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## Targeted Threat Assessment: Ethical Considerations for School Psychologists

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**ABSTRACT:** There is a continuing need for school psychologists to provide expert advice about procedures to follow when a student makes a threat of violence. Given the essential impossibility of predicting specific future acts of violence, rendering judgments about the danger posed by circumstances surrounding threats often raise challenges to follow best practices while respecting professional ethical principles. Our focus is to examine ethical practices in the context of current practice to stimulate discussion surrounding possible unintended consequences when professionals respond to students who threaten violence. First, we briefly review targeted threat-assessment practices to provide a foundation for discussion. We then summarize ethical considerations as they apply to threat assessment in general. Finally, ethical considerations are applied to procedures proposed by the Virginia Model for Student Threat Assessment (Cornell & Sheras, 2006), which has a record of successful implementation in schools and some empirical validation (Cornell, Sheras, Kaplan, Levy-Elkon et al., 2004; Cornell, Sheras, Kaplan, McConville, et al., 2004).

The National School Safety Center maintains a catalog of deaths that have occurred on school campuses in the United States. Since 1992, of the 440 recorded deaths, 193 have involved murders committed by students on a school campus or as part of a school-associated event, as can be determined from news media reports (National School Safety Center, 2007). Each time one of these murders occurs, there is an understandable response: Why did this happen? Was there some way to prevent it?

In the aftermath of these events, retrospective studies were conducted by the U.S. Department of Education and the U.S. Department of Justice (Dwyer, Osher, & Warger, 1998), the U.S. Secret Service and the U.S. Department of Education (Vossekuil, Fein, Reddy, Borum, & Modzeleski, 2002), and the U.S. Federal Bureau of Investigation (O'Toole, 2000). These studies identified commonalities among a subset of school homicides with a focus on the interaction of contributing student characteristics and social contexts. Of course, for every homicide that occurs there have been innumerable other nondeadly situations in which students have harbored aggressive thoughts toward others or even openly expressed violent threats. It is in this context of ambiguity that schools often turn to school psychologists for expert advice asking them to render judgments about the danger posed by a threatening student.

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Violence at school interferes with the educational process and violates the community's trust in schools to provide a safe place to learn. However, concern about the possibility of rare but lethal acts of school violence has led to the expansion of zero tolerance policies, which promote school exclusion for specific behavior regardless of the circumstances or history related to an incident (Morrison et al., 2002; Skiba & Noam, 2002). As a result, school administrators may expel students for a variety of discipline infractions including serious as well as seemingly minor offenses such as bringing a plastic knife to school, shooting a paper clip with a rubber band, or pointing a finger like a gun (Cornell, 2006). Whereas it is critical for schools to have a system in place to protect students and teachers and prevent serious school violence, interventions that exclude and punish at-risk students may exacerbate rather than prevent school violence (Leone, Mayer, Malmgren, & Meisel, 2000).

Given the devastating consequences of acting on homicidal thoughts or the unintended consequences that can occur when aggression is used to settle disputes, it is crucial to implement procedures and strategies to help educators provide effective intervention and supervision to students who pose a threat to school safety. Assessment designed to understand intervention and supervision needs of students who pose a threat of violence is crucial to maintain safety on school campuses. Threat assessment is one approach that provides a structured and defensible strategy for responding to threats of violence at school (Cornell & Sheras, 2006; Reddy et al., 2001).

In this article we contribute to a broader discussion by examining the ethical considerations surrounding threat assessment and focusing on the maintenance of student rights for a free and appropriate public education. First, we provide a brief definition of threat assessment in order to establish the context for engaging in ethical threat-assessment practice.

## **WHAT IS THREAT ASSESSMENT?**

Threat assessment is used by the U.S. Secret Service to better understand persons who threaten to attack public officials, and evolved into an approach to analyze a variety of potentially violent situations, such as in the work place (Fein & Vossekuil, 1998; Reddy et al., 2001). A threat assessment is conducted when someone threatens to harm someone, commits a violent act, or engages in behaviors that appear to threaten targeted violence; that is, violence against an identifiable person or place. Threat assessment is used to evaluate the threat or the potential for violence occurring based on evidence, facts, and the circumstances surrounding the threat. Further, threat assessment incorporates findings into an intervention plan to meet youth needs that may include discipline and/or a mental health component.

Threat assessment in the school context is distinguished from criminal profiling because threat assessment is initiated based on school staff becoming aware (e.g., student reports, Web postings, written notes) of some threatening behavior exhibited by the student as opposed to using personal characteristics or demographic characteristics to identify "violence-prone" students. Threat assessment is ultimately concerned with if the student *poses* a threat rather than if he or she is a "dangerous person" (O'Toole, 2000). Some students make threats when they are angry or frustrated but do not intend to carry it out, whereas a small proportion of students make a threat with the clear intention and ability to commit the threatened act. In addition, threat assessment includes efforts to prevent a threat from being carried out rather than simply determining that the student poses a threat (Cornell & Sheras, 2006). Threat assessment includes the consideration of information from broad developmental and ecological contexts, including areas of family, school, and social history (Furlong, Bates, Sharkey, & Smith, 2004).

With expertise across behavioral, social, emotional, psychological, and academic areas, school psychologists play a crucial role in threat assessment, and are often seen by the school community as the "resident expert" in such matters. As such, school psychologists will face ethical concerns given the natural tension between the desires to remove a potential threat from the school campus with the rights of at-risk students to have access to a public education. When determining the overall goal of threat assessment, school psychologists

need to consider their ethical and legal obligations to all students, including the potential perpetrator and victim. These matters have not been well addressed in the professional literature.

