

K-12 Threat Assessment in Virginia

A Prevention Overview for School Staff,
Parents, and Community Members



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INTRODUCTION

In 2013, the Virginia General Assembly enacted legislation to enhance school safety by mandating threat assessment teams to support every Virginia public school. In accordance with the new mandate, the Virginia Center for School and Campus Safety (VCSCS), under the Virginia Department of Criminal Justice Services (DCJS) created model policies and procedures in [Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines](#), to help local school boards establish and operate threat assessment teams to support their schools.

There are no legislative mandates to use the specific model policies and procedures developed by the DCJS Virginia Center for School and Campus Safety. However, school division policies must be *consistent with* the model policies developed by DCJS in accordance with [§ 9.1-184](#). The DCJS model is a synthesis of best practices in threat assessment, and adheres to required legislation.

This manual serves to summarize the threat assessment process in Virginia according to the model provided by DCJS and best practices in threat assessment. Although there is no mandate to use the DCJS model specifically, policies consistent with this manual should be in place in each public school in Virginia.

Use Our Resource



The DCJS model is available for use free of charge for public and private schools in Virginia.



[Threat Assessment Model Policies, Procedures, and Guidelines](#)

In Virginia, threat assessment falls under the umbrella of the [Virginia C.A.R.E.S. for School & Campus Safety Program](#), which was developed in 2016 to illustrate initiatives by VCSCS, under DCJS [and others], to support schools and campuses in enhancing school safety, and supporting the programs in place across the Commonwealth. The C.A.R.E.S program stands for:

C	Caring and Connection to build a positive school/campus climate
A	Awareness of concerns, resources, and reporting options
R	Recognition of, and response to, threatening, aberrant, or concerning behaviors
E	Engagement with the community and with persons (within the school or campus) for whom there is concern
S	Support for all members of the school/campus community

The information in this manual supports the legislation to:

- Provide guidance to students, faculty, staff, and parents regarding the recognition of threatening, aberrant or concerning behaviors which might present a threat to the school community;
- Identify members of the school community to whom threatening, aberrant or concerning behaviors will be reported; and
- Implement the policies adopted by the local School Board.

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

This school threat assessment information was developed to supplement the DCJS model policies, procedures, and guidelines. The objectives of these guidelines are to help Virginia schools, divisions, parents, and community members understand the school threat assessment process, facilitate the work of threat assessment teams, and identify action steps for recognizing threatening behavior to prevent violence and assist persons in need.

Supportive online training is also available to educational institutions, found at:



[K-12 Threat Assessment Video](#)



THREAT ASSESSMENT IN VIRGINIA... WHAT IS IT?

A threat is a concerning communication or behavior that suggests a person may intend to harm someone else, or themselves. The threat may be spoken, written, or gestured. It may be observed by or communicated directly to the target of the threat, or it may be observed by or communicated to a third party. The target of the threat does not need to be aware of the threat existing in any fashion, whether orally, visually, in writing, or electronically.

Threat assessment is mandated in all public K-12 schools and institutions of higher education in Virginia. Threat assessment in Virginia is a fact-based process relying primarily on an appraisal of behaviors to identify potentially dangerous or violent situations, and to address them in a professional and timely manner.

There are certain assumptions that support the rationale for the school threat assessment model. These assumptions come from major research on school shootings and on other acts of targeted violence, as well as research on threat assessment. The principles that govern threat assessment are derived from decades of research and practice in assessing and managing threatening situations.

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

K-12 schools are the primary focus of this manual and accompanying training. *Code of Virginia § 22.1-79.4* requires that each public school in Virginia have a threat assessment team to assess and intervene with individuals who present a threat to the safety of school staff or students. Teams will include persons with expertise in counseling, instruction, administration and law enforcement and will:

- Educate students and staff to recognize aberrant or threatening behavior;
- Identify members of the school community to whom threatening behavior should be reported; and
- Implement procedural and reporting policies adopted by the School Board.

The law addresses confidentiality, reporting procedures, and the establishment of a school district committee to oversee the school threat assessment teams.

IS THREAT ASSESSMENT PUNITIVE OR PREVENTATIVE?

The goal of the threat assessment process is to be preventative, not punitive...a threat assessment focuses principally upon the following four factors:

- Identifying persons whose behavior is threatening, aberrant or concerning;
- Gathering relevant information (through lawful and ethical means) and investigating the situation;
- Assessing the person and the situation; and
- Managing the person and situation to prevent violence and mitigate risk of harm.

Threat assessment programs incorporate core findings from research on intentional violence occurring in schools, including the fact that:

- Prior to such incidents, others usually knew of a perpetrator's ideas, plans, or preparations;
- Most perpetrators did not threaten their targets directly prior to the act of violence;
- Most perpetrators had significant difficulties with losses or failures;
- There are no accurate or useful profiles for a person who engages in targeted violence in schools;
- School based attacks are rarely sudden or impulsive acts; and
- Despite prompt law enforcement response, most incidents were stopped by other means, and were short in duration.

