



School Hardening: Why Threat Assessments Are Not the Answer to School Safety

School hardening involves investing visible security measures implemented in an attempt to alleviate parental and student fears regarding school safety and to make the community aware that schools are doing something. One recent trend in the movement to harden schools is the implementation of **threat assessments**

What is a “threat assessment?”

Threat assessments are promoted as a process for evaluating communicated threats to the school community. The claim is that these statements are viewed “within their context” to determine whether these threats are likely to be carried out.

- The stated [goal of threat assessment policies](#) is to be in “a position to take preventative action on true threats without overreacting to normal juvenile venting, joking or personal characteristics common among young people (as styles of dress, communication, etc.).”¹

The History of Threat Assessments

School based threat assessments originated in the violence prevention protocols developed by the U.S. Secret Service in response to targeted violence.²

- As adapted to the school setting, they are described as non-disciplinary proceedings designed to assess and prevent violence in schools.
- However, this framework, meant to prevent school shootings and targeted violence, *is poorly adapted to the assessment of day-to-day words and interactions between school aged children.*³

The Threat Assessment Process

In practice, assessments take place during a meeting of a “threat assessment team”, typically consisting of a law enforcement officer and members of school staff such as an administrator and/or other staff member).

- This team evaluates a situation and makes a recommendation regarding action to be taken, including discipline for the student.
- School staff have shared with advocates that they do not feel comfortable speaking up in the presence of the law enforcement officer, and that the meeting generally goes in the direction the officer recommends. *Parents and school staff who know the child personally are often not consulted at all.*⁴

¹ K-12 Threat Assessment Processes - Civil Rights Impacts. February 2022, <https://www.ndrn.org/wp-content/uploads/2022/02/K-12-Threat-Assessment-Processes-Civil-Rights-Impacts-1.pdf>

² See US Secret Service National Threat Assessment Center, Protecting America’s Schools. A US Secret Service Analysis of Targeted School Violence, (2019)

³ Cornell, D., & Maeng, J., (2020). Student Threat Assessment as a Safe and Supportive Prevention Strategy: Final Technical Report. Charlottesville, VA: Curry School of Education, University of Virginia

⁴ K-12 Threat Assessment Processes - Civil Rights Impacts. February 2022, <https://www.ndrn.org/wp-content/uploads/2022/02/K-12-Threat-Assessment-Processes-Civil-Rights-Impacts-1.pdf>

The assessment process begins with an investigation, where threats are categorized as 1) transient or 2) substantive by the threat assessment team.

- Transient threats are defined as threats that do not reflect a genuine intent to harm others, and maybe “an expression of anger, rhetoric, humor or frustration.”
- Substantive threats are those that the team determines show a genuine intent to harm, and lead to interventions that can range from requiring a written apology to a referral for a mental health evaluation, to disciplinary proceedings, which may include suspension or expulsion, or law enforcement action.
- ***This determination is subjective, as teams have complete discretion to decide the level of the threat and the required interventions.***

The Harms of Threat Assessments

The threat assessment process circumvents legal protections aimed at protecting student rights

- Due process protections which exist in school disciplinary proceedings, such as the right to a hearing and the right to review evidence prior to a hearing, are ignored in the threat assessment process.
- There is typically no process for appeal or review before sanctions are imposed.
- Federal protections under IDEA, such as manifestation determinations, which protect students with disabilities are not built into the process either.
- ***The threat assessment team often provides a functional end run around legal and civil rights protections for children that are necessary to prevent discrimination.***

A finding of a substantive threat by the threat assessment team has ongoing consequences for youth

- Any level of threat is entered into a student’s permanent record.
- Statements made during the threat assessment interview can be used in subsequent disciplinary proceedings.
- Assessments often require the disclosure of personal and confidential behavioral health records, which may be shared with law enforcement.⁵

The threat assessment process permits subjective bias in decision making, with an especially harmful impact on students of color and students with disabilities

Data establishes that Black and brown students and students with disabilities are already disproportionately subjected to school discipline. The utilization of threat assessment teams creates concern that these same students will be referred for threat assessment at higher rates than their white/non-disabled peers, placing them in jeopardy of receiving even more disciplinary sanctions. ***Research has repeatedly borne out that Black and Brown students do not engage in behavior that violates school rules at rates higher than white students, yet schools punish them more frequently and more severely. Threat assessments exacerbate this harmful reality.***

- In Virginia, where threat assessments are mandated, Black youth were referred for threat assessments at a rate that is 30% higher than White youth.

⁵ Losen, Daniel J., *Letter to the Office of Civil Rights re: Response to OCR’s Request for Information Regarding the Non-Discriminatory Administration of School Discipline*, (2021) at 16.

- A recent study based on Colorado threat assessments noted that students in special education, African American students and Native American students were all overrepresented in the threat assessment sample. Over 40% of referrals were for students who received special education services, even though 11 % of students in the state receive special education services.
- In New Mexico, youth in special education settings were 18% of the population but made up 56% of the referrals for threat assessments.
- In California, use of the state’s threat assessment was found by the US Department of Education Office for Civil Rights to be discriminatory against students with disabilities.

The threat assessments process results in increased contact between students and school resource officers (SROs).

A key aspect of threat assessment teams is the inclusion of a school resource officer on the threat assessment team

- In most jurisdictions, these interactions are not reported as law enforcement referrals, even though law enforcement is part of the team. This circumvents much needed data transparency on the impact of police in schools.
- Massachusetts law (M.G.L. c.71 § 37P) explicitly states that school resource officers shall not “serve as school disciplinarians” yet this process provides an SRO with a role in determining how behavior within the scope of a school administrators role is handled.
- Increased involvement by police impacts students of color and students with disabilities, who have been more vulnerable to unfair treatment by school resource officers.

Threat assessments are often marketed as a way to direct students to supports, but are not necessary or effective in doing so, nor are they benign.

Referral and screening resources currently exist and are already embedded in state and federal programs.

- Multi-Tiered Systems of Support (MTSS)
- The “Child Find” requirement in the IDEA and Section 504.
- The screening requirement of the Early and Periodic Screen, Diagnostic and Treatment (EPSDT) program of Medicaid, which is free to all Medicaid eligible children.
- *Threat assessments are not needed to direct students to services and do nothing to address shortages in available services*

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