## **Structured Clinical Assessment**

Although the use of clinical judgment and actuarial formulas have emerged as forms of risk assessment, more recently the use of structured or guided clinical assessment has been utilized. With structured, clinical assessment, the psychologist conducts a risk assessment by referring to a checklist of factors that have been drawn from existing literature (Borum, 2000). Assessment results are used to inform intervention strategies. Four examples noted here are commonly used to assess violence potential and related emotional and behavioral factors. The Early Assessment Risk List for Boys is designed to assess violence potential in young boys less than 12 years of age (Augimeri, Webster, Koegl, & Levene, 1998) and is composed of 6 family items, 12 child items, and 2 amenability items. The Structured Assessment of Violence Risk in Youth is modeled after guided assessment protocols for adults, but the items are focused on adolescents by incorporating literature on violence and aggression in youth, as well as adolescent development. The scale contains 25 items in historical, contextual, and clinical areas and five protective factors (Borum, Bartel, & Forth, 2000). The Systematic Screening for Behavior Disorders (SSBD) has been used for prevention purposes to assess students at risk for internalizing/externalizing disorders (Burns, Dean, & Jacob-Timm, 2001). The SSBD identifies students based on previous behavior rather than personality characteristics. Finally, My Worst School Experience Scale was originally used for identification of posttraumatic stress disorder (PTSD), and subsequently adapted for educator-induced PTSD, and is now used to measure feelings of trauma in the school setting. Items address emotional response to school-related events to identify PTSD. It is possible that this instrument could be used to operationally define stress reactions and used for early identification and prevention (Burns et al., 2001).

## **Pathways of Ideas and Behaviors**

Another form of threat assessment involves understanding developmental trajectories based on thought patterns and behaviors and is referred to as Pathways of Ideas and Behaviors (Burns et al., 2001). This method is considered a targeted threat-assessment approach that does not rely on profiling. It is created under the assumption that violence is not spontaneous and is a product of a cognitive/behavioral process within a complex context. The strategy assumes that violence is based on the interactions between the perpetrator and victim as well as being related to past stressful events and current contextual variables. In addition to examining history and contextual factors, the recommended assessment process considers any unusual interests, plans, or ideas that the person has developed; if the person has approached the potential target; and if the person has a history of violent behaviors. Targeted threat assessment, though a promising practice because it appears to protect students by gathering relevant information in preparation of an intervention plan, was developed based on adult behavior and should be adapted and studied for use on children and adolescents.

## **Dallas Threat of Violence Risk Assessment**

The Dallas Threat of Violence Risk Assessment (DTVRA) was developed as a holistic risk assessment procedure to evaluate the likelihood that a student will carry out a threat of violence. Implemented across the Dallas Independent School District, Van Dyke, Ryan-Arredondo, Rakowitz, and Torres (2004) and Van Dyke and Schroeder (2006) report results over 4 years. The DTVRA was derived from a review of 19 risk factors found in the literature that are usually readily available to school personnel. Each factor is divided into three levels of risk (low, medium, and high), with low risk representing a normal history or an absence of risk factors. The level of risk is calculated by tallying the number of endorsed risk factors for each risk level. Serious risk factors receive a higher scoring weight. Authors note a number of limitations to the instrument including the development and use of the assessment in the absence of reliability and validity. As well, a large number of the DTVRAs submitted in actual practice had incomplete items, which calls into question the availability of information to accurately assess each risk factor.

As part of the threat-assessment procedure, all threats made by students are reported to the principal, who evaluates the nature of the threat and determines whether to call the police. Regardless of whether police are called, the DTVRA is completed. In addition, school counselors, nurses, social workers, and school psychologists are trained in using the assessment. When a threat is made, the authors suggest that parents be contacted and interviewed.

All information gathered is put into the school counselor's file and the student's discipline file, and originals are sent to the district's psychological services. To protect the student, the DTVRA form and other information are not placed in the student's cumulative folder, although it is unclear who has access to the discipline file.

A crucial component of this model is the development of an action plan. Although the action plan includes forms of counseling and mediation, there is an emphasis on disciplinary actions and even removal from campus to a disciplinarily alternative education program (Van Dyke et al., 2004). From research regarding the negative effects of such disciplinary actions it may be crucial to consider other avenues of intervention and particularly prevention. An important component of this model is that data are collected on a systemwide level to determine how the procedures work, which is crucial in any process to determine if the assessments are effective.

The DTVRA is a complex and sophisticated effort to standardize threat-assessment practice across a large school district. However, significant work needs to be done to understand and address ethical implications of its implementation.

### **Virginia Model for Student Threat Assessment**

Another model that uses a holistic approach to threat assessment is the Virginia Model for Student Threat Assessment. This assessment model was established by the Youth Violence Project of the Curry School of Education at the University of Virginia to adapt the threat-assessment approach used by law enforcement to the school setting. Cornell and Sheras (2006) developed and field tested a comprehensive set of threat-assessment guidelines. Groups of educators studied how principals typically deal with threats in specific schools and attempted to identify practices and procedures used in those schools that would be consistent with FBI and Secret Service recommendations. Threat-assessment teams were developed and trained in each school. The principal or assistant principal led the teams, which included various professionals such as the school counselor, school psychologist, and a school resource officer. The authors suggest that team composition may vary across schools, may include any key members of the school staff, and can be adapted to take advantage of the usual roles staff of current staff and their unique expertise. A seven-step decision tree was developed and used by the teams (see the Appendix; Cornell & Sheras, 2006).

## **APPLYING ETHICAL PRINCIPLES TO THREAT ASSESSMENT**

There can be tremendous expectations on school psychologists to make quick but defensible decisions when threats arise. It is important that school psychologists are well prepared to provide leadership in school violence prevention. According to the National Association of School Psychologists (NASP), school psychologists should be trained with the knowledge and skills required to create and implement prevention and crisis preparation programs that are empirically supported (Brock, Lazarus, & Jimerson, 2002; Cornell & Sheras, 2006). As each situation is unique, school psychologists need a framework to assist them in making ethical decisions based on individual circumstances while utilizing their existing knowledge base.

Moral principles and the principles for professional ethics (NASP, 2000) are important to consider in any professional situation, especially when rights of different students are at odds with each other, such as when a targeted threat is made. NASP ethical principles are based on two broad assumptions: (a) school psychologists will advocate for their clients and (b) school psychologists will not harm their clients. Beyond

these basic guidelines, NASP provides additional guidance in terms of professional competency; relationships with coworkers and clients; and general principles such as advocacy, service delivery, and assessment and intervention. Concerning ethical practice, additional direction is provided by Corey, Corey, and Callanan (2006) in terms of six moral principles that professionals should consider when facing ethical challenges or dilemmas: autonomy, nonmaleficence, beneficence, justice, fidelity, and veracity. We contextualize the practice of threat assessment with these ethical guidelines to help school psychologists develop reasoned ethical decisions when responding to threats of school violence.

