

Office of the Superintendent of Schools
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

October 16, 2019

MEMORANDUM

To: Members of the Board of Education

From: Jack R. Smith, Superintendent of Schools

Subject: Senate Bill 1265, Maryland Safe to Learn Act of 2018 (09-10-19-01)

Question

During the Public Comments section of the meeting, Mrs. Smondrowski requested information regarding what is considered a threat under Senate Bill 1265?

Response

On April 10, 2018, Maryland Governor Larry Hogan signed into law Senate Bill 1265 (Chapter 30), the *Maryland Safe to Learn Act of 2018*, which enacted several updates related to behavior threat assessment teams in Maryland K–12 schools. Subsequently, the subcommittee of the Maryland Center for School Safety developed *Maryland's Model Policy for Behavior Threat Assessment* (Maryland's Model Policy) that sets forth mechanisms, best practices, procedures, policies, and guidelines for the establishment of an assessment team or teams in each local school system.

Under Maryland's Model Policy, a threat is an expression of an intent to cause physical harm to someone. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party; and regardless of whether the target of the threat is aware of the threat. Threats may be direct: "I am going to beat you up," or indirect: "I'm going to get him."

There are four levels of threats that include:

- Low risk;
- Moderate risk;
- High risk; and
- Imminent risk.

On June 24, 2019, the Board of Education adopted [Policy COA](#), *Student Well-being and School Safety* (Resolution No. 388-19), which espoused the tenets of Maryland's Model Policy, including authorization for Montgomery County Public Schools (MCPS) to establish procedures for the assessment of and intervention with students, staff, parents/guardians, contractors, and nonaffiliated individuals on school property whose behavior poses a threat to the safety of school staff or students.

On August 26, 2019, in support of Board-adopted Policy COA, new MCPS [Regulation COA-RA](#), *Behavior Threat Assessment*, was finalized to meet Maryland legislative mandates under the *Maryland Safe to Learn Act of 2018* that require each local school system to adopt a behavior threat assessment policy consistent with the model policy on or before September 1, 2019. Regulation COA-RA establishes a research-based threat assessment process that provides appropriate preventive and corrective measures to maintain a safe and secure school environment; to protect and support potential victims; and to provide assistance, as needed, to the individual being assessed. The definition of and levels of a threat within Regulation COA-RA reflect the language of Maryland's Model Policy for behavior threat assessment.

If you have any questions, please contact Dr. Andrew M. Zuckerman, chief operating officer, at 240-740-3050 or Mr. Edward A. Clarke, chief safety officer, Department of Systemwide Safety and Emergency Management, at 240-740-3066.

JRS:AMZ:eac

Copy to:

- Dr. McKnight
- Dr. Navarro
- Dr. Statham
- Dr. Zuckerman
- Mr. Civin
- Dr. Johnson
- Ms. Diamond
- Mr. Turner
- Mr. Clarke
- Ms. Webb