

Maryland Public School Critical Life-Threatening Incident After-Action Summary Report

This report has been compiled in response to a life-threatening incident that occurred on public school grounds. The report includes lessons learned and recommendations identified following a local review of the incident and is aimed at identifying ways to improve the safety of Maryland public schools.

MARYLAND CENTER for SCHOOL SAFETY
Education Article § 7-1502(g)(21) (MSAR #11851)
Education Article §7-1510(g)(3) (MSAR #11594)
COMAR 14.40.05

School Year: 2023-2024

Submitted: August 27, 2024

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August 27, 2024

The Honorable Wes Moore
Governor
100 State Circle
Annapolis, MD 21401

The Honorable Willam C. Ferguson IV
President
Senate of Maryland
State House, H-107
Annapolis, MD 201401

The Honorable Adrienne A. Jones
Speaker
House of Delegates
State House, H-101
Annapolis, MD 21401

Re: Critical Life Threatening Incident Report required by Education Article § 7-1502(g)(21) (MSAR #11851) and Education Article §7-1510(g)(3) (MSAR #11594)

Dear Governor Moore, President Ferguson, and Speaker Jones:

Pursuant to Education Article § 7-1502(g)(21), Education Article §7-1510(g)(3), and State Government Article §2-1257, the Maryland Center for School Safety (MCSS) respectfully submits the following report, which contains identified lessons learned and school safety recommendations following a critical life-threatening incident on public school grounds.

If you have any questions about this report or would like additional information, please contact MCSS Director of Program Management J. Dino Pignataro at joseph.pignataro@maryland.gov or 410-281-2335.

Sincerely,



Kate Bryan
Executive Director



Maryland Public School Critical Life-Threatening Incident After-Action Summary

On April 17, 2024, an incident occurred within Montgomery County Public Schools (MCPS), which met the criteria to be considered a *Critical Life-Threatening Incident* pursuant to Md. Ed. Art. § 7-1510 (g) and COMAR 14.40.05.

Notification [COMAR 14.40.05.04A]

On April 18, 2024 the MCPS staff notified the Maryland Center for School Safety (MCSS) of the incident.

After-Action Meeting [COMAR 14.40.05.04B]

On June 10, 2024 an after-action meeting was held involving school representatives, law enforcement, and a representative from MCSS.

After-Action Report [COMAR 14.40.05.04C]

On July 15, 2024 MCPS submitted an after-action report to MCSS.

Lessons Learned

Based upon the after-action review led by MCPS, the following lessons learned were identified by individuals participating in the after-action meeting:

1. Coordination and communication among federal, state, and local partners and providers, including schools, law enforcement, and mental health providers, is critical to effectively monitor individuals who have been determined by a Behavior Threat Assessment (BTA) team to pose a threat. While the purpose of BTA is to provide interventions early for an individual, there are times when coordination of efforts to manage the threat by developing a safety plan to monitor the individual's activity and behaviors to prevent an escalation is the prudent course of action. Communication among those involved is essential to maintaining contact with the individual and being current with any changes that may impact the level of threat over time, whether or not the individual remains in school.
2. The involvement of law enforcement in the BTA team is required by the Safe to Learn Act (§ 7-150.(b)(7)(ii)), and stipulated in Maryland's Model Policy for Behavior



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Threat Assessment. The skills and expertise these officers bring to an assessment team are crucial to recognizing whether the subject of the threat evaluation poses a threat, determining the level of threat, and determining when the individual's conduct constitutes a criminal offense. The U.S. Department of Education has provided guidance to schools on the importance of including law enforcement on assessment teams. This guidance also outlines how schools can ensure assessment team members meet the legal requirements to review student information under the Family Education and Privacy Act (FERPA), 34 CFR PART 99.¹

3. Concerning communications and explicit threats to individuals and schools are often posted online to individuals, groups, or the public. When a law enforcement official is a member of the BTA team conducting a threat assessment and discovers an online threat, they should immediately begin the emergency request process with the social media platform to obtain user and online data. Digital media platforms typically allow law enforcement to submit emergency requests for this information when they believe there is an imminent threat to life or safety. While companies sometimes process these requests quickly, it can take several weeks or longer, depending on the online platform. Therefore, it's crucial to act promptly to mitigate any potential danger. Even if the behaviors of concern don't originate online, the BTA may reveal a digital trail of information that warrants a request. As part of the assessment, reviewing public online posts can help determine if such requests are necessary, absent a known online threat.

School Safety Recommendations

1. Local jurisdictions (counties and incorporated cities) need the ability to recognize, triage, evaluate, and monitor threats that exist in their schools and communities. This can be accomplished using community-based BTA teams. School-based and community BTA teams also need the ability to effectively gather and pass information back and forth, in their efforts to monitor threats that may move from one community to another.
2. Law enforcement officials supporting school-based BTA teams would benefit from having access to a resource that outlines the specific process for submitting emergency requests for information to various digital media companies.

¹ U.S. Dept. of Education, *School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA) (2019)*,

<https://studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa>.



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3. School officials have expressed the importance of sharing information about a threat assessment with other schools when a student transfers. Schools may, but are not required, to share a transferring student's threat assessment information with public, private, or non-public schools, as well as post-secondary institutions, when there is a legitimate need to know. In efforts to maintain strict student privacy protections, required under FERPA, the sharing of assessment records between schools lacks consistency nationwide. Some states have addressed this inconsistency by enacting laws that require the sharing of threat evaluation information. For example, Texas Ed. Code Section 25.036(c) mandates the school system where the student resides share threat evaluation information with the school system to which the student is transferring.