## Autonomy

Autonomy is defined as allowing students to experience self-determination and the freedom to choose their own direction. When a school psychologist is confronted with a conflict of interest among parties involved (e.g., parents, school, child), the school psychologist should advocate for what is in the best interest of the child (NASP, 2000). When there are multiple children involved, it may be difficult to determine who is the primary client (i.e., potential victim versus potential perpetrator). In particular, there may be a conflict between a potential perpetrator's autonomy and social well-being. If the autonomous drive of one student is to cause harm to another member of society, it is legitimate to control the perpetrator to protect the intended victim. This premise does not always lead to a simple conclusion because it is not easy to determine if someone truly intends to harm an identified victim.

In many legal statutes, the law punishes for what people do rather than for what they are. However, the *Tarasoff v. Regents of the University of California* decision requires that a mental health worker intervene before an act of violence is committed (Gottesfeld, 1998). This poses an interesting boundary to cross as it requires people in the mental health arena (or in the case of the school system, someone with no mental health training, such as a principal) to prejudge the possibility that the law is going to be broken, which may result in the freedoms of the potentially violent person to be removed. In this case, the potential perpetrator's autonomy may be violated with the intent to protect the potential victim. The question becomes whether or not officials should provide consequences with only a possibility of the student actually breaking the law.

Mason (1998) discussed concerns of “slippage” with regard to autonomy and the law, which occurs when the original intent of the law (i.e., protect victims) subtly shifts beyond legal and ethical boundaries through increasingly restrictive practices (i.e., control the threat). Mason contends that the *Tarasoff* ruling may promote slippage of power by providing mental health professionals/principals with the role of social control by making crucial decisions about the future of students who have not yet committed a crime. Of importance, the removal of students from their regular education environment based on risk assessment alone is likely to be impermissible in a court of law (Burns et al., 2001). Akin to the legal obligation to provide the least restrictive setting for students with disabilities in the regular education setting, educators have the ethical duty to maximize all students' autonomy considering the balance of benefits and costs relative to possible interventions and the influence of additional ethical standards.

## Nonmaleficence

Nonmaleficence means the avoidance of harming a client; that is, school psychologists should refrain from taking actions that risk hurting students. A fundamental way to avoid harming clients is for school psychologists to practice within the realm of their training and expertise (NASP, 2000). The professional guidelines for school psychologists suggest that psychologists should be aware of the limitations of their training and only practice in areas in which they are qualified. Litwack (1997) purports that mental health professionals who conduct threat assessment may be put in the position of making judgments for legal authorities, which may not be in their realm of competence. If necessary, the school psychologist may obtain assistance from other professionals for supervision, consultation, and referral (NASP, 2000). In addition, school psychologists who have little training in threat assessment should consult with school psychology experts for guidance and consult with other professionals when presented with a student threat. One

strategy is to form a regional threat-assessment consultation team that links school psychologists in a confidential professional advisory group.

When balancing the needs of multiple clients, it is important to avoid harm to both the potential victim and the potential perpetrator. On the one hand, not identifying a student who poses a threat could result in victimization with devastation experienced by those closely associated with the victim (Mason, 1998). On the other hand, identifying a student as a perpetrator who has not and may not commit an act of violence also has negative ramifications including stigmatization, inappropriate treatment, alienation, hostility, psychological harm, and invasion of privacy. The due process 14th Amendment clause is intended to protect individuals from unwarranted stigmatization, and, therefore, school administrators should not label students as “potentially violent” without including due process and decision-making procedures. Moreover, to engage in ethical practice, the purpose of the threat assessment should be to link the student to a process of intervention that reduces the likelihood of future violence while addressing any unmet mental health needs. Threat-assessment procedures and legal rulings related to the duty to warn potential victims are central to the discussion about nonmaleficence.

### ***Assessor Competence***

To avoid harm to students, the competence of the assessor must be discussed. In the Virginia threat-assessment model, the principal is responsible for gathering information about the threat and making decisions as to whether the threat is substantive or transient. Without the appropriate mental health training, this task seems to be outside the realm of competence of a typically trained school administrator. It might be important to consider using an alternate person who is trained in mental health-related assessment to consult with the decision. Another consideration may be to involve the school psychologist in the first two steps of assessment in conjunction with the principal. This process of consultation and collaboration allows one person to not be solely responsible for all decisions. Moreover, it may be beneficial for one person to advocate for the potential victim and another to advocate for the best interest of the potential perpetrator. Although the school psychologist may be held to different confidentiality standards than the principal, it may be useful to have the principal in the room in case there is a need to alert other officials without the concern of breaching professional codes as they relate to confidentiality.

### ***Assessment of Violence Potential***

Valid and thorough assessment procedures are crucial to avoid inappropriately labeling students as “potentially violent.” According to NASP ethical guidelines, it is crucial that school psychologists maintain a high standard for educational and psychological assessment. The psychologist should be knowledgeable of the reliability and validity of the assessment and its appropriateness for the student. Psychologists should use multiple assessment methods to reach sound and comprehensive conclusions (NASP, 2000). Assessments used should be valid, reliable, fair, multifaceted, and take into account unique characteristics of the individual child.

Some professionals have used informal checklists and profiling strategies to identify potentially violent students. These lists were intended to identify early warning signs to help students before problems become severe. Using these lists for profiling purposes is in direct contrast to the purpose of the list development (i.e., prevention rather than identification). A major problem with using informal checklists and profiling strategies is that they do not meet minimum standards for technical adequacy with limited information with regard to reliability and validity. Moreover, all of the factors identified are present in a large portion of the student population and cannot be used with accuracy to identify violent students (O’Toole, 2000). Furlong and colleagues (2004) suggest that although individual factors (e.g., mental health status, degree of impulse control, drug and alcohol use) are associated with aggressive behavior, they cannot be used to accurately predict which student will commit a violent act on the school campus. Rather, these risk factors should be identified as evidence of need for intervention services.

