

**OFFICE OF THE CHIEF AUDITOR
INTERNAL AUDIT REPORT**

**BEHAVIORAL THREAT ASSESSMENT – TRAINING PROGRAM
FOR THE SCHOOL YEAR 2023-2024
(Period July 2023 through December 2023)**



To be presented to the:

**Audit Committee
On March 14, 2024**

**The School Board of Broward County, Florida
On April 16, 2024**



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TRANSMITTAL LETTER

March 14, 2024

Members of the School Board of Broward County, Florida
Members of the School Board Audit Committee
Dr. Peter B. Licata, Superintendent of Schools

In accordance with the School Board of Broward County, Florida ("SBBC" or "District") Audit Plan for 2023-2024 School/Fiscal Year, the Office of the Chief Auditor (OCA) conducted a compliance audit of the District's Behavioral Threat Assessment Training Program for the School Year 2023-2024, period July 2023 through December 2023.

Our report is organized into the following sections:

Executive Summary	This section provides a brief description of the internal audit subject area, audit scope and methodology, scope limitations, and results.
Objectives	The objective of the internal audit is explained in this section.
Background	This section includes a summary of the audit subject area and the impact to the District and District personnel responsibilities
Scope and Methodology	The audit scope, audit approach, significant procedures as well as the OCA's and District Management's responsibilities, are identified in this section.
Audit Results	This section includes conclusion on the audit results and improvement recommendations related to the internal audit subject area.
Appendices	This section includes supplemental documents.

We would like to thank all those who assisted the OCA in this compliance audit.

Respectfully Submitted,

/s/ Joris M. Jabouin

Joris M. Jabouin, CPA
Chief Auditor
Office of the Chief Auditor

EXECUTIVE SUMMARY

In accordance with the School Board of Broward County, Florida (“SBBC” or “District”) Audit Plan for 2023-2024 School/Fiscal Year, the Office of the Chief Auditor (OCA) conducted a compliance audit of the District’s Behavioral Threat Assessment Training Program for the School Year 2023-2024, period July 2023 through December 2023.

The audit was limited in scope to the requirements related to the establishment of the Behavioral Threat Assessment (BTA) teams and the BTA training of team members, students, staff, and school community as outlined in Section III, subsections B - E, of the District’s Policy 4380, Behavioral Threat Assessment (BTA), amended on 6/13/2023 (“Policy”). The review also included the requirement of the Florida Department of Education (FDOE) Emergency Rule 6AER23-02, District Threat Management Coordinator Designation and Reporting, Effective May 24, 2023 (“Emergency Rule”). The scope of this audit does not include the review of the BTA documentation process or the student monitoring plans. These processes will be tested by the OCA in future audits as part of the continuous reporting on the BTA policies and procedures.

In addition, the review included new requirements for the team appointments that were implemented by the District at the beginning of the school year as part of the transition to the Florida Harm Prevention and Threat Management Model (“Florida Model”) that became effective January 1, 2024. The audit was performed in detail for all schools, excluding charter schools.

The OCA determined that the District and the schools complied with the requirements of the Policy and the Emergency Rule (please refer to the “Attributes Reviewed” section for a detailed listing of the requirements reviewed).

OBJECTIVES

The purpose of this audit was to determine compliance with the requirements of the BTA Policy and Florida state law, particularly related to the establishment of BTA teams and BTA training for the period July 2023 through December 2023.

The objectives of this audit were to:

- Obtain an understanding of the requirements for BTA team assignments and training for the period under review, emphasizing law and policy changes since the prior audit and transition to the new, Florida state-mandated requirements.
- Obtain an understanding of the District's systems and applications used to manage and document BTA team assignments and training completion.
- Review state law, written policy, established practices, and documentation thereof, and prepare a listing of detailed attributes for review.
- Review compliance with the requirements for the BTA training program through the prepared attributes for all schools and the District.
- Determine whether improvements to the established practices and procedures are warranted and provide recommendations to District administration.

BACKGROUND

The BTA process is governed in accordance with the District's Policy 4380. The Policy is updated when realignment with the Florida Statutes and/or clarifications are warranted. The last revision that occurred before the start of the 2023-2024 school year was approved on June 13, 2023. The subsequent revision of the Policy on December 12, 2023 was based on the new state requirements for the BTA procedures. However, due to the scope period for this audit ending in December 2023, the previous Policy version was used for this audit in conjunction with the new state law requirements for the period through December 31, 2023.

The new Florida law requirements are outlined in Emergency Rule 6AER23-02, District Threat Management Coordinator Designation and Reporting (effective May 24, 2023), and Rule 6A-1.0019 Threat Management (effective September 2023). The requirements specifically related to the assignment of the BTA teams and BTA training of team members, students, staff, and school communities are outlined in Section III of the Policy (please refer to the "Attributes Reviewed" section for detailed policy references). The following requirements are due before or at the beginning of the school year:

- The BTA team for each school is assigned by the Principal before the first day of school.
- Each of the assigned BTA team members must be trained in the BTA procedures and processes. If newly appointed as a BTA team member, the employee must complete training within ninety (90) days of appointment. The training information for the District staff and law enforcement officials is maintained in the District's Navigate360 Emergency Management Suite application.
- Each school Principal is required to submit a verification form to the District's BTA Department prior to the first day of school. The form identifies the BTA team assignments and attests that all core team members completed the required training. The BTA Department is tasked to maintain a database of Principal Verification Forms.
- The schools are required to orient students and the school community on recognizing concerning behaviors and the various options for reporting concerning behaviors, including anonymous reporting (e.g., FortifyFL, See Something Say Something, Safer Warch). Generally, the schools deliver such orientations at the beginning of the school year, utilizing student assemblies and open house presentations for parents.
- The District provides a Warning Signs course as part of the required learning for all District employees. The course was required to be completed by September 22, 2023. The course completion information is maintained in the District's Learning Across Broward (LAB) application.

