



RESPONSE LAW
presents
**EFFECTIVELY CREATING A K-12
THREAT MANAGEMENT SYSTEM
UNDER KANSAS LAW**

By: John L. More, JD

This PowerPoint presentation is protected by copyright laws. Copying, reprinting, and/or distributing without prior consent by John More and/or Response Law, LLC is strictly prohibited.

THE REALITY

- Violence has Reached a State of Normalcy
- There is no Single Profile for an Active Shooter
- Parents Need Training as Much as Schools
- Do What's Feasible

LEGAL RESOURCES

- Kansas Code
- Kansas Case Law
- Threat Assessment Guidelines
- Policy & Past Practice

SCHOOL-WIDE SECURITY COMMITTEE

- Trespassers/External Threats
- Hostile Parents
- Facility Security
- Crisis/Critical Incidents
- Employee-Related Incidents

POLICY CONTENT STRATEGY

- Reference Best Practice/Law
- Separate Policy from Procedure
- Utilize "May, Discretion, and Safety"
- Avoid or Qualify "Must, Will, and Shall"

TAT STRUCTURE

- School Administration
- Counselor/Psychologist
- School Resource Officer
- Faculty Member
- Security Director

STAFF OUTREACH

- Cafeteria Personnel
- Facility Maintenance Personnel
- Administrative Support Personnel
- Transportation Personnel
- Child Study Team
- Special Ed/504 Coordinator
- School Nurse
- Social Worker

TAT MISSION PLAN

- Select Team
- Set Meeting Schedule for School Year
- Establish Assessment and Investigation Process
- Create Referral and Reporting Procedure
- Provide SABER Training

THREAT IDENTIFICATION

- A Concerning Communication or Behavior that:
 - May Intend to Harm
 - Requires no Witness
 - Target Need Not be Aware of
 - May Come in Any Form

SUGGESTED THREAT LEVELS

- Imminent: Act Now – Call Police
- High: Act Now – Go Upline
- Moderate: Monitor – Report
- Low: Administrative Handling

LEGAL CONSIDERATIONS

- Assign Case Manager
- Determine Degree of Safety Concern
- Provide Guidance
- Mitigate/Reduce Risk
- Parental Involvement
- Records Review
- Records Request

INFORMATION-SHARING SYSTEM

- Safety Outweighs Confidentiality
- Communicate the Right to Report
- Establish Reporting Procedure
- Emphasize Legal Protection

F.E.R.P.A. CONSIDERATIONS

- Access to Student Records
- Safety Exception to the Act
- Transfer Students
- Law Enforcement Unit Records (LEUR)
- Written Requests to Other Agencies

FEEDBACK SYSTEM

- Students (Silence Hurts)
- Staff
- Parents
- Public
- Law Enforcement

WHAT SHOULD BE REPORTED

- Source to TAT
- TAT to School Administration
- Administration to Superintendent
- Administration to Law Enforcement

THREAT ASSESSMENT INTERVIEWS

- Source of Information
- Student
- Witnesses
- Relevant Staff
- Parents

EVALUATE WORDS/ACTIONS

- Credible
- Specific in Nature
- Recent
- Means/Capability to Implement

TRIGGER RECOGNITION FORMULA

- Location of Behavior/Action
- Physical Atmosphere
- Peer Interaction
- Teacher Interaction
- School Performance
- Family Environment
- Emotional Buttons

STUDENT BEHAVIORAL HISTORY

- What's on Record
- Verbal Recitations
- Adult Connection(?)
- Interests/Fascination – Violence, Weapons
- Recognizable Patterns

RESPONSE CONSIDERATIONS

- Threat Identification
- Control and Contain
 - Traditional Behavioral Intervention
 - Parental Involvement
 - Counseling
 - Medical Evaluation
 - Removal
 - Law Enforcement Involvement

DOCUMENTATION TECHNIQUES

- Quote All Key Statements
- Document Crunch Time
- Authorship of Statement = Best Evidence
- Advantage of Laundry Listing
- Keep Your Report Alive

PROTECTIVE LEGAL PHRASES

- “As of this Time and Date”
- “Under the Current Circumstances”
- “Based on Information Received to Date”
- “Investigation is Ongoing”