Even the most psychometrically sound and precise instruments have significant errors in prediction given diversity in human behavior. In one study, Furlong and colleagues (2004) determined that prediction of infrequent behaviors leads to huge errors. The investigators used information from the Youth Risk Behavior Surveillance Survey (Centers for Disease Control and Prevention, 2007) to examine how well certain risk factors can be used to predict weapon possession at school, an infrequent behavior yet much more common than violent aggressive acts. Their analysis demonstrated that an eight-item school risk index was significantly associated with weapon carrying with a moderate effect size. However, even a moderate effect size led to significant classification errors. Results revealed there were twice as many students who carried weapons with no risk factors as those students with six or more risk factors, although the percentage of students carrying a weapon was far greater in the latter group. In a meta-analysis, Derzon (2001) reviewed studies that examined the relation between antisocial behavior and substance using with later crimes against persons and estimated the correlation to be .33. From selection criteria, the investigators failed to identify 66% of those who displayed later violence and demonstrated that 60% of those engaging in substance using or antisocial behaviors did not engage in later violent acts. These studies highlight the false positives and false negatives inevitable with violence prediction measures.

Sharkey, Bates, and Furlong (2004) recommend using prediction tools only as part of a comprehensive evaluation to identify service needs and priorities. In keeping with ethical practice, school psychologists must take care to use results to inform intervention strategies to promote the health and well-being of the victim as well as the youth who made the threat. Using results to profile or label a student is unsupported by research and is therefore unethical. Discipline should be based on violations committed rather than potential future behavior.

### ***Duty to Warn and Confidentiality***

When relating nonmaleficence to the role of therapist, in some jurisdictions the duty to protect is related to third parties (not the client), and the therapist must warn potential victims. It is important to consider the consequences of telling people that they are in danger when they are not, leading to unnecessary distress. Furthermore, the legal liability of a therapist may lead to increased identification and incarceration of potentially violent offenders, premature withdrawal of clients from treatment, and the breach of confidentiality that tends to break a client's trust (Mason, 1998). This is a difficult position for psychologists because they have a responsibility to a third party whom they have never met. The psychologist is held liable if he or she knew or ought to have known of the particular risk, the victim's identity was clearly established, and the therapist failed to take appropriate action to protect the potential victim. Legal liability promotes disclosure and is punitive in nature (Mason, 1998). This liability may lead to the psychologist/school administrators to favor third-party rights over the rights of the client and make decisions based on avoiding prosecution rather than what is in the best interest of all parties. Threat-assessment procedures, when implemented ethically, can reduce harm to third parties while protecting the rights of students who make threats by providing a structured method for assessing the substance of a threat and providing intervention guidance.

### **Beneficence**

Beneficence refers to promoting good for others. According to NASP (2000), school psychologists should be committed to improving the quality of life for students, the students' families, and the school community. Unlike a therapist, a school counselor, psychologist, or administrator may not have an identified client but rather is responsible for all those within the school environment. With this in mind, it may be harder to determine a school psychologist's role in the protection of the potential victim and the potential perpetrator. It will be important in the school environment to be sure that at least one professional advocates for the potential perpetrator in addition to the potential victim, as this may not happen naturally. The school psychologist should attempt to resolve issues when there are conflicting concerns in a way that benefits and protects the rights of all people involved. Ideally, school professionals should contribute to the growth and development of students within their cultural context, and respect the student's dignity, while promoting the

welfare of these students. It may be useful to implement preventative methods in the school system before a problem occurs to promote the good of all students, and encouraging a positive climate and feelings of connectedness may need to be a priority (Furlong et al., 2004). Within a threat-assessment model, conducting mental health evaluations and linking them to effective intervention is a valuable way to advance the health and safety of all students involved.

## Justice

Justice may be interpreted as being fair by giving equally to others. In this way, all parties have equal access to mental health services and are treated equally regardless of race, ethnicity, disability, socioeconomic status, cultural background, or other personal characteristics. With regard to professional relationships, school psychologists should protect the dignity and rights of all parties involved. The psychologist should be sensitive to a number of issues surrounding the child, such as gender, sexual orientation, and religion as well as the student's physical, mental, emotional, economic, cultural, racial, and ethnic characteristics.

When conducting threat assessment, culture may play a role in the analysis of the potential for violence. For example, making threats may merely be a form of cultural bravado and the person may not convert his or her anger into action (Mason, 1998). A question to consider is if professionals should use variables outside of a person's control to predict future violent acts. If status variables are used in risk assessment, such as race and socioeconomic status, prediction may be more accurate (Petersilia & Turner, 1987). If school professionals use such variables to identify students at risk for future violence, not all students are treated equally and their basic rights are violated (Sharkey et al., 2004).

Discipline practices need to be implemented with care to enhance school safety and promote justice. However, studies have shown that discipline practices are implemented unfairly and may exacerbate rather than prevent violent behavior. In a review of discipline procedures, Morrison et al. (2002) found that discipline procedures associated with zero tolerance policies affected students in minority groups and those in special education more than other students. A school discipline program that promotes safer schools for all students will allow for a safer climate. Morrison et al. (2002) suggest that decisions regarding discipline should be made on an individual basis and there are multiple interventions/options available to meet each individual student's needs. Using a multilevel system of prevention and intervention may aid schools in detecting and protecting students from harm and linking assessment information to intervention efforts.

Students in special education make a significantly higher number of threats than general education students. Kaplan, Posey, and Cornell (2003) compared threats of violence made by students in special education ( $n = 93$ ) with those in regular education ( $n = 95$ ). Results indicated that students in special education committed threats at a significantly higher annual rate than regular education students, and were more likely to make substantive threats (39.8%) than students in regular education (20.0%). When reviewing classification for special education, not surprisingly, students with emotional disturbance made the highest rates of threats and the most serious threats. The students in special education that made threats during the year committed significantly more disciplinary infractions including violent acts and disorderly conduct than did students in general education. It is also important to note that after the threat was made and dealt with, students in regular education were more likely to show behavioral improvement. From these results, it will be imperative to consider all characteristics of the students served when implementing prevention programs, as well as when assessing students for potential threat. If students with disabilities are more likely to be involved in a threat assessment and are committing disciplinary infractions more frequently, changes in systems designed to assist these students in the school environment should be considered.