This process addresses the question: *Is the person on a pathway to violence?*



The threat assessment process is not designed to be adversarial or punitive, but to be a fair, objective, reasonable and timely approach to prevent violence or harm to self or others, where possible. A critical aspect of this process involves school community members reporting any potential threats in a timely and accurate manner.

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

It is important to remember that the role of the threat assessment team is protective and preventative. The team's goal is to maintain the health, safety, and well-being of all persons involved, while also connecting the subject(s) of concern with appropriate intervention.

DOES ONE PERSON CONDUCT THE ASSESSMENT... OR IS IT DONE BY A TEAM?

Multi-disciplinary teams conduct the threat assessment process. The superintendent of each school division must establish a threat assessment team to serve each school; however, teams may work with one or more schools. Teams must include individuals with expertise in counseling, instruction, school administration, and law enforcement. Persons with other expertise may be helpful in a given case. Together, these individuals should also be able to adequately evaluate and manage a potential threat.

WHAT DO TEAMS NEED TO CONDUCT THEIR WORK?

Communication is essential to the overall effectiveness of school threat assessment teams. All parties must SHARE timely information!

Teams will implement the policies adopted by the school board and report quantitative data on its activities to VCSCS during the annual safety audit process. Essential items to consider in the creation of an effective threat assessment team include:

- Developing basic procedures and guidelines that are consistent with the DCJS model (or utilizing the DCJS model);
- Conducting threat assessment training, to include tabletop exercises;
- Consulting with legal counsel;
- Keeping records and tracking data;
- Communicating with parents and the community; and
- Forging partnerships with mental health and community support resources.

WHAT IS MY PROTECTION FROM LIABILITY?

The 2013 immunity from civil liability law expands current Virginia law [§ 8.01-47](#) by extending civil immunity to any person *who, in good faith with reasonable cause and without malice, acts to report, investigate or cause any investigation to be made into the activities of any student [or students] or any other person or persons as they relate to conduct involving bomb threats, firebombs, explosive materials, or other similar devices as described in clauses (vi) and (vii) of subsection A of § 22.1-279.3:1 A, or alcohol or drug use or abuse in or related to the school or institution or in connection with any school or institution activity, or information that an individual poses any credible danger of serious bodily injury or death to one or more students, school personnel, or others on school property shall be immune from all civil liability that might otherwise be incurred or imposed as the result of the making of such a report, investigation or disclosure.* Communication is therefore the cornerstone of effective threat management and liability reduction.

WHAT TRAINING DO TEAMS RECEIVE?

It is recommended that members of the threat assessment team (core and backup members) complete Basic School Threat Assessment Training through DCJS or the equivalent. Team members should complete refresher training at least every three years and continuing education in threat assessment related topics through DCJS or their professional disciplines as resources allow. It is also suggested that the team regularly complete practice scenarios in order to have a unified understanding of how the team will work together in completing threat assessment. Training is provided on the application of these strategies through a series of threat assessment trainings across the Commonwealth. DCJS training curriculum includes two main sections:

- Training materials designed for use during courses; and
- Resource materials, reference guides, and further reading.

WHAT ARE TEAMS LOOKING FOR?

When a potential threat comes to the threat assessment team, it is their job to determine not only whether a threat has been made or communicated, but also if a person poses a danger to self or others and is potentially on a pathway to violence. A threat may involve threatening statements to others or behaviors that are threatening, aberrant, or concerning. The team then implements a strategy to continue to assess, monitor, and manage the case.

The goal of the threat assessment process is the health, safety, and well-being of the school community, ensuring that a range of strategies such as mentoring, counseling, support, confrontation, addressing inappropriate behavior and setting reasonable boundaries, termination of employment, or an arrest or prosecution are used in a measured and appropriate manner. The ultimate objective is to prevent violence.



WHAT IS A PATHWAY TO VIOLENCE?

A pathway to violence often follows five steps:

- 1 Grievance, real or perceived, creating a sense of loss, mistreatment, or injustice
- 2 Ideation or expressed thoughts, of the use of violence to address a perceived grievance,
- 3 Planning as to how to implement that violence,
- 4 Preparation for violence including acquisition of means, method, and opportunity, and
- 5 The implementation of violence.

The guiding principles of this threat assessment process center around the basic tenet that targeted violence is the end result of an often discernible process of thinking and behavior which the threat assessment team, with the right training and processes, can identify and act upon to prevent violence.

WHAT ARE KEY QUESTIONS IN THE THREAT ASSESSMENT PROCESS?

Key questions in the threat assessment process include the following:

Has the subject shown inappropriate interest, fascination or fixation indicating identification with any of the following?

- Incidents of mass violence such as terrorism, school or workplace violence, or mass murderers;
- Weapons used in such incidents, including recent acquisition of any relevant weapons;
- Specific perpetrators of mass violence such as terrorism, workplace violence, or mass murderers;
- Particular grievances or motivations for the use of violence; and
- Obsessive pursuit, stalking or monitoring of others.

