

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:

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

3 § 2803. School threat assessment teams. 1. The board of education or
4 trustees, as defined in section two of this chapter, of every school
5 district within the state, however created, and every board of cooper-
6 ative educational services and county vocational education and extension
7 board and the chancellor of the city school district of the city of New
8 York shall establish a school threat assessment team to perform the
9 functions set forth in this section.

10 2. For the purposes of this section:

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

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

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

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

24 (ii) gathering detailed data on the safety threat;

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

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

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

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

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

7 (vii) monitoring the implementation of the safety threat plan, evalu-
8 ating the need for any modification, and maintaining contact with the
9 student; and

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

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

21 (b) The school threat assessment team shall:

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

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

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

34 (iv) gather data on outcomes.

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

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

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

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

47 § 3. This act shall take effect immediately.