## Fidelity

Fidelity is the ability of professionals to make and keep promises. Translated into school system practice, fidelity suggests that administrators should inform clients about the school rules and practices as they relate to threat assessment. Furthermore, school officials should be faithful in keeping commitments made to

students and parents. Fidelity may encourage a trusting relationship among school professionals and the students and families whom they serve.

Informed consent should be part of any threat-assessment procedure. Parents of students should be involved in the process and should consent to any assessment conducted. NASP (2000) suggests that school psychologists should fully inform both parents and children about all relevant components of the services in advance and should explain interventions in such a way that the interventions are understood by the parent and child. It might be useful to consider providing information to all parents and children about the school threat-assessment procedures and policies each year as part of a welcome-back-to-school packet so that all parties are properly informed of the process. Informing students about the procedures may act as a deterrent for saying things that could be considered threatening (if they do not truly mean them) because they are more aware of the process and consequences. As it may be a concern that true perpetrators will be informed as to how to avoid identification as a potentially violent student, professionals should convey that they are conducting a needs assessment rather than evaluating dangerousness or nondangerousness (an actual prediction of future behavior; Litwack, Kirschner, & Wack, 1993).

Limits of confidentiality should be discussed in a threat-assessment process as they are in a counseling relationship. School psychologists should assist the school in establishing procedures that properly safeguard confidential material (NASP, 2000). The confidentiality of the potential perpetrator may be violated in order for the administrator to fulfill his or her duty to protect potential victims and should be carefully contemplated before information is released. Moreover, procedures and the purpose of sharing results of threat assessment should be established a priori (Burns et al., 2001) and shared with all members of the school community.

## **Veracity**

Veracity can be described as truthfulness. This principle is involved in the entire threat-assessment process and is applied to all settings. Trust is required to form a good working relationship. In the school setting, a mutual trust must exist between the school professionals and the students/families so that all involved are convinced that all students' well-being is a priority. Of importance, school professionals need to be truthful with regard to their ability to reliably predict and prevent violence and their level of competency in this area. In addition, school psychologists should clearly communicate their need to protect confidentiality of different parties while at the same time ensuring families that they are following a structured process to promote school safety. School psychologists should not exploit clients in any way and should not demean others based on personal characteristics (NASP, 2000). Educators in general should not succumb to pressure from families to violate the rights of students to implement harsh or revengeful punishment.

## **THREAT ASSESSMENT AND ETHICAL DECISION-MAKING CONSIDERATIONS**

When conducting threat assessment and in acknowledging both the law and moral principles, we recommend moving through a series of steps that guide ethical decision making. One single approach may not be adequate to assess for risk of violent behavior (Borum, 2000). By following a series of steps and using data to answer questions, the process may be individualized to both the students and the context. We apply the decision-making procedures suggested by Corey et al. (2006) to each of the seven steps of the Virginia Model for Student Threat Assessment and described in the Appendix as a way to illustrate the ethical dilemmas and challenges involved with threat assessment. The Virginia model was used as an example because it has been empirically studied and used in a number of schools (Cornell et al., 2006). The outlined ethical guidelines may be used for training purposes, to stimulate discussion, and to reflect upon actions taken within districts regardless which threat-assessment procedure is used.

For each step of the Virginia model, school professionals should identify problems or dilemmas involved in their actions and consider any relevant ethical guidelines (see the Appendix). In Step 1, the principal

evaluates the threat by obtaining a specific account of the threat via interview, writing down statements, and considering the circumstances under which the threat was made. There are a number of dilemmas or problems at this step, and relevant ethical considerations include competence, nonmaleficence, and confidentiality. The school official's qualifications to conduct a threat assessment need to be addressed. The American Association of School Administrators (AASA) states the school administrator must make the education and well-being of students the fundamental value of decision making, and this principle may apply to all decisions throughout the assessment process. Confidentiality is one significant concern at this step. Confidential information about the students may be shared with others through interviews and written notes. Where the notes are kept and who has access to them is important to monitor. Confidentiality of records is important to protect the potential perpetrator as well as the potential victim. At this point, the principal may take a number of steps along with possible consequences, and examples are listed in the Appendix.

At Step 2, professionals must identify potential issues involved in the assessment process given concerns with competence, validity of assessment, informed consent, confidentiality, and possible harm for both the potential victim and potential perpetrator. Relevant ethical principles include competency, nonmaleficence, fidelity, and justice. At this step, the principal must decide on the type of threat, consider the criteria for transient versus substantive threats, and take into account age, credibility, and discipline history of the student. Some problems that may be encountered at this step include measurement validity, problems in variation of discipline histories across schools, interventions strategies, and the qualifications of the principal to make mental health/legal decisions. An ethical principle outlined by AASA may be appropriate in that the school administrator should support the principle of due process and protect the civil and human rights of all individuals. From the aforementioned concerns, possible actions and consequences are outlined in the Appendix.

At Step 3, ethics codes relevant to a professional's position should be reviewed. If the threat was determined to be transient, the principal could respond in a number of ways. Typical responses include reprimand, parental notification, or other disciplinary action. In addition, counseling and mediation should be considered. Primary ethical considerations include autonomy, nonmaleficence, and beneficence. Possible problems at this step may be due to the outcomes of disciplinary practices and possibly requiring a student to go through counseling or mediation. In this step, the principal may consult with a parent or counselor and may take a variety of possible actions with varying consequences.

Step 4 requires the decision maker to determine if the threat is serious or very serious (see Appendix). It is crucial that the administrator know applicable laws and regulations. A problem to consider at this step may be that there are numerous issues with assessment and the prediction made may not be accurate. An ethical principle of primary consideration at this stage is nonmaleficence. The principal may consult with a mental health professional and even law enforcement to decide on possible actions to take, although these actions may lead to a number of consequences for both the student perpetrator and the potential victim.

