come to a consensus, then the matter must be automatically referred to the DTMT and it will make the final decision.

Step 11: Monitoring of the SSMP: The SBTMT is required to meet monthly, assess each SSMP for its effectiveness, and make modifications as appropriate, as described in the section below.

THE STUDENT SUPPORT MANAGEMENT PLAN (SSMP)

The Student Support Management Plan is not punitive or part of a disciplinary process. The SSMP is a student support and management plan that uses direct and indirect interventions to help create an environment less likely to produce violence. The SSMP identifies mandatory action steps that are needed to ensure school safety and responses that can help support the student of concern and make positive outcomes more likely. The action steps selected will comprise the SSMP. The resources and other support the student needs will differ depending on the information gathered during the assessment, including the mental health interviews when applicable and identified protective measures.

Creating the Student Support and Management Plan (SSMP)
The SBTMT should develop the SSMP with input from the student's parent or guardian, including but not limited to information learned during the mental health interviews, if they are conducted. Some actions may need to be taken immediately, while others (*e.g.*, IEP meetings) may need to occur at a later time. The SBTMT will identify in the SSMP any long-term action that requires gradual implementation and continual monitoring. Any disciplinary referrals should be noted in the SSMP for future situational awareness only because the SSMP is not disciplinary in nature. The SBTMT will also identify any protective actions to be taken with potential victims of the threat or any students impacted by the threat or concerning behavior. The SSMP must include a timeline for plan monitoring and completion. The SSMP should contain accountability measures to ensure it is an effective plan.

Some of the possible resources and supports that may comprise the SSMP include, but are not limited to:

- Holding parent/guardian conferences to discuss the SSMP
- Implementing anti-bullying best practices that provide consequences for the aggressor, as well as support for the victim
- Consideration of potential schedule changes
- Assigning a mentor
- Providing mental health and resiliency support
- Consideration regarding extracurricular activities
- Requiring regular meetings with a counselor at school
- Referring the student to outside mental or behavioral health services
- Requiring daily searches
- Requiring social media monitoring
- Requiring a teacher or staff to escort the student throughout the school campus
- Restricting the use of computers or other electronic devices.

The SSMP requirements will be documented on the SSMP Implementation and Monthly SSMP Monitoring Form (Form H). The SSMP must be consistent with the following minimum timeframes for SSMP implementation and monitoring:

- Low level of concern: 90 days minimum
- Medium level of concern: 180 days minimum
- High level of concern: One year minimum.

The requirements of an SSMP are established by the SBTMT and must be adaptable to meet the needs of the situation. The specific frequency of contact with the student during the SSMP period will vary based on the need to adequately monitor the student and ensure others' safety. SSMPs should be coordinated with law enforcement regarding off-campus threat management when appropriate. The SBTMT is required to meet

monthly, assess each SSMP for its effectiveness, and make modifications as appropriate. Modifications to the SSMP will be documented on the SBTMT Monitoring Form for Monthly Meeting form (Form H). The monthly assessment, or more frequently as determined by the SBTMT, must occur for the duration of the monitoring period.

School-based and district threat management team members must follow established policies and procedures, consistent with Sections 1006.07(7) and 1012.584, F.S., for referrals to school-based, community, or healthcare providers for mental health services, evaluation, or treatment as part of the SSMP. If an immediate mental health or substance abuse crisis is suspected, school personnel must follow existing policies to engage resources, including, but not limited to, law enforcement officers who have been trained in crisis intervention.

Continuing Review of Student Support Management Plans

Within 30 days before the end of the initial SSMP monitoring period for the assigned level of concern, the SBTMT must consider the matter again and assess whether to close the case upon expiration of the monitoring period or extend the SSMP. If the decision is to extend the SSMP, requirements may be added or deleted and documented on the SBTMT Monitoring Form for Monthly Meeting (Form H).

