



SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

Agenda Item Summary

Meeting Date: October 21, 2020

Purpose: Presentation/Report Recognition Discussion/ Possible Action

Closed/Executive Session Work Session Discussion Only Consent

From: Eugene Tovar; Chief of Police

Item Title: Discussion and Possible Action to approve South San Cares Response Team (Threat Assessment Team)

Description:

TEC Chapter 37.115 Threat Assessment and Safe and Supportive School Program and Team. The Board of Trustees shall establish a threat assessment school team to serve each campus of the district.

Recommendation:

Approve threat assessment team members recommended by the superintendent of schools

District Goal/Strategy:

Objective 5.4: Establish systemic plans and procedures that ensure a safe learning environment for all.

Funding Budget Code and Amount:

CFO Approval

(199) General Fund (52) Police Department

APPROVED BY:

SIGNATURE

DATE

Chief Officer:

Superintendent:



South San Antonio ISD Police Department



Eugene F. Tovar
Chief of Police

The mission of the South San Antonio I.S.D. Police Department is dedicated to protect and serve the future.
We accomplish this by collaborating efforts with the school district and the community it serves;
Therefore, the focus of all our officers is to work as a positive influence to the students
By providing a safe learning environment.

District Threat Assessment Team

The Board of trustees shall establish a threat assessment and safe and supportive school team to serve each campus of the district. The following individuals meets all criteria required by TEC 37.115 to serve in the capacity of the district threat assessment team. The South San Antonio ISD district threat assessment team will be known as South San Cares Response Team.

The threat assessment process is designed to identify persons of concern, gather information/ investigate, assess person and situation and manage the person/situation. This behavior threat assessment is based on facts, conclusions, and strategies for positive outcomes for the student and community.

The superintendent recommends the following district employees listed below.

South San Cares Response Team	Position
Eugene Tovar	Chief of Police / EMC
Susan Arciniega	Behavior Specialist
Charlie Gallardo	Director of Counsel
Julia Silva	Director of Special Education
Dr Lee Hernandez	South San Antonio High School Principal
Ruben Elizondo	Lieutenant
Joseph Gallego	Sergeant – District Safety Officer

Gilbert Rodriguez; Board President

Marc Puig; Superintendent of Schools

86th Legislative Session Updates

Threat Assessment

TEC Chapter 37.115 added: Threat Assessment and Safe And Supportive School Program And Team

- **“Harmful, threatening, or violent behavior” defined: includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use/possession of a weapon, sexual assault/harassment, dating violence, stalking, or assault**
- **“Team” defined: a threat assessment and safe and supportive school team established by the board of trustees**
- **TEA, in coordination with TxSSC, shall adopt rules to establish a safe and supportive school program that incorporate research-based best practices for school safety and include providing for:**
 - 1.) physical and psychological safety;
 - 2.) a multiphase/multihazard approach to prevention, mitigation, preparedness, response, and recovery in a crisis situation;
 - 3.) a systemic/coordinated and multitiered support system that addresses school climate, the social/emotional domain, and behavioral/mental health; and
 - 4.) multidisciplinary and multiagency collaboration to assess risks and threats in schools and provide appropriate interventions, including rules for the establishment and operation of teams.
- **The board of trustees of each school district shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams that must:**
 - 1.) be consistent with the model policies and procedures developed by the TxSSC;
 - 2.) require each team to complete training provided by the TxSSC or a regional education service center; and
 - 3.) require the team to report required information regarding the team’s activities to TEA.

- **The Superintendent of the district shall ensure that the members appointed to the team have expertise in: counseling, behavior management, mental health/substance use, classroom instruction, special education, school administration, school safety/security, emergency management, and law enforcement.**
- **A team may serve more than one campus of a district, provided that each district campus is assigned a team.**
- **Each team shall:**
 - 1.) conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior;
 - 2.) gather/analyze data to determine level of risk and appropriate intervention;
 - 3.) provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and
 - 4.) support the district in implementing the district's multihazard EOP.

TEC Chapter 37.220 added: Model Threat Assessment Team Policies and Procedures

- **TxSSC in coordination with TEA shall develop model policies and procedures to assist school districts in establishing and training threat assessment teams.**
- **Model policies and procedures must include procedures, when appropriate, for:**
 - 1.) the referral of a student to a local mental health authority or health care provider for evaluation or treatment;
 - 2.) the referral of a student for a full individual and initial evaluation for special education services; and
 - 3.) a student or school personnel to anonymously report dangerous, violent, or unlawful activity that occurs or is threatened to occur on school property or that relates to a student or school personnel.

