

# Document Status: Draft Update - New To District

## 4:190 Targeted School Violence Prevention Program

### New/Unpublished Section

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment. [PRESSPlus1](#)

The Superintendent or designee shall develop and implement the Program. [PRESSPlus2](#) The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s). [PRESSPlus3](#)
2. Establish Building-level Threat Assessment Team(s) [PRESSPlus4](#) to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors. [PRESSPlus5](#)

### LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/27-23.7.

105 ILCS 128/, School Safety Drill Act.

745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.

29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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### PRESSPlus Comments

PRESSPlus 1. While this policy is optional, **105 ILCS 128/45, added by P.A. 101-455, requires school districts to implement a threat assessment procedure by 12-6-19** that may be part of a school board targeted school violence prevention policy. Thus, regardless of whether the board adopts a policy, an administrative procedure must exist to comply with the law. See 4:190-AP1, *Targeted School Violence Prevention Program*, (available at PRESS Online by logging in at [www.iasb.com](http://www.iasb.com)) for a sample implementation procedure. **Issue 102, October 2019**

PRESSPlus 2. To balance the requirement to implement a threat assessment procedure (105 ILCS 128/45, added by P.A. 101-455) with the practicalities of managing a district and to align with the best practices outlined in IASB's *Foundational Principles of Effective Governance* ([www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf)), this sentence delegates the duty to implement a procedure to the superintendent. See 4:190-AP1, *Targeted School Violence Prevention Program*, (available at PRESS Online by logging in at [www.iasb.com](http://www.iasb.com)) for a sample implementation procedure. **Issue 102, October 2019**

Ensuring school safety begins with establishing a comprehensive targeted school violence prevention program, which "includes

forming a multidisciplinary threat assessment team, establishing central reporting mechanisms, identifying behaviors of concern, defining the threshold for law enforcement intervention, identifying risk management strategies, promoting safe school climates, and providing training to stakeholders.” *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: [www.dhs.gov/sites/default/files/publications/18\\_0711\\_USSS\\_NTAC-Enhancing-School-Safety-Guide.pdf](http://www.dhs.gov/sites/default/files/publications/18_0711_USSS_NTAC-Enhancing-School-Safety-Guide.pdf). **Issue 100, February/March 2019**

PRESSPlus 3. The establishment of threat assessment teams in K-12 public schools is Recommendation #1 of the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, presented to the Office of the Governor on 4-5-18, at: [www.iasb.com/safety/](http://www.iasb.com/safety/). Illinois higher education institutions have required threat assessment teams since the passage of the Campus Security Enhancement Act of 2008 (110 ILCS 12/20(b)(2), eff. 1-1-09) in response to the shootings that took place at Virginia Polytechnic Institute and State University on 4-16-07 and Northern Illinois University on 2-14-08. **Issue 100, February/March 2019**

PRESSPlus 4. 105 ILCS 128/45, added by P.A. 101-455, **requires school districts to establish a threat assessment team by 2-19-20**. If a school district is unable to establish a threat assessment team with school district staff and resources, it may use a regional behavioral threat assessment and intervention team. See 4:190-AP2, *Threat Assessment Team (TAT)*, (available at PRESS Online by logging in at [www.iasb.com](http://www.iasb.com)) and its accompanying exhibits for further information on threat assessment teams and how to connect with a regional behavioral threat assessment team. **Issue 102, October 2019**

PRESSPlus 5. **Consult the board attorney for guidance concerning liability in this area.** Except for cases of willful and wanton conduct, the Local Governmental and Governmental Employees Tort Immunity Act (TIA) likely protects districts from liability for failure to properly identify and/or respond to a student’s behavior that results in injury or suicide. See 745 ILCS 10/3-108 and *Grant v. Board of Trustees of Valley View School Dist. No. 365-U*, 286 Ill.App.3d 642 (3rd Dist. 1997). Every situation is fact specific, and the issues require careful evaluation. A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its board attorney, to minimize liability, such as adding limiting phrases and ensuring other policies are followed.

In addition to the TIA, school officials and districts may also be entitled to qualified immunity in civil rights lawsuits that seek to hold them liable for a suicide. For further discussion, see f/n 13 in policy 7:290, *Suicide and Depression Awareness and Prevention*. **Issue 100, February/March 2019**