Any SSMP reassessment may not result in the initial level of concern category being changed to a lower level based on subsequent circumstances; however, the SSMP's requirements may be modified downward as the matter is periodically reviewed. The matter may also be reconsidered at any time based on new or additional information and the level of concern may be increased. If the level of concern is increased, then the SSMP must be modified and documented as appropriate with the new level.

If a student is facing possible assignment to an alternative school, suspension, or expulsion as a consequence of their actions, the school should consider ways in which these can be safely enacted and identify resources that may assist the student during this time. These necessary events may actually exacerbate the pathway to violence and trigger violence, and the school should actively consult with law enforcement because the school-based threat may become a community-based threat. Consultation must be consistent with FERPA and related laws.

PARENTAL NOTIFICATION

There are multiple laws and rules that address requirements for parental notification, including Sections 1002.20, 1001.42(8), 1006.07(7), and 1014.04, F.S. This part of the manual, however, is limited to the parental notification requirements for threat management. The importance of parental notice cannot be overstated in the threat management process. Explaining the purpose of threat management and the concerning behavior to a parent or guardian provides them with the opportunity to support the student and provides an opportunity for the school community to enlist the support of a parent in threat management process itself. Because parental involvement in threat management can improve outcomes, the SBTMT should consider involving parents and guardians throughout the process.

The minimum notification requirements are set forth below.

- **Where a report of concern includes an identified student target, the Chair must make a reasonable effort to notify the parent of the targeted student before the end of the school day that the report was received unless the Chair has determined the concern is unfounded.**

- If the Chair of the SBTMT determines that the reported behavior is low level of concern and summarily closes the report, (Step 4A) the Chair or his designee must use reasonable efforts to notify the parent or guardian of the student of concern on the same day as the report is closed.

- If the Chair does not summarily close the case and refers it to the SBTMT, reasonable efforts must be made to notify the student of concern's parent on the same day the SBTMT assigns the preliminary level of concern. (Step 5)

- If the level of concern is High (preliminary or final disposition), the Chair or his designee must notify the superintendent or his designee to ensure that the notice requirements of Section 1006.07(7)(e), F.S., are met. This section provides as follows:

  > Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, a threat management team shall immediately report its determination to the superintendent or his or her designee. The superintendent or his or her designee or the charter school administrator or his or her designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection precludes school district or charter school governing board personnel from acting immediately to address an imminent threat.

- Parents or guardians must also be notified if the threat management process reveals information about their student's mental, emotional, or physical health or well-being, or results in a change in related services or monitoring, including but not limited to implementation of an SSMP.

- Reasonable efforts must be made to notify the student of concern's parents or guardians on the same day the SBTMT concludes final disposition (Steps 7-9).

- Once an SSMP is finalized and anytime it is substantively revised, the SBTMT Chair or designee must provide a copy of the SSMP to the student of concern's parent or guardian. The targeted student's parent or guardian should also be informed that an SSMP has been implemented.

The timelines for notice may be modified where the team reasonably believes and documents that disclosure by the time designated above would result in abuse, abandonment, or neglect, as defined in Section 39.01, F.S.

"A reasonable effort to notify" a parent or guardian means the exercise of reasonable diligence and care to make contact with the student's parent or guardian, typically through the contact information shared by the parent or guardian with the school or school district. The SBTMT Chair or designee must document all attempts to make contact with the parent or guardian on Form A.

THREAT MANAGEMENT CONSIDERATIONS FOR STUDENTS WITH DISABILITIES

When threat management is necessary it must be conducted for all students regardless of whether they have a disability. Threat management must always be based on an individualized assessment that is based on current information and should not be based on generalizations or stereotypes about the effects of a particular disability. Threat management teams should direct their attention to symptoms and behaviors, rather than formal diagnoses, to assess a concern for violence. In addition, behaviors exhibited by a student with a disability need to be evaluated in the context of that student's known baseline of behavior.