Step 5 is utilized if the threat is a serious and substantive. Some ethical principles in this step may include nonmaleficence, autonomy, and beneficence. This step involves consultation, which may be built into the assessment process such as the team in the Virginia model, but may even be utilized at the beginning of the process rather than after the principal has established the seriousness of the threat. When considering consultation, it may also be important to note if there are conflicts in the ethics codes of the professionals involved and which professional will make the final determination based on these codes. It is advised that immediate precautions are taken to protect potential victims and that the necessary people are notified. The student's parents are contacted and calling law enforcement is considered. The student should be referred to counseling, mediation, or another appropriate intervention. Disciplining the student to the "appropriate" severity or chronicity of the situation is suggested. Some considerations are the requirement of counseling, the use of discipline and related outcomes, and the repercussions of calling in law enforcement for an act that has not yet been committed. At this time, consultation may occur with parents, administrators, and mental health professionals.

If the threat is considered “very serious,” a safety evaluation is conducted. Related ethical principles are nonmaleficence, autonomy, and beneficence. Step 6 encourages professionals to consider possible and probable courses of action (e.g., call the police, inform the potential victim, intervene with the perpetrator, make a determination that the threat is not substantiated). Immediate precautions are taken to protect the victim, law enforcement is consulted, and parents are notified. A mental health evaluation of the students is initiated, and disciplining the student as appropriate is suggested. Some problems that might arise at this step include making an incorrect judgment regarding the situation, such as causing the potential victim distress or inappropriately applying consequences. Again, mental health professionals, law enforcement, parents, and other administrators may be consulted to determine possible actions.

In Step 7, for each of these possible actions the consequences of each possible decision should be enumerated and discussed. After reviewing the aforementioned actions and possible consequences, the team may decide on the best course of action. The team must consider if there is disagreement among members how the decision will be made (Corey et al., 2006). Once the safety evaluation is completed, a safety plan is implemented. A written plan is completed, contact is maintained with the students, and the plan is revised as needed. Some problems that may arise at this step include the accessibility of the student’s records and the written plan, the type of contact considered in the plan, and how the plan will be monitored. The confidentiality of the information in the plan should be considered, as well as what will benefit all students involved (beneficence). Each component of this step may have a variety of possible consequences.

It is evident that although the steps of a threat assessment may seem straightforward, it may not be as clear cut in practice. There are numerous ethical considerations, and the consequences of each action should be carefully contemplated before any actions are taken.

## **SUICIDE ASSESSMENT AND THE THREAT-ASSESSMENT PROCESS**

A suicide assessment is conducted to determine if a student poses a threat of self-harm. A number of school shootings were committed by suicidal students, and this should be considered a routine part of targeted threat assessment. Many times students who express distress through making threats may also express this through suicidal ideation, and, thus, these two issues may be difficult to tease apart, with previous violence and weapon possession at school being identified as a suicide risk indicator (Borowsky, Ireland, & Resnick, 2001). It may be that such students lack the skills needed to cope with stress; therefore, they communicate distress and gain attention through extreme threats.

Suicide assessment procedures are established to protect the student from harm, and school professionals have the duty to use reasonable means to prevent a suicide once they are aware of a student’s intent to commit suicide. Numerous court case rulings have suggested that schools should have clear policies and procedures related to suicide prevention and parental notification (Jacob & Hartshorne, 2007). With regard to suicide assessment procedures, Poland (1989) recommends that parents are notified and provided with referrals for additional support. Furthermore, it is suggested that school practitioners determine if parents follow through with treatment recommendations and warn them that child protective services will be called if the student is not appropriately protected. In addition, school practitioners should consider the long-term needs of the student with regard to the student’s mental health and educational needs.

One way to interpret both a threat to commit suicide and a threat to commit a violent act to be a student’s way of communicating his or her desperate need for help (U.S. Public Health Service, 1999). If so, it may be helpful to use similar procedures and a similar orientation to threat assessment as is applied in suicide assessment, to provide students with appropriate intervention. If a student communicates a need for help in the form of a suicide threat, then the student may receive more compassion and increased support because he or she is not perceived as a threat and is in great pain. If a student communicates a need for help in the form of a threat to commit a violent act, then the student may be confronted with punitive disciplinary actions and isolation from his or her typical school environment. If school practitioners interpret a threat of

violence to be a cry for help, then increased support, treatment recommendations, and collaboration with parents to meet the student's mental health and educational needs will be of optimal importance.

## **MANIFESTATION DETERMINATION AND THE THREAT-ASSESSMENT PROCESS**

Another situation in which school psychologists must determine a student's risks and needs is a manifestation determination. It is different from threat assessment in that the student has already exhibited a behavior that would typically result in a disciplinary action (i.e., expulsion) rather than the school team having to predict if the student will engage in such a behavior. The Individualized Education Plan (IEP) team meets within 10 days of the decision to change placement of a student with a disability who has violated a student code of conduct. During this review, the student's records are examined, observation information is collected, and information from the parents is gathered. Using information gathered, the team determines if the behavior was a manifestation of the student's disability or the school staff's failure to implement the IEP. If it is determined that the behavior was related to the disability, the IEP team is required to conduct a functional behavioral assessment to design and implement an intervention plan. If it is determined that the behavior were not a manifestation of the student's disability, then the same disciplinary actions are applied as they would be to a student who is not identified with a disability (Jacob & Hartshorne, 2007).

Sharkey and colleagues (2004) suggest that applying the manifestation determination procedure to any student who makes a threat may be useful as it is a familiar procedure to school professionals. Applying strategies that may prevent behavioral issues and documenting student response to interventions may assist professionals in determining effective prevention intervention strategies. Sharkey et al. (2004) suggest that each plan should be individually created for the identified student and takes into account background information regarding academic, social, and emotional influences on the student. In collaboration with parents, school professionals may provide referrals to outside agencies that may provide additional supports for the student and his or her family. If the threat-assessment process is conceptualized in this structure, students will be identified early and more severe infractions may be prevented, intervention and additional resources may be provided, and school professionals are more likely to take responsibility for addressing student needs.