SCOPE AND METHODOLOGY

The review was focused on the establishment of the BTA teams and BTA training of team members, students, staff, and the school community for the period July 2023 through December 2023. The scope of this audit does not include the review of the BTA documentation process or the student monitoring plans. These processes will be tested by the OCA in future audits as part of the continuous reporting on the BTA policies and procedures.

The review also included new requirements for the team appointments that were implemented by the District at the beginning of the school year as part of the transition to the Florida Model that became effective January 1, 2024. The audit was performed in detail for 227 schools (all but charter schools).

The procedures used to satisfy our objectives in this review included the following:

- Reviewed the District's Policy and applicable state law for the period under review.
- Met with the BTA department management to obtain an understanding of the established practices and source of the documentation, including updates and changes related to the transition to the new Florida Model requirements.
- Obtained relevant electronic data from the District's databases and applications to determine compliance for the following:
 - District / School BTA Roles (Attributes 1 - 4) – if the teams were established and comprised of the required core team members.
 - BTA Training (Attributes 5, 6, 7b) – if core team members complete state required training and the District orient staff on recognizing concerning behaviors and reporting options.
- Obtained relevant documentation from each school to determine whether each school provided orientation to students and informed the school community on threat awareness and reporting of behavioral concerns.

SCOPE AND METHODOLOGY (continued)

The review was conducted in accordance with Generally Accepted Government Auditing Standards. The standards require that the audit is planned and performed to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. The evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

The OCA's responsibility is to perform the review under Generally Accepted Government Auditing Standards and provide recommendations to improve operations, strengthen internal controls, and comply with the requirements of laws, rules, and regulations in matters selected for review. The administration is responsible for implementing corrective actions and complying with applicable laws, regulations, and School Board policies and procedures.

Audit supervised and reviewed by:

Joris Jabouin, Chief Auditor
Ali Arcese, Audit Director

Audit performed by:

Elena Pritykina, Audit Manager
Jeremiah Carter, Auditor
Blessing Taruza, Auditor

ATTRIBUTES REVIEWED

The following attributes were used to assess compliance with the Emergency Rule and the Policy as referenced:

Attributes			Policy 4380*	Results
District / School BTA Roles	1	Did the District's Superintendent appoint a District Threat Management Coordinator (DTMC) by July 1, 2023?	Emergency Rule**	✓
	2	Did the District's Superintendent appoint a District Threat Management Team (DTMT)?	***	✓
	3	Did the school principal appoint members of a School Based Threat Management Team (SBTMT) (previously known as a threat assessment team or BTA team) comprised of at least four (4) members with expertise in counseling, instruction, school administration, and law enforcement?	s III(B)	✓
	4	Did the school principal appoint a Chair and Vice-Chair of the SBTMT?	***	✓
BTA Training	5	Did all DTMT members complete state required training before the start of the school year (or within 90 days of appointment for the new team members)?	***	✓
	6	Did all SBTMT core members complete state required training before the start of the school year (or within 90 days of appointment for the new team members)?	s III(C)	✓
	7a	Did the school orient <u>students</u> annually on recognizing behaviors of concern, their roles, and responsibilities in reporting the behavior, and the various options for submitting a report, including anonymous reporting?	s III(D)	✓
	7b	Did the district orient <u>staff</u> annually on recognizing behaviors of concern, their roles, and responsibilities in reporting the behavior, and the various options for submitting a report, including anonymous reporting?	s III(D)	✓
	7c	Did the school inform the school community annually on recognizing concerning behaviors and the various options for reporting concerning behaviors, including anonymous reporting (e.g., FortifyFL, See Something, Say Something, Safer Watch)?	s III(E)	✓

* SBBC Policy 4380, Behavioral Threat Assessment (BTA) as adopted 3/5/2019, amended 10/20/2020, 5/17/2022, and 6/13/2023

** FDOE Emergency Rule 6AER23-02 District Threat Management Coordinator Designation and Reporting, effective May 24, 2024

*** Requested by the District as part of the transition to Florida Model beginning January 1, 2024

Tick mark legend:

Attribute met ✓

AUDIT RESULTS

The OCA determined that the District and the schools complied with the requirements of the Policy and the Emergency Rule as referenced in the attributes for the BTA training program as follows:

District / School BTA Roles (Attributes 1 - 4)

- The District Threat Management Coordinator was appointed timely.
- The District and school-based BTA teams were established timely and comprised of the required core team members.
- Team member roles were assigned in accordance with the Policy and the new Florida Model requirements.

BTA Training (Attributes 5 - 7)

- The District and school-based BTA core team members completed state-required training timely.
- The District and the schools oriented students and staff and informed school communities on recognizing concerning behaviors and the various options for reporting such behaviors.

BTA Documentation Process – forthcoming in future audit reports

BTA Monitoring Plans – forthcoming in future audit reports

Process Improvement Recommendations

The following process improvements are recommended to establish consistency throughout the District of the procedures related to the orientation of students and school communities in the area of threat awareness and reporting options for behavioral concerns (Attribute 7):

- The delivery methods and content of the student orientation on recognizing behaviors of concern and the reporting options vary among the schools and grade levels. The District could consider creating a uniform, grade-level-specific content and a mandated delivery format that would ensure the information presented to students is age-appropriate and consistent across the District.
- The Policy requires that the orientation to students and the school community is provided annually. The OCA recommends that the District establish specific due dates or, at a minimum, a target date of completion for the delivery of such orientations to students and school communities.