Issues involving students with disabilities and threat management are fact-specific and should be discussed with your local legal counsel. A summary of federal regulations implementing I.D.E.A. follows:

- **Removal for less than 10 days:** School personnel may remove a student with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or may suspend the student for not more than 10 consecutive school days (to the extent those consequences are also applied to students without disabilities). Students with disabilities may be subject to removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct. 34 C.F.R. s. 300.530(b)(1).

- **Change in placement:** If a student with a disability is removed from his or her current placement for 10 school days in the same school year, it is considered a change in placement. 34 C.F.R. 300.536. During any subsequent days of removal, the local education agency (LEA) must provide services as required under 34 C.F.R. s. 300.530(d).

    - Services may be required when a student with a disability is removed from his or her current placement for less than 10 school days, if those services are also provided to a student without a disability that is similarly removed. 34 C.F.R. s. 300.530(d)(3).

- **Manifestation determination:** Within 10 school days of a change in placement of a student with a disability based on a violation of the code of student conduct, the LEA, parent and other members of the IEP team must review all relevant information and must determine:

    - If the conduct in question was caused by, or had a direct and substantial relationship to the student's disability; or
    - If the conduct in question was the direct result of a failure to implement the student's IEP, and if so, take steps to remedy the issue. 34 C.F.R. s. 300.530(e).

- **If the behavior is determined to be a manifestation of the student's disability:** The IEP team is required to conduct a functional behavioral assessment and implement a behavioral intervention plan, or if one is already in place, the plan must be reviewed and modified as needed to address the behavior. The parent and LEA may agree to a change in placement as part of the modification to the behavioral intervention plan. 34 C.F.R. 300.530(f).

- **If the behavior is determined not to be a manifestation of the student's disability:** Disciplinary procedures may be applied in a same manner as they would to students without disabilities, except that students with disabilities must continue to receive educational services. 34 C.F.R. 300.530(c)-(d). The IEP team may also consider whether the student's IEP needs to be revised. A change in placement is also permitted with parental consent.

- **Alternative placements are allowed for 45 days in certain circumstances:** If the threat assessment team and school administration determine that it is not safe for a student to remain in his or her current placement, IDEA allows for a temporary alternative placement of up to 45 school days, even where the behavior in question was determined to be a manifestation of the student's disability. A temporary alternative placement is available only if the student:

    - Carries a weapon to or possesses a weapon at school, on school premises or at a school function;
    - Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises or at a school function; or
    - Inflicted serious bodily injury on another person while at school, on school premises or at a school function. 34 C.F.R. 300.530(g).

- **The 45-day alternative placement can be ordered or extended by a hearing officer:** If an LEA believes that maintaining the current placement of a student with a disability is substantially likely to result in injury to the student or others, the LEA may request a hearing, where a hearing officer will determine whether the student should be returned to their previous placement (if removal was improper or that the behavior at issue was a manifestation of the student's disability) or can order a change in placement for up to 45 days. 34 C.F.R. s. 300.532(a)-(b).

    - These procedures may be repeated, if the LEA believes returning the student to the original placement is substantially likely to result in injury to self or others. 34 C.F.R. s. 300.532(b)(3).

Best Practices for Interviewing Students with Disabilities

The threat management process may be intimidating for students, and there are additional considerations that should be part of the process when working with a student with a disability to make them feel comfortable and obtain accurate information. These best practices can be used in all student interactions, but may be particularly effective with students with special needs:

- Utilize adults who are familiar with the student's unique needs and levels of functioning.
- Stay calm, supportive, and ask the student what would make them feel most comfortable.
- Consider the student's sensory needs. It may be easier for the student to function in a quiet, small environment with soft lighting and without distractions.
- Ensure the environment is quiet, comfortable, and conducive to productive dialogue. Be patient and allow the person to respond without interrupting or finishing their sentence for them.
- Speak directly to the student and not to an individual who may be providing assistance, such as a paraprofessional, tutor, or sign-language interpreter. Respect the student's preferred manner of communication and allow for sufficient processing time.
- Rephrase, rather than repeat, sentences that the student does not understand.
- Gauge the pace, complexity, and vocabulary of your speech according to theirs.
- Phrase questions in a neutral way to elicit accurate information. Students with disabilities may be anxious to please and may tell you what they think you want to hear. To verify responses, try repeating each question in a different way.
- Provide the plan for the interview prior to beginning, if appropriate under the circumstances, to include concrete steps for the process, and offer the opportunity to ask clarifying questions.
- Consider that the student may engage in some behaviors that may be interpreted as non-compliant but may be a product of the student's disability. Work with the IEP team or others who know the student well to utilize strategies that typically work to gain their cooperation.

REQUIRED THREAT MANAGEMENT TIMELINES

For ease of reference, some of the threat management timelines are set forth below. Please be aware that additional timelines are found in the section entitled "Standardized Threat Management Operational Process."

Some of the timelines refer to a school day; a school day is measured beginning with the next school day after the day of the event or triggering action. As an example, if the matter is closed on a Tuesday, the principal must review it within two school days of closure. Wednesday is day one and Thursday is day two.

1. School personnel MUST **immediately** report any behavior or communications that may constitute a threat to school safety to the Chair of the SBTMT.

2. The Chair of the SBTMT must review a report of concerning behavior and complete the Intake and Case Disposition form to determine if the matter should be referred to the SBTMT. This determination must be completed in time for the SBTMT to meet the following school day if necessary. If a school administrator receives the report of concerning information before the SBTMT Chair, the time for the Chair of the SBTMT to review the report and complete the Intake and Case Disposition form begins at the time the administrator receives the report.

    a. If the Chair of the SBTMT determines that the report of concerning behavior can be closed without referral to the SBTMT, the principal should review the decision to close the case **as soon as possible but within two school days of receiving notification of case closure** and the district threat management coordinator should review the case **as soon as possible but within two school days** after its review by the principal.

    b. If the Chair of the SBTMT determines that the report of concerning behavior has a factual basis, but the threat is related to self-harm only, the Chair must immediately refer the student to the appropriate entity to conduct a self-harm assessment and close the case. The principal must review the case as soon as possible but within two school days of receiving notification of case closure and the DTMC must review the case as soon as possible but within two school days after the review by the principal

3. If the Chair of the SBTMT refers the matter to the threat management team because it appears to constitute a threat of harm toward another person, the team MUST convene for an initial meeting **no later than the next school day** from the day the initial report was received by the Chair or administrator to assign a preliminary level of concern and consider implementing an interim SSMP.

4. The SBTMT must meet a second time **as soon as possible** after it has acquired all necessary information, **or within two school days** after the initial team meeting, whichever is earlier.

5. An extension of the requirement that the SBTMT meet a second time within two school days to consider the matter MUST be approved by the school principal or higher authority and the **extension may be granted for a maximum of two school days**. After the initial extension, the time can be extended in one day increments based upon exigent circumstances.

6. If the SBTMT determines that the threat level is High, the case must automatically be referred to the DTMT for review. DTMT must convene to consider the case **within two school days** of receiving the referral from the SBTMT.

7. If the Principal or DTMC returns the report of concerning behavior back to the Chair of the SBTMT for further consideration, the Chair must make any corrections and resubmit as soon as possible, but no later than two school days from the date returned by Principal or DTMC.

MAINTENANCE OF RECORDS AND INFORMATION SHARING

Documentation and Maintenance of Threat Management Records

All threats, concerning behaviors or concerning communications reported to the SBTMT Chair must be documented using the Intake and Disposition form (Form A). Interview forms, staff questionnaires, and the SSMP review form should be used as needed during each case being assessed but are not required in every instance.

