STATE OF NEW YORK

10607

IN ASSEMBLY

June 20, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Rajkumar) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to school threat assessment teams

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new section 2803 to read as follows:

§ 2803. School threat assessment teams. 1. The board of education or trustees, as defined in section two of this chapter, of every school district within the state, however created, and every board of cooperative educational services and county vocational education and extension board and the chancellor of the city school district of the city of New York shall establish a school threat assessment team to perform the functions set forth in this section.

2. For the purposes of this section:

(a) "Safety threat" means actions, statements, or a pattern of behavior by a student indicating intent to physically harm another student, anyone employed in the school, any member of the general public, or himself or herself.

(b) "Safety threat plan" is a comprehensive intervention to manage a safety threat posed by a student by addressing underlying needs, such as through mental health treatment, as well as conflict resolution, while avoiding any disruption in the student's schooling.

(c) "School threat assessment plan" means a step-by-step guide of procedures for school employees in conjunction with a school threat assessment team on:

(i) identifying students whose behavior indicates a safety threat that should be referred to the school threat assessment team;

(ii) gathering detailed data on the safety threat;

(iii) referring students who may present a safety threat to the school threat assessment team;

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(iv) evaluation by the school threat assessment team of the credibility of a safety threat, based on available information, including if the student has ready access to firearms or other weapons;

(v) warning students, their parents or guardians, or other intended victims of credible safety threats;

(vi) developing a safety threat plan for the student;

(vii) monitoring the implementation of the safety threat plan, evaluating the need for any modification, and maintaining contact with the student; and

(viii) referring cases to law enforcement or filing an application for an extreme risk protection order under article sixty-three-A of the civil practice law and rules.

3. (a) A school threat assessment team shall be a multidisciplinary team with expertise in guidance counseling, school administration, mental health, and school safety that is tasked with evaluating students at risk of committing a safety threat and providing supportive services to those students. This team is focused on remedying underlying issues that impel a student to commit a safety threat, as opposed to rendering disciplinary actions, and shall only refer a student to law enforcement as a last resort.

(b) The school threat assessment team shall:

(i) implement a comprehensive school threat assessment plan based on the guidelines developed by the department. Such plan shall be submitted to the department for approval, provided that prior to approval, a school district may implement its school threat assessment plan in the interim. Where the department recommends modification of a school's plan the school district shall revise and resubmit the plan for approval;

(ii) train school personnel, as well as educate students and their parents or guardians, to identify, respond to, and report safety threats or behaviors indicative thereof;

(iii) increase education of students and their parents or guardians on mental health issues; and

(iv) gather data on outcomes.

(c) Referral to the school threat assessment team shall not be grounds for suspension or expulsion of any student.

(d) Nothing in this section shall preclude school personnel or law enforcement from responding immediately to an imminent safety threat.

(e) At the end of each school year, each school threat assessment team shall report data to the department.

§ 2. No later than one year after the effective date of this act, the department of education shall develop a model evidence-based threat assessment plan. No later than the beginning of the first school year that falls one year after the publication of the model school threat assessment plan by the department, each school district shall form one or more school threat assessment teams.

§ 3. This act shall take effect immediately.