APPENDIX I



Office of Safety, Security and Emergency Preparedness

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Superintendent of Schools

February 23, 2024

TO: Joris Jabouin, Chief Auditor
Office of the Chief Auditor

FROM: Jaime Alberti, Chief
Office of Safety, Security, & Emergency Preparedness

SUBJECT: **RESPONSE TO BEHAVIOR THREAT ASSESSMENT INTERNAL AUDIT REPORT –
TRAINING PROGRAM FOR THE SCHOOL YEAR 2023 – 2024 (PERIOD JULY 2023
THROUGH DECEMBER 2023)**

This correspondence comes as a response to the Office of the Chief Auditor Behavior Threat Assessment – Training Program for the School Year 2023 – 2024 Audit Report. I have reviewed the audit and am proud of our schools and the Behavioral Threat Assessment (BTA) Department for meeting compliance in 100% of the attributes tested. Below are my responses to the recommendations made by the Office of the Chief Auditor.

Recommendation 1 - The delivery methods and content of the student orientation on recognizing behaviors of concern and the reporting options vary among the schools and grade levels. The District could consider creating a uniform, grade-level-specific content and a mandated delivery format that would ensure the information presented to students is age-appropriate and consistent across the District.

Response – By July 1, 2024, the BTA Department will provide a uniform, age-appropriate content on recognizing concerning behavior and reporting options for elementary and secondary schools to ensure consistent information is provided to students across the District during the 2024 - 2025 school year.

Recommendation 2 - The Policy requires that the orientation to students and the school community is provided annually. The OCA recommends that the District establish specific due dates or, at a minimum, a target date of completion for the delivery of such orientations to students and school communities.

Response – For the 2024–2025 school year, all schools will be required to orient students and the school community on recognizing concerning behaviors and reporting options before October 1, 2024.

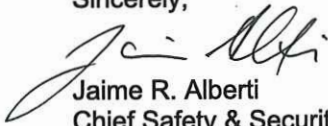
**SUBJECT: RESPONSE TO BEHAVIOR THREAT ASSESSMENT INTERNAL AUDIT REPORT –
TRAINING PROGRAM FOR THE SCHOOL YEAR 2023 – 2024 (PERIOD JULY 2023
THROUGH DECEMBER 2023)**

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The findings from this audit clearly indicate that the Behavioral Threat Assessment Department has had a direct impact on the institutional knowledge of how to properly implement the Florida Model Threat Management Program. The training, coaching, and mentoring that our BTA department has been able to provide is generating a District-wide problem-solving network of BTA professionals who feel supported by our team. The BTA Department will continue to engage in discussions with school leadership to ensure the accuracy and thoroughness of threat management throughout the District.

For additional information, please contact **Jaime Alberti, Chief Safety, Security, and Emergency Preparedness** via email at jaime.alberti@browardschools.com.

Sincerely,



Jaime R. Alberti
Chief Safety & Security Officer

JA/EL:cm



Policy 4380

BEHAVIORAL THREAT ASSESSMENT (BTA)

THE SCHOOL BOARD OF BROWARD COUNTY (SBBC), FLORIDA IS COMMITTED TO PROTECTING ITS STUDENTS, EMPLOYEES, AND MEMBERS OF THE COMMUNITY. IT IS ESSENTIAL THAT DISTRICTWIDE VIOLENCE PREVENTION BE IN PLACE TO FOSTER A LEARNING ENVIRONMENT THAT PROMOTES A CULTURE OF SAFETY, RESPECT, TRUST, AND SOCIAL/EMOTIONAL SUPPORT, WHILE ALSO PROTECTING STUDENTS AND STAFF FROM CONDUCT THAT POSES AN ACTUAL OR PERCEIVED THREAT TO SELF OR OTHERS. THE BEHAVIORAL THREAT ASSESSMENT (BTA) POLICY SHOULD BE INTERPRETED AND APPLIED CONSISTENTLY WITH ALL APPLICABLE STATE AND FEDERAL LAWS, AND THE BOARD'S COLLECTIVE-BARGAINING AGREEMENTS. THE POLICY WAS DEVELOPED IN ACCORDANCE WITH THE LEGISLATION ENACTED BY THE STATE OF FLORIDA (MARJORY STONEMAN DOUGLAS HIGH SCHOOL PUBLIC SAFETY ACT, SB 7026), ESTABLISHED RESEARCH, AND RECOGNIZED STANDARDS OF PRACTICE REGARDING THREAT ASSESSMENT AND MANAGEMENT IN SCHOOL SETTINGS. THE OUTCOME OF A BTA IS NOT USED AS A PRIMARY DETERMINATION OF A DISCIPLINE CONSEQUENCE FOR A STUDENT.

SECTION I: DEFINITIONS

- A. A **threat** is a communication or behavior that indicates 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. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.
 - b. The communication and/or behavior is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat; observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat.
- B. A **behavioral threat assessment** is a systematic process that is designed to identify situations/persons of concern, investigate and gather information, and assess and manage the situation in order to mitigate risk.
- C. An **aberrant behavior** for an individual involves actions, statements, communications or responses that are unusual for the person or situation; or actions which could lead to violence toward self or others; or are reasonably perceived as threatening or causing concern for the well-being of the person. These can include (but are not limited to):
 - a. Unusual social distancing or isolation of subjects from peers and family persons.
 - b. Sullen or depressed behavior from an otherwise friendly and positive