Threat Assessment

Definitions

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

“Team” means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

Education Code 37.115(a)

Threat Assessment Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs; and
3. Require each team established under this section to report the required information regarding the team’s activities to TEA [see Reporting to TEA, below].

Membership

The superintendent shall ensure that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more

than one campus of a district, provided that each district campus is assigned a team.

**Oversight
Committee**

The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties

Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:
 - a. Referring a student for mental health assessment; and
 - b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;
2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and
3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

**Consent for Mental
Health-Care Service**

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Education Code 37.115(d)-(g)

**Determination of
Risk**

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the

parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

Education Code 37.115(h)–(j)

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
 - a. Any disciplinary action taken, including a change in school placement;
 - b. Any action taken by law enforcement; or
 - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
 - a. Citations issued for Class C misdemeanor offenses;
 - b. Arrests;
 - c. Incidents of uses of restraint;

- d. Changes in school placement, including placement in a JJAEP or DAEP;
 - e. Referrals to or changes in counseling, mental health, special education, or other services;
 - f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
 - g. Unexcused absences of 15 or more days during the school year; and
 - h. Referrals to juvenile court for truancy; and
5. The number and percentage of school personnel trained in:
- a. A best-practices program or research-based practice under Health and Safety Code 161.325, including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;
 - b. Mental health or psychological first aid for schools;
 - c. Training relating to the safe and supportive school program; or
 - d. Any other program relating to safety identified by the commissioner.

Education Code 37.115(k)

Recommended Programs

The Texas Department of State Health Services (TDSHS), in coordination with TEA and ESCs, shall provide and annually update a list of recommended best practice-based programs and research-based practices in the areas specified below for implementation in public elementary, junior high, middle, and high schools within the general education setting. Each district may select from the list a program or programs appropriate for implementation in the district.

Subject Areas

The list must include programs and practices in the following areas:

1. Early mental health intervention;
2. Mental health promotion;
3. Building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making;
4. Substance abuse prevention and intervention;
5. Suicide prevention;

6. Grief-informed and trauma-informed practices;
7. Positive behavior interventions and supports and positive youth development; and
8. Safe, supportive, and positive school climate.

“School climate” means the quality and character of school life, including interpersonal relationships, teaching and learning practices, and organizational structures, as experienced by students enrolled in the district, parents of those students, and personnel employed by the district.

TDSHS, TEA, and each ESC shall make the list easily accessible on their websites.

**Practices and
Procedures**

A district may develop practices and procedures concerning each area listed above, including mental health promotion and intervention, substance abuse prevention and intervention, and suicide prevention, that:

1. Include a procedure for providing educational material to all parents and families in the district that contains information on identifying risk factors, accessing resources for treatment or support provided on and off campus, and accessing available student accommodations provided on campus;
2. Include a procedure for providing notice of a recommendation for early mental health or substance abuse intervention regarding a student to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs, which may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others;
3. Include a procedure for providing notice of a student identified as at risk of committing suicide to a parent or guardian of the student within a reasonable amount of time after the identification of early warning signs;
4. Establish that the district may develop a reporting mechanism and may designate at least one person to act as a liaison officer in the district for the purposes of identifying students in need of early mental health or substance abuse intervention or suicide prevention; and

5. Set out available counseling alternatives for a parent or guardian to consider when his or her child is identified as possibly being in need of early mental health or substance abuse intervention or suicide prevention.

The practices and procedures must prohibit the use without the prior consent of a student's parent or guardian of a medical screening of the student as part of the process of identifying whether the student is possibly in need of early mental health or substance abuse intervention or suicide prevention.

The practices and procedures developed must be included in the annual student handbook and the district improvement plan under Education Code 11.252. [See BQ]

Nothing in these provisions is intended to interfere with the rights of parents or guardians and the decision-making regarding the best interest of the child. Practices and procedures developed in accordance with these provisions are intended to notify a parent or guardian of a need for mental health or substance abuse intervention so that a parent or guardian may take appropriate action. These provisions do not give districts the authority to prescribe medications. Any and all medical decisions are to be made by a parent or guardian of a student.

Health and Safety Code 161.325

Immunity

These requirements do not waive any immunity from liability of a district or of district officers or employees, create any liability for a cause of action against a district or against district officers or employees, or waive any immunity from liability under Civil Practice and Remedies Code 74.151. *Health and Safety Code 161.326*