Completed threat management instrument forms (Forms A-H) and related documentation are considered "Category A" records under Rule 6A-1.0955, F.A.C. Records that fall under Category A must be kept current while the student is enrolled and retained permanently. Upon availability, the required retention of these records is satisfied by uploading all threat management records to the Florida School Safety and Threat Management Portal. Threat management records include all corresponding documentation and information required by the Florida Model relating to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

Record and Information Sharing

Pursuant to Section 1006.07(7), F.S., school threat management records, including threat assessment reports, all corresponding documentation, and the completed threat management instrument forms required by Rule 6A- 1.0019, F.A.C., are considered education records. In most cases, student health and mental records maintained by a K-12 school are also considered education records (*see additional guidance on this issue* below). Access to and disclosure of education records is governed by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations (20 U.S.C. s. 1232g, 34 C.F.R. Part 99), related state laws (Sections 1002.22, 1002.221, and 1002.222, F.S.), Rule 6A-1.0955, F.A.C., and district or school policy. FERPA provides parents and eligible students (those who are 18 or attending postsecondary institutions at any age) the right to inspect and review education records, to control or limit certain disclosures of information contained therein, and to challenge information contained in those records. Because threat assessments and related threat management records meet the definition of education records, parents can review these records upon request.

While disclosure of education records generally requires written consent, there are several exceptions set forth in the FERPA regulations that detail when records and information may be shared without consent. Commonly used exceptions relevant to the threat management process are the disclosure of directory information, disclosure to school officials, and disclosure related to a health or safety emergency. Specific guidance from the U.S. Department of Education can be found at the links provided or by contacting the Office of Safe Schools at FloridaModel@fldoe.org:

- Guidance: FERPA and Student Health Records
- Guidance: School Resource Officers, School Law Enforcement Units, and FERPA
- Guidance: FERPA and Disclosures Related to Emergencies and Disasters

Questions regarding access to and disclosure of records by the threat management team are often fact-specific and should be discussed with local legal counsel. Such discussions should involve careful review of any interagency agreements that may be in place to allow the SBTMT or DTMT access to records, including but not limited to the district and individual user access agreements for the Florida School Safety Portal. Generally, if records are shared the names and identifying information of students other than the student of concern must be redacted, consistent with FERPA and district policies. School administrators must ensure compliance with all Florida law and FERPA requirements. Consult with your school administration or legal advisor for guidance on compliance with public record requests.

School Administration must provide applicable education records to threat management teams during the threat management process and this dissemination is broader than the FERPA health and safety exception cited above. In general, members of the threat management teams will meet the definition of a "school official" under FERPA, which will allow them to access needed information to carry out their duties without consent. Further, under Florida law all members of the SBTMT and DTMT, including school administrators and teachers, may have access to criminal history record information from law enforcement officers. No member of the threat management team may disclose or use such information beyond the threat management process, unless another exception permitting such disclosure is present. Florida law also provides that all state and local agencies and programs (*e.g.,* DOE, DJJ, DOH, etc.) may share with each other, and the threat management teams, records or information that are confidential if the records are reasonably necessary to ensure access to appropriate services for the students and to ensure safety of the student and others. Because record sharing between agencies may involve compliance with other state and federal laws or regulations, or interagency agreements, it is best to consult your local counsel or administration on such matters.

Transferring Student Records

Section 1003.25, F.S., and Rule 6A-1.0955, F.A.C., establish certain requirements for maintaining and transferring records of students who transfer from school-to-school and district-to-district, including threat management records. The law requires that student records be transferred within five school days of receipt of the request for records from the new school or district, or receipt of the identity of the new school and district of enrollment, whichever occurs first. Student records must contain verified reports of serious or recurrent behavior patterns, including threat assessments and intervention services, and psychological evaluations, including therapeutic treatment plans and therapy progress notes created or maintained by school staff.

Transferring these records as soon as possible is important so that the receiving school can assume threat management responsibility for the student. It is required under Section 1006.07(7), F.S., that the threat management team of the transferring school maintain responsibility for the student on an SSMP until responsibility is formally accepted by the receiving school.