- person.
- c. Out of context outbursts of verbal or physical aggression.
- d. Increased levels of agitation, frustration and anger.
- e. Confrontational, accusatory, or blaming behavior.
- f. An unusual interest in or fascination with weapons; and/or
- g. Fixation on violence as means of addressing a grievance.
- D. An **imminent threat** exists when the person's behavior/situation poses a clear and immediate threat of violence toward self or others that requires containment and action to protect identified or identifiable target(s); and may also exhibit behavior that requires intervention.
- E. **Substantive threats** are behaviors or statements that represent a risk of harm to others. They are characterized by qualities that reflect serious intent (such as planning and preparation, recruitment of accomplices, and acquisition of a weapon) or the intent is not clear.
- F. **Transient threats** include all threats that do not reflect a genuine intent to harm. They are often made in the heat of the moment and may be an expression of humor, rhetoric, anger, or frustration that can be easily resolved with an apology, retraction, or explanation by the person who made the threat. Transient threats can be provocative and disruptive, but from a threat assessment perspective, they do not reflect a real intent to harm others.
- G. An **unfounded/no threat** decision exists when, following a detailed account of the threat obtained by interviewing the person who made the threat, the intended victim, and other witnesses, a threat could not be corroborated or substantiated. It may also exist when the determination is made, based on the circumstances and the student's intentions, that there is no evidence of communication or behavior suggesting an intent to harm.
- H. A **behavioral threat assessment team** shall include, pursuant to Florida statute, persons with expertise in counseling, instruction, law enforcement, and school administration (principal when available). Persons with expertise in counseling include school counselors, school psychologists, school social workers, and family counselors. Additional personnel with knowledge of the child or circumstances may also serve as members of the team.

SECTION II: PURPOSE

- A. The primary purpose of the BTA is to determine whether an individual poses a threat, to mitigate risks, and ensure safety. Its purpose is not to determine disciplinary intervention. However, information obtained through the BTA process may be used to inform disciplinary intervention.
- B. Each school principal must identify a school based BTA team with the mandatory core team members and alternate core team members (e.g., additional assistant principals/administrators/social workers/instructional staff/law enforcement/other appropriate staff) before students report to school each year.
- C. All school-based administrators and BTA team members must attend and complete mandatory district threat assessment trainings annually.

- D. All threats of violence or physical harm to self or others must be taken seriously, since the primary goal of threat assessment is the safety of all persons involved.
- E. School-based BTA teams must adhere to the rules and responsibilities within this policy with fidelity.

SECTION III: DISTRICT/SCHOOL ROLES AND RESPONSIBILITIES

- A. The designated District School Safety Specialist must ensure compliance with this policy.
- B. Each school principal must identify members of a BTA team that includes persons with expertise in counseling, instruction, school administration, and law enforcement. Members will be trained on the roles and responsibilities of each team member.
- C. All school-based administrators and BTA team members must attend and complete mandatory, state-approved threat assessment trainings. The principal will sign a verification form prior to the first day students return to school, verifying that every member of the school-based BTA Core Team has completed the mandatory training requirements.
 - a. Per 6A-1.0018(10), F.A.C., those members appointed during the current school year must complete training within ninety (90) days of appointment. Beginning with the 2022-23 school year, all threat assessment team members must complete CSTAG training before the start of the school year.
 - b. Members appointed to threat assessment teams after the start of the school year must complete CSTAG training within ninety (90) days of appointment.
- D. All school-based administrators and BTA team members must complete an annual refresher course. The BTA team at each school must provide annual training and guidance to students and staff, on recognizing behaviors of concern, their roles, and responsibilities in reporting the behavior, and the various options for submitting a report, including anonymous reporting.
- E. School staff will inform the school community annually on recognizing concerning behaviors and the various options for reporting concerning behaviors, including anonymous reporting (e.g., *FortifyFL*, See Something, Say Something, SaferWatch).
- F. Parents of public-school students have a right to timely notification of threats, unlawful acts, and significant emergencies pursuant to 1006.07, Florida Statutes. Such notifications must be made in accordance with the Family Educational Rights and Privacy Act (FERPA) and Section 1002.22, Florida Statutes.
- G. Each school principal must assign school-based staff members who can proactively monitor and respond to all incoming reports where safety is of concern.
- H. All SBBC employees, volunteers, and contractors/vendors are expected to report to school administration any expressed threat(s) or behavior(s) that may represent a threat to the community, school, or self. Threats that are not easily recognized as harmless should be reported to the school administrator or other team member(s).
- I. A BTA must be initiated, within 24 hours when school is in session, to any report of a threat or any patterns of behavior that may pose a threat to self or others. If the BTA

is not initiated within 24 hours documentation must be entered into electronic management system explaining the extenuating circumstances. If school is not in session, and the school principal becomes aware of a threat or a pattern of behavior by a student that may pose a threat to self or others, he/she must immediately refer the matter to law enforcement for evaluation, and the threat assessment team must initiate the threat assessment process no later than the end of the first day school is back in session. All BTAs must be finalized within 72 hours when school is in session. If the BTA is not finalized within 72 hours, documentation must be entered into electronic management system explaining the extenuating circumstances. School teams must complete a monitoring plan if applicable.

- J. Each school-based threat assessment team must meet as often as needed to fulfill its duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Threat assessment teams must maintain documentation of their meetings, including dates and times, team members in attendance, cases discussed, and actions taken.
- K. Each district must ensure that all threat assessment teams in the District report by October 1 to the Office of Safe Schools on the team's activities during the previous school year. The District School Safety Specialist must ensure all District schools' timely report the information required by this paragraph by October 1 and report using the FSSAT. Beginning in the 2022-23 school year, the information submitted by each school threat assessment team must include the sex, race, and grade level of all students assessed by the threat assessment team.

SECTION IV: BTA TEAM RESPONSES

- A. BTA team members (school-based CSTAG trained) must complete Student Risk Intake Form, conduct Initial Student Interview, Target/Witness Interview(s), and gather Teacher Input Form(s). If at any point during the initial phase of the BTA process, data indicates that the threat may be substantive rather than unfounded/transient, a clinical student interview and clinical parent interview must be conducted by a mental health professional. After the initial triage phase is completed, the four mandatory BTA Core Team Members must meet to review the documentation and work collaboratively to make a risk level determination (unfounded, transient, serious substantive, or very serious substantive). Schools must have signatures from all mandatory participants or documentation explaining why a signature is missing.
- B. Upon a determination by the BTA team members that a student poses a threat, all BTA threat determinations must be reported to the school principal or his/her administrative designee. The principal or his/her administrative designee will serve as the Superintendent's designee.
- C. Upon a determination by the BTA team members that a student poses a threat, the principal, or his/her administrative designee, who is participating in the BTA, shall immediately attempt to notify the student's parent or legal guardian. The principal or his/her administrative designee will serve as the Superintendent's designee.
- D. Upon a determination by the BTA team members that an individual poses a threat, authorized members of the BTA team should request and obtain criminal history record

information, pursuant to s.985.04(1).