A “yes” to any of these circumstances does not necessarily indicate the person in question poses a threat, or is otherwise in need of some assistance. Many people are interested in these topics, but never pose any threat. However, if a person shows some fascination or fixation on any of these topics and has raised concern in another way; such as expressing an idea to do harm to others or to themselves, recently purchasing a weapon, or showing an attitude of helplessness or despair – the combination of these facts should increase the team’s concern about the person in question.

- *Has the subject engaged in attack-related behaviors – that is, any behavior that moves an idea of harm forward toward actual harm?*
- *Does the subject have the capacity to carry out an act of targeted violence?*
- *Is the subject experiencing hopelessness, desperation and/or despair?*

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

- *Does the subject have a trusting and sustained relationship with at least one responsible person such as a parent, teacher, coach, advisor, and colleague?*
- *Does the subject see violence as an acceptable, desirable, or the only way to solve problems?*
- *Is the subject conversation and “story” consistent with their actions?*
- *Are other people concerned about the subject’s potential for violence?*
- *What circumstances might affect the likelihood of violence?*

WHAT IS ABERRANT OR THREATENING BEHAVIOR AND HOW SHOULD A REPORT BE MADE?

Where an immediate threat to life or physical safety exists reports *must* result in an immediate notification to law enforcement.

Aberrant behavior is that which is atypical for the person or situation and causes concern for the safety or well-being of those involved. Aberrant behavior for an individual involves out-of-character responses or actions which could lead to violence. These can include:

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

If an individual exhibits out of character behaviors, witnesses should seek to respond in a reasonable, fair, timely, and systematic manner to help teams to identify signs that a person may be on a pathway to violence, ensuring that appropriate measures are taken before violence occurs.

Concerns should be shared with someone on the school’s threat assessment team. If team members are not known, concerns should be shared with a school administrator, teacher, or the School Resource Officer.

WHAT HAPPENS AFTER A REPORT IS MADE?

The threat assessment process follows the following key steps:

Step 1: Notification of a threat

People with concerns should notify the threat assessment team, school administrators or teachers, or law enforcement about the nature of the concerns. All members of the school community have a

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

responsibility to each other to share concerns for the health, safety, and well-being of the community, and all of its members.

When a report is made, the threat assessment team will initiate a fact-finding process, which would include:

- The details of the concerning, threatening or aberrant behavior;
- Any witnesses to contribute to the fact finding efforts;
- Information regarding the background and circumstances of the person alleged to be engaging in threatening or aberrant behavior;
- Information regarding the targets of the threat;
- Other people in the school who have first-hand experiences with the person of concern (such as a coach or music director, or work colleague); and
- Preservation and documentation of any threatening communication or behaviors.

Step 2: Information gathering

Next, the team gathers more information about the subject of concern. Some potential sources for additional information might include:

- Coaches, other instructors
- Staff
- Friends / Classmates
- Employer
- Parents
- Local law enforcement
- Community services
- Online information / search

Step 3: Analysis of information

Next the team analyzes information gathered through the threat assessment process.

Step 4: Assessing the threat

If the team believes the person poses a threat, then the team will develop and implement a plan to respond to the threat; and so manage and reduce the risk.

Step 5: Make the assessment

Once the team has answered the above questions (recognizing that a team may not be able to obtain information regarding all of the questions) and have documented its findings, the team then assesses

K-12 THREAT ASSESSMENT IN VIRGINIA:
A PREVENTION OVERVIEW FOR SCHOOL STAFF, PARENTS, AND COMMUNITY MEMBERS

the threat posed by the individual by answering the following:

- *Does the person pose a threat of targeted violence at school?*
- *Is the person's behavior consistent with movement on a pathway toward violence?*
- *Does the person's current situation and setting incline him or her toward or away from targeted violence?*

If the team believes that the person poses a threat, the team will then develop and implement a plan to respond to the threat to manage and reduce the risk.

WHAT ABOUT FERPA?

The Family Educational Rights and Privacy Act (or FERPA) should *not* be an impediment to an effective threat assessment, nor to case management. FERPA protects student's educational records only, rather than observations and direct communications.

School administrators, teachers and other staff may share information including educational records with other school officials that have a need to know the information; this includes the members of the threat assessment team.

Where safety concerns exist, schools can share information with others outside the school that can help address safety concerns, such as parents, law enforcement officials, and mental health professionals, that can help address the safety concerns. Additional information regarding FERPA can be found at www2.ed.gov/policy/gen/guid/fpco/ferpa. In addition, DCJS has an [Information Sharing Guide](#) available to help threat assessment teams better understand information sharing in the K-12 public school setting.

IN SUMMARY

Virginia law requires school divisions to establish threat assessment teams, accompanying policy, and reporting protocols using the DCJS or a compatible model as a 'best practice' for school violence prevention.

The goal of DCJS is to ensure the threat assessment teams in Virginia's schools and institutions of higher education have the best guidance, resources, training, and information possible in order to protect our students and communities from threats of violence.

Schools in Virginia are committed to maintaining the safety of all students, staff, and visitors. It is the responsibility of the threat assessment teams, and the school boards they serve, to ensure that the policies, protocols, assessments, training, and ultimately reporting and management of potential threats is effective, articulated, and critically sustained.



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