
Issue Date: October 13, 2023

Act 29, Sec. 4 Stakeholder Meeting 3

October 11, 2023, 1pm

Facilitator: Ted Fisher, Agency of Education (AOE)

Note Taker: Lindsey Hedges, AOE

Presentation on BTAs in the Field

Presentation by Brooke Olsen Farrel, Superintendent, Slate Valley

- Overview of Slate Valley district, been doing Behavioral Threat Assessments (BTAs) since 2015, different iterations of the process over nine years
- Currently use Sigma Ontic model
- Safety assessment vs threat assessment, meant to be supportive, want to develop culture of respect and trust, trusted adult.
- Assign administrator and clinician to initial threat assessment.
- Discipline is not related to threat assessment process, different process.
- Clear language for staff, all staff does training, some high level, those on the team get more in-depth training. School Resource Officers not always at the table.
- Assessment gets sent to central office, superintendent reads it and director of special services, doesn't get filed in student files.
- Outcomes – safety plans, counseling, follow up.

Group Q&A with Brooke (10 minutes)

- Question from last week was brought back up about how the BTA process sits within student supports ecosystem? And what is the process of handing off in a case where discipline is a consideration?
 - It is case by case, depending on severity. Could include a safety plan, Columbia screener, or Department of Children and Families (DCF) referral.
- Question of many threat assessments Slate Valley performs in a year assessments in a year and if there is data on racial proportionality?
 - 94 BTAs were performed last year, with the vast majority being white males in grades 8-10. Data will be gathered to be shared with the group.
- Concern was raised about broad-brush use of BTAs and not just as its defined in statute.

Slate Valley doesn't get very far with the low level BTA, more just a check in with a counselor, out of 94 BTAs, roughly 13 were moderate to high where there was intent to harm. In those cases, the school worked with families.
- Question was raised of if BTA records end up in student records?



- They do not, it is a separate file in the central office.
- Question of if the BTA team has a governing “definition” of when the BTA process is triggered?
 - There is a threat assessment policy and implementation guide. Decision makers are the school clinicians alongside the superintendent and director of special services.
- Confidentiality concerns were raised since it was unclear what becomes of a BTA after they are filed.
 - It is similar to Harassment, Hazing and Bullying (HHB) investigations, only parents/guardians can get access upon request.
- Clarification that there is a Family Educational Rights and Privacy Act (FERPA) entitlement for parents and guardians, student files are kept for operational use of the district, there are minimum academic requirements in those files, beyond that it’s up to the district.
- Also noted that BTAs are a vehicle to find lack of credibility as well, and properly put things to rest properly while also addressing the responsibility of the school.

Presentation on Challenges and Risks Associated with BTAs

Presentation by Amanda Garces, Director of Policy, Education and Outreach, Human Rights Commission

- How to we support students in BTA and HHB cases?
- Who is involved in these assessments and how are they being trained?
- What support and information are families receiving?
- Highlighted students in poverty are also disproportionately impacted along with black, indigenous and people of color (BIPOC), LGBTQ and students with disabilities (**additional stats forthcoming from Amanda**)

Group Q&A with Amanda

- Request to expand upon what exclusionary discipline means. Concern was raised that BTAs exclude kids from the classroom and school generally.
 - Exclusionary discipline refers to expulsion and suspension as well as being sent home or out of the classroom (in school suspension)
- Clarification that sending a student home is not part of BTA process in Slate Valley, the student may not be with their peers, but they are kept in school.
- It was noted that there is potential within the BTA process to contextualize statements that might, in the absence of a BTA team, have students interacting with exclusionary discipline/law enforcement.
- It was also noted that exclusionary discipline can increase mental health issues, and it is often BIPOC students who don’t have a trusted adult in school.

Group Debrief and Conversation

- Concern was raised about students in DCF custody, since there is often no trusted adult. The collateral use of BTAs could be harmful for students already falling through the cracks, noted that there are no educators in the court room and these are seen without context.
- Concern about the label that BTAs may put on kids, and seeping of stigma and bias in schools.
- Question was raised of what is actual in a BTA file?
- Absent a BTA process or protocol in a district, if a student makes a threat would it be unusual that this be documented in a student file? Regarding what comes up in court, is what shows up in a student file currently problematic already?

- What shows up currently is really inconsistent, some schools provide extensive notes others it's just report cards.
- Follow up question of if the judicial process treats the thicker file differently?
- Note in that chat wondering if there is a format that could be uniform across districts that the state could create for more clear interpretation of files.
- Note in the chat of what the definition of academic record in the recommended Education Quality Standards (EQS) is: "Academic record" may include standardized test scores, dates of attendance, alternate graduation plan, Individualized Education Plan (IEP), 504 Plan, Personalized Learning Plan (PLP), rank in class, awards, activities, clubs, and other information not included in a student's transcript, as locally determined. The "Academic Record" shall not include school records, documents, notes, or descriptions of a student's disciplinary history with school staff or other students. An academic record is not the same as a student's education record, as referenced in the federal FERPA
- Concern was raised about schools that are under resourced and understaffed and can't get their staff properly trained school that is under resourced and can't get the staff and training together?
- Clarifying question, absent BTAs schools respond inconsistently, isn't proper BTAs preferable to none?
- Rebuttable that the process creates paper record where is has not consistently existed.
- It was noted that there is potential to make recommendations to the legislature about resourcing BTAs since it was an unfunded mandate.
- It was noted that there could be several offramps that would not lead to the creation of any record. 1) Adult hearing or receiving report of the statement makes the appropriate judgement not to escalate up; 2) BTA screening team (or whatever we name it) rejects prior to opening a BTAT assessment; and, 3) BTAT team puts "no threat" on the so-called first page of the one page report

Overview and Discussion on Policy Themes

- Noted that there is a lot to add to the document that came out of the conversation so the document will be updated and circulated.

Additional Resources

Prine, B., & Mahusky, M. (n.d.). VLA Dispelling the Myth Police in Schools Factsheet. Vermont Legal Aid, Inc. Retrieved April 26, 2022, from https://docs.google.com/document/d/1gVSKApPDYRIDvGpF69kdK_iVY6dHWYP1/edit