- a. Any member of a BTA team must not disclose any criminal history record information or health information obtained or use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.
 - b. The BTA team will **not** maintain the criminal history record or place it in the student's educational file.
 - c. The BTA team must consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts, or the severity of an act, that would pose a threat to school safety.
- E. The BTA team must coordinate resources to provide intervention to individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools.
- a. The BTA team must plan for the implementation and monitoring of appropriate interventions in order to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.
 - b. Interventions should remain in place until the BTA team assesses that the student is no longer in need of supports and does not pose a threat to self or others.

SECTION V: FOLLOW-UP AND INTERVENTIONS

- A. BTA teams will follow established procedures for referrals to school-based, community, and/or health care providers for mental health services, evaluation, or treatment.
- B. The school principal will review the documentation for all threat assessments to ensure completeness and fidelity. The school principal will acknowledge that the BTA documentation is complete. The principal supervisor will acknowledge that the principal has acknowledged the BTA.
- C. If an immediate mental health or substance abuse crisis is suspected, school personnel must follow policies to engage behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers, who have been trained in crisis intervention. These individuals shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services.
 - a. Schools must make a reasonable attempt to notify the parents of a minor student before the student is removed from school, school transportation, or a school-sponsored activity for an involuntary mental health examination. "A reasonable attempt to notify" means the exercise of reasonable diligence and care by the principal or the principal's designee to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination.
 - b. At a minimum, the principal or the principal's designee must take the following actions:
 - i. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact, including but not limited to, telephone calls, text messages, e-mails, and voicemail messages

- following the decision to initiate an involuntary examination of the student.
 - ii. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.
 - iii. A principal or his or her designee who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with federal and state law.
 - c. The district will provide annual reporting requested by the Florida Department of Education's Office of Safe Schools to include the number of involuntary examinations, as defined in s. 394.455, which are initiated at a school, on school transportation, or at a school sponsored activity
- D. BTA teams shall contact other agencies involved with the student and any known service providers to share information and coordinate necessarily follow up. Any information from education records disclosed during this process must be done in accordance with The Family Educational Rights and Privacy Act (FERPA) (34 CFR §99.31(10), §99.36).
- E. The BTA team shall identify additional members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
- F. BTA records are considered education records and shall be maintained and released in accordance with FERPA and state statute. The BTA process is a substantive decision-making process and therefore is not subject to the amendment process as described in School Board Policy 5100.1(V). The BTA, its determination, along with any interventions provided, will be recorded in the appropriate electronic data systems by the threat assessment team. Additionally, these records will be transferred pursuant to School Board Policy 5100.2.
 - a. Upon the student's transfer to a different school, within the district, the threat assessment team must verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services. The receiving school-based administrator will receive an alert and must follow up with the intervention implementation within 72 hours. F.S. §1003.25 requires the records to be transferred to include verified reports of serious recurrent behavior patterns, including BTA and interventions, psychological evaluations, therapeutic treatment plans and therapy and progress notes created by school.
 - b. Upon notification of the student's transfer to an out-of-district school, the BTA team will confirm that intervention services remain available, as applicable, until the BTA team of the receiving school independently determines the need for intervention services. Transfer of student records will occur upon request from another district or parent/guardian within 3 business days or receipt of the identity of the new school and district of enrollment, whichever occurs first.
 - i. Unfounded/no threat may not be maintained in the student's file unless one of the following conditions are met:
 - The parent of the student who was the subject of an

unfounded/no threat finding requests that the record be retained in the student's file.

- ii. The threat assessment team has made a determination that the unfounded/no threat finding must be retained in order to ensure the continued safety of the school community or to ensure the well-being of the student. Such determination and reasoning for maintaining the record must be document with the unfounded/no threat finding. When such a determination is made, the threat assessment team must re-evaluate the decision on an annual basis to determine if the record is no longer useful.
- G. In addition to the BTA activities, disciplinary action and referral to law enforcement are to occur as required by law and school board policies.
 - a. If a student is facing possible expulsion or suspension as a consequence of certain actions, the school should consider ways in which these can be safely enacted and identify resources that may assist the student during this time. In addition, alternatives to expulsion or referral to law enforcement agencies may be used, unless the use of such alternatives will pose a threat to school safety.
- H. Nothing in this policy will preclude school personnel from acting immediately to address an imminent threat and to report to the school principal, and/or his/her administrative designee, that an individual poses a threat of violence or physical harm to self or others.
 - a. Where an immediate threat to life or physical safety exists, reports must result in an immediate notification to law enforcement.
- I. The Chief Auditor will conduct annual audits, in compliance with this policy, and report findings to the Audit Committee and The School Board.