## **PREPARING FOR THREAT ASSESSMENT**

Perhaps of greatest concern is the ethical obligation to provide safe, effective, and responsive school environments to all students so that the occurrence of school violence can be prevented. Jimerson and Brock (2004) provide information on threat assessment, school crisis preparation, and school crisis response. A crisis prevention and intervention plan led by a school governing board and school administrator should be put in place. This requires administrator support to allocate training and resources to staff. A multidisciplinary threat-assessment team may work together to develop and refine a process and to manage threatening situations if situations should arise. This team should take local context and need into consideration when developing a plan. Legal counsel should be consulted. The sharing of student information and searching of student property are ethical and legal concerns that should be addressed in any plan. For example, rulings by the U.S. Supreme Court regarding the Fourth Amendment indicate that an *unreasonable* search of a student's personal items applies on school property. Jimerson and Brock (2004) suggest that a comprehensive school crisis plan is intended to create a climate of safety at the school, which will aid in the prevention of school violence and promote learning. In addition to a sound crisis plan, it may be important to use a proactive strategy and use empirically validated interventions to improve the overall school climate and increase school connectedness for all students.

## STRATEGIES FOR SAFER SCHOOLS

According to the NASP position statement on school violence, safe schools may be created by implementing multiple strategies that are appropriate for the individual schools' needs (NASP, n.d.). These strategies may include systematic team building, problem identification for each school, and a school crisis plan. Another strategy may include enhancing school climate by providing academic support and programs that improve relationships by teaching acceptance and understanding. Positive school discipline should be encouraged, and conflict resolution and social skills training should be taught. Nonstigmatizing school violence prevention programs should be implemented rather than insensitive assessment procedures. Rather, threats made should be seen as warning signs that trigger an intervention response. Schools should have a process in place in which a student's mental health needs are identified and addressed through intervention. To practice ethically, schools should have a system of intervention readily available to make sure students are scaffolded through a multigated intervention system. Support should be provided to students who exhibit disruptive behavior, and intervention should be provided to students who have significant behavioral problems. When a student exhibits behaviors that signal distress, school professionals should have both the courage and ethical standards to ask the right questions and provide the student with help. Ethical threat assessment should not involve how to determine if a child is dangerous but rather how to express and provide care for students in need.

## CONCLUSION

In sum, when it comes to managing serious threats of violence on school campuses while adhering to professional ethical principles, school psychologists first must recognize that targeted threat assessment can work only when a threat is known publicly. Returning to the school death incident reports compiled by the National School Safety Center, an examination shows that school-associated homicides have multiple precipitating flash points. Some are well recognized because of their media coverage (e.g., Red Lake, MN, and Springfield, OR), but many are only known locally. These less-publicized tragedies are often precipitated by gang rivalries, jealousy related to romantic relationships, or other types of interpersonal conflicts. The ethical use of targeted threat assessment first recognizes that it was neither designed for nor capable of assessing all interpersonal disputes on campuses that can reactively get out of hand and lead to terrible consequences (for that matter, some homicides on school campuses are committed by adults who are out of the surveillance capacity of school personnel). Ethical use of targeted threat assessment embeds the process within a more general approach that helps students expand their repertoire of conflict management strategies and recognizes that all student conflict is worthy of preventive attention.

Serious threats of violence and violent acts that occur at school interfere with the education of all students. In addition, victims of school violence are at increased risk of problems in social, emotional, and academic areas (Jimerson & Furlong, 2006). Owing to these issues, it has become crucial for schools to have a system in place to prevent serious school violence, protect students and teachers, and protect the rights of those deemed to be "dangerous." When implemented in a positive manner to facilitate service provision, threat assessment encourages open communication rather than driving communication underground, which occurs when negative strategies are implemented, such as video cameras, security guards, or zero tolerance policies. If students feel comfortable communicating issues and concerns, school staff and psychologists are more easily able to help students before an event occurs.

School psychologists play a vital role in threat assessment, and, hence, understanding the ethical concerns related to actions taken and decisions made during the assessment process is crucial.

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## Appendix. Ethical Issues to Consider When Using the Virginia Model of Threat Assessment: A Guide for Study and Discussion

Threat Assessment Step	Ethical Problem or Dilemma	Ethical Principles to Consider	Possible Consequences to Consider
<i>Step 1: Evaluate threat</i>			
1a. Obtain specific account of threat by interviewing the student, recipient, witnesses	<ul style="list-style-type: none"> <li>Privacy rights versus need for accurate information</li> </ul>	Competency Nonmaleficence	<ul style="list-style-type: none"> <li>Stigmatize potentially violent student</li> <li>Increased fear among students, parents, and teachers</li> <li>Informed consent not obtained, possible violation of confidentiality and privilege laws</li> <li>Interviews conducted with expertise</li> </ul>
1b. Principal conducts evaluation	<ul style="list-style-type: none"> <li>Training in threat assessment versus authority to make decisions</li> </ul>	Competency	<ul style="list-style-type: none"> <li>Person may not consult with others</li> <li>Decisions made without adherence to best threat-assessment decision making</li> <li>No one advocates for rights of potential perpetrator</li> </ul>
1c. Write down content of threat and statements	<ul style="list-style-type: none"> <li>Confidentiality may be breached by writing notes</li> <li>Potential harm to victim/potential perpetrator</li> </ul>	Nonmaleficence  Confidentiality	<ul style="list-style-type: none"> <li>Information may follow the student</li> <li>Unauthorized people may have access to the records</li> </ul>
1d. Consider circumstances in which the threat was made and the student's intentions	<ul style="list-style-type: none"> <li>Need an objective view to understand the context</li> <li>May not understand from the child's point of view</li> <li>Difficult to determine the child's intention</li> </ul>	Competency	<ul style="list-style-type: none"> <li>Decisions may be made based on opinion or bias rather than objective data</li> </ul>
<i>Step 2: Decide whether threat is clearly transient or substantive</i>			
2a. Decide the type of threat	<ul style="list-style-type: none"> <li>The principal may not be fully qualified to evaluate a threat/make legal or mental health decisions</li> </ul>	Competency	<ul style="list-style-type: none"> <li>The procedure used to determine type of threat may be inaccurate</li> </ul>