Policy Custodian: Office of Safety, Security, and Emergency Preparedness,
Behavioral Threat Assessment

Policy Status: Active

Authority: 20 U.S.C. §1232g; F.S. §1001.41; F.S. § 1006.07

Laws Implemented: 34 C.F.R. §99.31(10); 34 C.F.R. §99.36; F.S. § 394.455;
F.S. §491.018; F.S. § 985.04; F.S. §1003.25; F.S. §1006.07(7); F.S. §1006.13; Rule
6A-1.0018, Florida Administrative Code

History: Adopted: 10/20/2020
 Amended: 5/17/2022, 6/13/2023

APPENDIX III

Notice of Emergency Rule

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6AER23-02 District Threat Management Coordinator Designation and Reporting

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The legislature found that emergency rulemaking is necessary, and all conditions are deemed met to adopt rules for the purpose of implementing the amendments made to Section (s.) 1001.212(12), Florida Statutes (F.S.). See Chapter 23-18, § 20, Laws of Florida, effective April 3, 2023. This emergency rule implements 2023 amendments to s. 1001.212(12), F.S., which requires the Department of Education's Office of Safe Schools to develop a statewide, Florida-specific threat management operational process and threat assessment instrument, to provide training on the operational process, and coordinate the ongoing implementation of the process. See Chapter 23-18, § 19, Laws of Florida, effective April 3, 2023. Requiring school districts to designate a District Threat Management Coordinator is a necessary step in the transition to and implementation of the Florida-specific threat management process.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Department of Education is authorized to adopt emergency rules to implement the changes made to s. 1001.212(12), F.S. (see Chapter 23-18, § 20, Laws of Florida, effective April 3, 2023), and the public had the opportunity to provide input during the legislative process. Moreover, because the Department is headed by a board, rather than an individual, the emergency rule was considered at a public meeting with the opportunity for public input prior to adoption. While this period is an abbreviated one, the procedure utilized is fair to interested and affected persons.

SUMMARY: The emergency rule requires school districts to designate a District Threat Management Coordinator, sets forth responsibilities of the Coordinator, and requires that school districts provide the Florida Department of Education's Office of Safe Schools with contact information for the Coordinator.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Scott R. Strauss, Vice-Chancellor, Office of Safe Schools, Scott.Strauss@fldoe.org

THE FULL TEXT OF THE EMERGENCY RULE IS:

6AER23-02 District Threat Management Coordinator Designation and Reporting

(1) Definitions.

(a) "School district" or "district" means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and the Blind (Section 1002.36, F.S.), Developmental Research (Laboratory) Schools (Section 1002.32, F.S.), and charter schools sponsored by a university or Florida College System institution (Section 1002.33(5), F.S.).

(b) "Threat Management" means the process by which schools identify individuals exhibiting threatening or other concerning behavior, assess the risk of harm, and coordinate appropriate interventions and services for such individuals, as provided in s. 1006.07(7), F.S.

(2) Designation and Responsibilities of Threat Management Coordinator.

(a) Each district school superintendent must designate a Threat Management Coordinator to oversee threat management at all public K-12 schools, including charter schools sponsored by or under contract with the district. Where there is no superintendent, the lead administrator for the school must assign the Threat Management Coordinator.

(b) The Coordinator must:

1. Ensure that all district-level and school-level threat management team personnel are trained in threat management, including when available, training on the Florida-specific behavioral threat management process and instrument;

2. Be a member of a district level Threat Management Team;

3. Serve as the liaison to the Department of Education's Office of Safe Schools under the new Florida-specific threat management process; and

4. Assist school-level Threat Management Teams in the district.

(3) Each school district school superintendent, or lead administrator if there is no superintendent, must report the name, phone number, and email address of the District Threat Management Coordinator to the Office of Safe Schools at SafeSchools@fldoe.org. This information must be reported by July 1, 2023, and must be updated within one (1) school day if there is a change in the information provided.

Rulemaking Authority Ch. 23-18 § 20, Laws of Florida, 1001.02(2)(n), 1001.212(12) FS. Law Implemented, 1001.212, FS. History –New 5-24-23.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

APPENDIX IV

6A-1.0019 Threat Management

(1) Purpose. The purpose of this rule is to set forth requirements relating to threat management, a process by which school districts, K-12 schools, charter school governing boards, and charter schools identify, assess, manage, and monitor potential and real threats to student safety.

(2) Definitions.

(a) “CSTAG” means the Comprehensive School Threat Assessment Guidelines behavioral threat assessment instrument, Form CSTAG-2022, which must be used for threat assessments in all public schools, including charter schools through December 31, 2023. The CSTAG categorizes threats as (1) transient, meaning a threat without a sustained intent to harm that can be easily resolved by apology, retraction, or explanation; or (2) substantive, meaning a threat where the intent to harm is either present or unclear, and requires protective action.

(b) “Florida Harm Prevention and Threat Management Model” or “Florida Model” means the Florida-specific behavioral threat management process required by Section 1001.212(12), F.S. The Florida Model consists of the Florida Threat Management Manual and the Florida Harm Prevention and Threat Management Instrument (“Instrument”). Under the Florida Model, threats and reports of concerning behavior or concerning communications are categorized as having a low, medium, or high level of concern.

(c) “School” means a public K-12 school, including a charter school, with a Master School Identification Number (MSID) number as provided under Rule 6A-1.0016, F.A.C., but does not include:

1. Settings where instruction is provided in a county jail or state prison, in a Department of Juvenile Justice facility or program, in a hospital, or while a student is homebound;
2. Schools that provide only prekindergarten or adult education;
3. Technical centers under Section 1004.91, F.S.

A list of schools meeting this definition will be provided to the School Safety Specialists by December 1, 2023, and annually thereafter by July 1.

(d) “School-based mental health services provider” means 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 or school to provide mental health services in schools.

(e) “School district” or “district” means a Florida school district, the Florida Virtual School (Section 1002.37, F.S.), the Florida School for the Deaf and the Blind (Section 1002.36, F.S.), Developmental Research (Laboratory) Schools (Section 1002.32, F.S.), and charter schools sponsored by a university or Florida College System institution (Section 1002.33(5), F.S.).

(f) “Student Support Management Plan” or “SSMP” means an ongoing intervention and monitoring plan implemented by the school-based threat management team. The SSMP may impose requirements on a student of concern for a defined period of time based on the level of concern. The SSMP is reviewed each month by the School Based Threat Management Team (SBTMT).

(g) “Threat Assessment” means the identification of individuals exhibiting threatening or other concerning behavior.

(h) “Threat Management” means the multipart process by which schools identify individuals exhibiting threatening or other concerning behavior, assess the risk of harm, and coordinate appropriate interventions and services for such individuals, as provided in Section 1006.07(7), F.S.

(3) Required policies.

(a) Each school district and charter school governing board must adopt policies, consistent with this rule, for the establishment of threat management teams and for the completion of threat assessments. These policies must include procedures for referrals to mental health services, pursuant to Section 1012.584(4), F.S., and referrals for threats of self-harm, consistent with Section 394.463, F.S.

(b) Parental notification.

1. School districts and charter school governing boards must, at a minimum, require parental notification in the following circumstances:

a. If the SBTMT Chair determines the report of a concerning behavior or threat is a Low level of concern and summarily closes the case, the Chair or designee must use reasonable efforts to notify the parent or guardian of the student of concern.

b. 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 or guardian on the same day the SBTMT assigns the preliminary level of concern.

c. If the preliminary level of concern is High, the SBTMT Chair or designee must notify the superintendent or

designee to ensure that the notice requirements of Section 1006.07(7)(e), F.S., are met.

d. 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.

e. 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.

f. Where a report of concern includes an identified student target, the Chair must make a reasonable effort to notify the parent or guardian 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. As provided for in the Florida Harm Prevention and Threat Management Manual (Form OSS-001), the unfounded summary disposition should only be used when it is clear and articulable that there is no basis for concern. If there is any doubt, the case should be forwarded to the full School Based Threat Management Team for further evaluation and parent notification should occur. Nothing herein prevents the school from notifying parents or guardians if they believe it is in the best interest of the student.

2. "Reasonable effort to notify" 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.

3. Timelines for required notice may be modified where the SBTMT reasonably believes and documents that such disclosure would result in abuse, abandonment, or neglect, as defined in Section 39.01, F.S.

(c) Education records. Threat assessments and records related to threat management are considered education records as defined by the Family Educational Rights and Privacy Act (FERPA) and Sections 1002.22 and 1002.221, Florida Statutes. Policies relating to access, maintenance, and retention of these records must be consistent with Rule 6A-1.0955, F.A.C., Education Records.

(4) CSTAG. Threats assessments initiated on or before December 31, 2023, must be done in accordance with CSTAG and the Model Behavioral Threat Assessment Policies and Best Practices for K-12 Schools, as follows:

(a) Threat management teams. Each school must have a threat management team (previously known as a threat assessment team) that includes persons with expertise in counseling, instruction, school administration, and law

enforcement. The counseling and law enforcement team members must meet the requirements in subparagraphs (5)(c)1. and 4.

(b) Training. Threat management teams at each school must be fully staffed before the start of the school year. Due to the pending switch to the Florida Model, additional training is not required for the Fall 2023 semester, as long as at least one (1) member of the team has been CSTAG trained.

(c) Instrument. Through December 31, 2023, threats will be assessed using the CSTAG instrument to assess the behavior of persons who may pose a threat to school staff or students and to coordinate intervention and services for such persons. All reported threats, even those determined not to be a threat, must be documented, including the evaluation process and any resultant action.

(d) Meetings. Each school-based threat management team must meet as often as needed to fulfill its duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Districts must adopt policies requiring threat management teams to maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

(e) Reporting. Each district must ensure that all threat management teams in the district report to the Office on the team's activities during the previous school year. The district school safety specialist must ensure all schools in the district timely report information required by this paragraph: the total number of threat assessments conducted, disaggregated by the total number of non-threats, the total number of transient threats, the total number of substantive threats, and the sex, race, and grade level of all students assessed by the threat management team.

1. Information for the 2022-23 school year is due by October 1, 2023 in the Florida Safe Schools Assessment Tool (FSSAT).

2. Information for August 1-December 31, 2023 is due by June 15, 2024 in FSSAT.

(5) Florida Harm Prevention and Threat Management Model ("Florida Model"). Beginning January 1, 2024, threat management and assessment of concerning behaviors or communications must be conducted in accordance with the Florida Model, as follows:

(a) District Threat Management Coordinator (DTMC). Each school district superintendent must designate a Threat Management Coordinator to oversee threat management at all public K-12 schools, including charter schools sponsored by or under contract with the district. Where there is no superintendent, the lead administrator for the school district must assign the Threat Management Coordinator.

1. The DTMC must:

a. Ensure that all district-level and school-level threat management team personnel are trained in threat management and on the Florida Model;

b. Serve as Chair of the District Threat Management Team and as the liaison to the Department of Education's Office of Safe Schools ("Office"); and

c. Assist School Based Threat Management Teams in the district.

2. Each school district school superintendent, or lead administrator if there is no superintendent, must report the name, phone number, and email address of the District Threat Management Coordinator to the Office at FloridaModel@fldoe.org. This information must be reported annually by July 1, and must be updated within one (1) school day if there is a change in the information provided.

(b) District Threat Management Team (DTMT). Each school district superintendent must designate a District Threat Management Team that will receive referrals from the School Based Threat Management Teams, assess serious situations, and provide support to school-based teams, including charter schools in their district. The DTMT must include the District Threat Management Coordinator as Chair, persons from school district administration and persons with expertise in counseling, instruction, and law enforcement. Where there is no superintendent, the lead administrator for the district must assign the DTMT. Districts with three (3) or fewer schools may request approval to alter the DTMT membership by emailing the Office at FloridaModel@fldoe.org. The Office will grant requests that demonstrate that the duties of the DTMT can be executed with fidelity.

(c) School Based Threat Management Team (SBTMT). Each school must have an SBTMT comprised of four (4) members, at a minimum, including persons with expertise in counseling, instruction, school administration, and law enforcement. The principal or equivalent administrative head of the school is responsible for appointing team members. The SBTMT must also include a member with personal knowledge of the student of concern who is the subject of threat management. Team members must meet the following requirements:

1. The counseling team member must be a school-based mental health services provider that is able to access student mental health records.