<p>2b. Consider criteria for transient versus substantive</p>	<ul style="list-style-type: none"> <li>Measurement issues with threat assessments</li> </ul>	<p>Competency</p>	<ul style="list-style-type: none"> <li>If the threat is considered transient and is actually substantive: —the students poses a continued serious danger to the victim</li> <li>If the threat is considered substantive, it may not be accurate —student is stigmatized/ disciplined/prosecuted for a crime not committed</li> </ul>
<p>2c. Consider students age, credibility, discipline history</p>	<ul style="list-style-type: none"> <li>Problems in variations of discipline histories across schools</li> <li>There are differences in intervention strategies available at each school</li> </ul>	<p>Justice (AASA) Supports the principle of due process and protects the civil and human rights of all individuals</p>	<ul style="list-style-type: none"> <li>Race, special education status, demographic variables influence decisions in ways unsupported by research</li> </ul>
<p><i>Step 3: Respond to transient threat</i></p>			
<p>3a. Parental notification</p>		<p>Autonomy Beneficence Nonmaleficence</p>	<ul style="list-style-type: none"> <li>Student may suffer harsh or unnecessary consequences</li> </ul>
<p>3b. Typical responses may include reprimand, or other disciplinary action</p>	<ul style="list-style-type: none"> <li>Problems with discipline</li> </ul>	<p>Nonmaleficence</p>	<ul style="list-style-type: none"> <li>Zero tolerance policies and punitive discipline can contribute to negative trajectories</li> </ul>
<p>3c. Student may be required to make amends and attend mediation or counseling</p>	<ul style="list-style-type: none"> <li>Determining when counseling can be required</li> </ul>	<p>Beneficence</p>	<ul style="list-style-type: none"> <li>Student loses some form of autonomy if required to get counseling</li> </ul>
<p><i>Step 4: Decide whether the substantive threat is serious or very serious</i></p>			
<p>4a. Serious—assault to someone</p>	<ul style="list-style-type: none"> <li>Problems with assessment—prediction may not be accurate</li> </ul>	<p>Nonmaleficence</p>	<ul style="list-style-type: none"> <li>Threat is actually very serious and law enforcement is not called due to inaccurate prediction (false negative)</li> </ul>
<p>4b. Very serious threat—kill, rape, inflict serious injury</p>	<ul style="list-style-type: none"> <li>Problems with assessment—prediction may not be correct</li> </ul>	<p>Nonmaleficence</p>	<ul style="list-style-type: none"> <li>Threat is not very serious but law enforcement is called (due to inaccurate prediction) and student is prosecuted for a crime that has not yet been committed (false positive)</li> </ul>

<i>Step 5: Respond to serious substantive threat</i>			
5a. Take immediate precautions to protect potential victims, notify victims, and victims' parents	<ul style="list-style-type: none"> <li>• Cause distress to victim</li> <li>• Breach confidentiality</li> </ul>	Nonmaleficence	<ul style="list-style-type: none"> <li>• Cause unnecessary distress to potential victim, breach confidentiality of potential perpetrator</li> </ul>
5c. Notify students parents		Autonomy Beneficence Nonmaleficence	<ul style="list-style-type: none"> <li>• Student may suffer harsh or unnecessary consequences</li> </ul>
5d. Consider contacting law enforcement	<ul style="list-style-type: none"> <li>• Confidentiality breach, unnecessary</li> <li>• Consequences if identification incorrect</li> </ul>	Nonmaleficence	<ul style="list-style-type: none"> <li>• Student may have legal ramifications for an act that was not committed</li> </ul>
5e. Refer student for counseling, mediation, appropriate intervention	<ul style="list-style-type: none"> <li>• Determining when one can require counseling</li> </ul>	Autonomy Beneficence	<ul style="list-style-type: none"> <li>• Student loses some form of autonomy if required to get counseling; iatrogenic effects may result</li> </ul>
5f. Discipline student as appropriate to severity/chronicity of situation	<ul style="list-style-type: none"> <li>• Problems with discipline—punishment may not decrease behavior</li> </ul>	Autonomy Beneficence Nonmaleficence	<ul style="list-style-type: none"> <li>• Zero tolerance policies and punitive discipline can lead to negative trajectories</li> </ul>
<i>Step 6: Conduct Safety Evaluation</i>			
6a. Take immediate precautions to protect victims, notify victim and parents	<ul style="list-style-type: none"> <li>• Cause distress to victim</li> <li>• Breach confidentiality</li> </ul>	Nonmaleficence	<ul style="list-style-type: none"> <li>• Cause unnecessary distress to potential victim</li> <li>• Breach confidentiality of potential perpetrator</li> </ul>
6b. Consult with law enforcement	<ul style="list-style-type: none"> <li>• Confidentiality breach</li> <li>• Unnecessary consequences if identification is incorrect</li> </ul>	Nonmaleficence	<ul style="list-style-type: none"> <li>• Student may have legal ramifications for an act that was not committed</li> </ul>
6c. Notify student's parents	<ul style="list-style-type: none"> <li>• Parents may be legal holder of privileged communication involving the student</li> </ul>	Autonomy Beneficence Nonmaleficence	<ul style="list-style-type: none"> <li>• Student may suffer harsh or unnecessary consequences</li> </ul>

6d. Begin mental health evaluation	<ul style="list-style-type: none"> <li>Determining at what point is this warranted</li> </ul>	<p>Autonomy</p> <p>Beneficence</p>	<ul style="list-style-type: none"> <li>Student loses some form of autonomy if required to get counseling</li> <li>Student is not evaluated and may be in need of services</li> </ul>
6e. Discipline student as appropriate	<ul style="list-style-type: none"> <li>Problems with discipline</li> </ul>	<p>Beneficence</p>	<ul style="list-style-type: none"> <li>Zero tolerance policies and punitive discipline can lead to negative trajectories</li> </ul>
<i>Step 7: Implement a safety plan</i>			
7a. Complete a written plan	<ul style="list-style-type: none"> <li>Access to records</li> </ul>	<p>Confidentiality</p>	<ul style="list-style-type: none"> <li>Unnecessary, unauthorized persons may have access to confidential/stigmatizing information</li> </ul>
7b. Maintain contact with the student	<ul style="list-style-type: none"> <li>Type of contact should be considered</li> </ul>	<p>Nonmaleficence</p>	<ul style="list-style-type: none"> <li>If the contact is negative it may increase hostility</li> </ul>
7c. Revise plan as needed	<ul style="list-style-type: none"> <li>How is the plan monitored and evaluated?</li> </ul>	<p>Beneficence</p>	<ul style="list-style-type: none"> <li>Revision may not be based on objective data</li> </ul>