2. The instructional team member must meet the definition of instructional personnel under Section 1012.01(2)(a)-(d), F.S., or must hold a current Florida Educator Certificate under Section 1012.56, F.S.

3. The school administrator team member must meet the definition of administrative personnel found in Section

1012.01(3), F.S. This should 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.

4. 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. 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.

5. If none of the team members are familiar with the student of concern, the SBTMT Chair must assign a member of the school's staff who is familiar with the student to consult with and provide background information to the threat management team. The person must be instructional or administrative personnel, as defined in Section 1012.01(2) and (3), F.S. Consulting personnel do not have to complete Florida Model training and may not participate in the decision-making process.

(d) Threat Management Chair and Vice Chair. The principal of each school must appoint a Chair and Vice Chair of the SBTMT. The Chair serves as the point person for threat management at the school-level and is responsible for triaging reported threats or concerning behavior and communications to determine whether the matter should be summarily closed or whether it should be reviewed by the full SBTMT.

(e) Instrument. Each SBTMT and DTMT must use the Florida Model to assess the behavior of students who may pose a threat of harm to themselves or others and to coordinate intervention and services for such students. All reported threats or concerning behaviors and communications, even those determined to be unfounded, must be documented by the SBTMT along with any resultant action, using the Florida Model Instrument.

(f) Meetings. Each SBTMT must meet as often as needed to fulfill its duties of assessing and intervening with students whose behavior may pose a threat of harm to themselves or others, but no less than monthly. Districts must adopt policies requiring threat management teams to maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken. DTMTs must meet as needed to review and consult with SBTMTs and must meet timeframes set forth in the Florida Threat Management Manual.

(g) Training.

1. All members of SBTMTs and DTMTs must be trained on the Florida Model through training provided by or approved by the Office of Safe Schools, as follows:

a. All SBTMT and DTMT members must complete basic Florida Model training.

b. The District Threat Management Coordinator must complete additional training specific to the Coordinator role.

c. School principals, the Threat Management Chair, and the Vice Chair must complete additional training specific to their respective roles.

2. In order to switch to the Florida Model on January 1, 2024, District Threat Management Coordinators, SBTMT members, school principals, and DTMT members must complete Office-approved training no later than December 31, 2023.

3. Beginning with the 2024-25 school year, district and school-level teams must be designated before the start of the school year. Team members who have not previously completed training must complete Florida Model training before the start of the school year. Those appointed to threat management teams after the start of the school year must complete Florida Model training within sixty (60) days of appointment. For assistance in accessing this training, districts must contact the Office in writing at FloridaModel@fldoe.org.

4. Beginning with the 2024-25 school year, district and school-level team members who have been fully trained in a previous school year must complete an annual refresher training provided by the Office within the first sixty (60) days of school.

(h) Reporting. Each district school safety specialist must ensure that all threat management teams in the district report to the Office on the team's activities during the previous school year. The initial reporting period for the Florida Model will be from January 1-May 31, 2024, and information will be due by June 15, and annually thereafter for the preceding school year. The Office will provide reporting instructions by November 2023, and annually thereafter prior to the start of the school year, that will include at a minimum the following metrics:

1. Number of cases reported to the SBTMT;

2. Number of students evaluated by the SBTMT, broken down by sex, race, grade level, and existence of an IEP, 504, or behavior intervention plan at the time of evaluation;

3. Number of cases closed by the SBTMT Chair as unfounded; after referral for self-harm assessment; or as a

low level concern without review by the full SBTMT;

4. Number of cases the SBTMT Chair referred to the full SBTMT for review;

5. Number of cases categorized by the SBTMT as unfounded, low, medium and high levels of concern;

6. Number of SSMPs implemented after cases categorized as low, medium, and high levels of concern;

7. Number of cases referred to the DTMT categorized as medium and high levels of concern;

8. Number of high level of concern cases the DTMT referred back to SBTMT; and

9. Numbers of students who received disciplinary action or where law enforcement took action in response to the behavior initially reported to the SBTMT.

(6) Transition to Florida Model. All threat assessments initiated under CSTAG that are not completed by January 1, 2024, or where a student is still being actively monitored by the threat management team on January 1, 2024, must be reassessed under the Florida Model. While new information may be gathered by the SBTMT Chair, the Chair may rely on the information gathered while using CSTAG to determine what level of concern to classify the student's behavior, and if a SSMP should be implemented as a result. If an SSMP is implemented, the student must be monitored for the minimum period that aligns with the new Florida Model.

(7) Charter Schools. Charter schools are responsible for establishing SBTMTs and conducting threat assessments as required by this rule. DTMCs and DTMTs must oversee and support charter schools sponsored by or under contract with the district to the same extent they do for traditional public schools.

(8) Virtual Schools. Virtual schools are responsible for establishing SBTMTs and conducting threat assessments as required by this rule. Florida Virtual School must also establish a District Threat Management Team and assign a District Threat Management Coordinator.

(9) The following forms are hereby incorporated by reference and made a part of this rule. Copies may be obtained from the Florida Department of Education, 325 West Gaines Street, Tallahassee, FL 32399-0400.

(a) Florida Harm Prevention and Threat Management Manual, Form OSS-001 (insert link), effective September 2023.

(b) Florida Harm Prevention and Threat Management Instrument, Form OSS-002 (insert link), effective September 2023.

(c) Comprehensive School Threat Assessment Guidelines, Form CSTAG-2022 (insert link), effective September 2023.

(d) Model Behavioral Threat Assessment Policies and Best Practices for K-12 Schools, Form BTAP-2022

(insert link), effective September 2023.

Rulemaking Authority 1001.02(1), (2)(n), 1001.11(9), 1001.212(12) FS. Law Implemented 1001.11(9),

1001.212(12), 1006.07(7) FS. History—New