

# Illinois Community College Chief Student Services Officers

**2010 Winter Meeting**

**Doubletree Hotel and Conference Center  
Bloomington, IL**

**March 4, 2010**



***WELCOME***  
***and***  
***INTRODUCTIONS***

**Threat Assessment Team**  
**Versus**  
**Behavioral Intervention Team**

## Behavioral Intervention Teams – (NaBITA)

- Multi-disciplinary team
- Regular meetings
- Tracks “Red Flags” over time
- Receives reports from across the campus on disruptive, problematic, concerning behaviors, misconduct



## Behavioral Intervention Teams – (NaBITA)

- Investigation
- Performs a threat assessment
- Develops course of action
- Focus on prevention before the threat occurs
- Provide positive image for prevention and not treating students as a “threat”
- Focuses on a counseling model



## Behavioral Intervention Teams –

- ❖ Do not traditionally involve police
- ❖ Do not traditionally involve high level administrative response
- ❖ Do not traditionally involve a crisis response
- ❖ May not include victims

# What is Threat Assessment?

Process designed to:

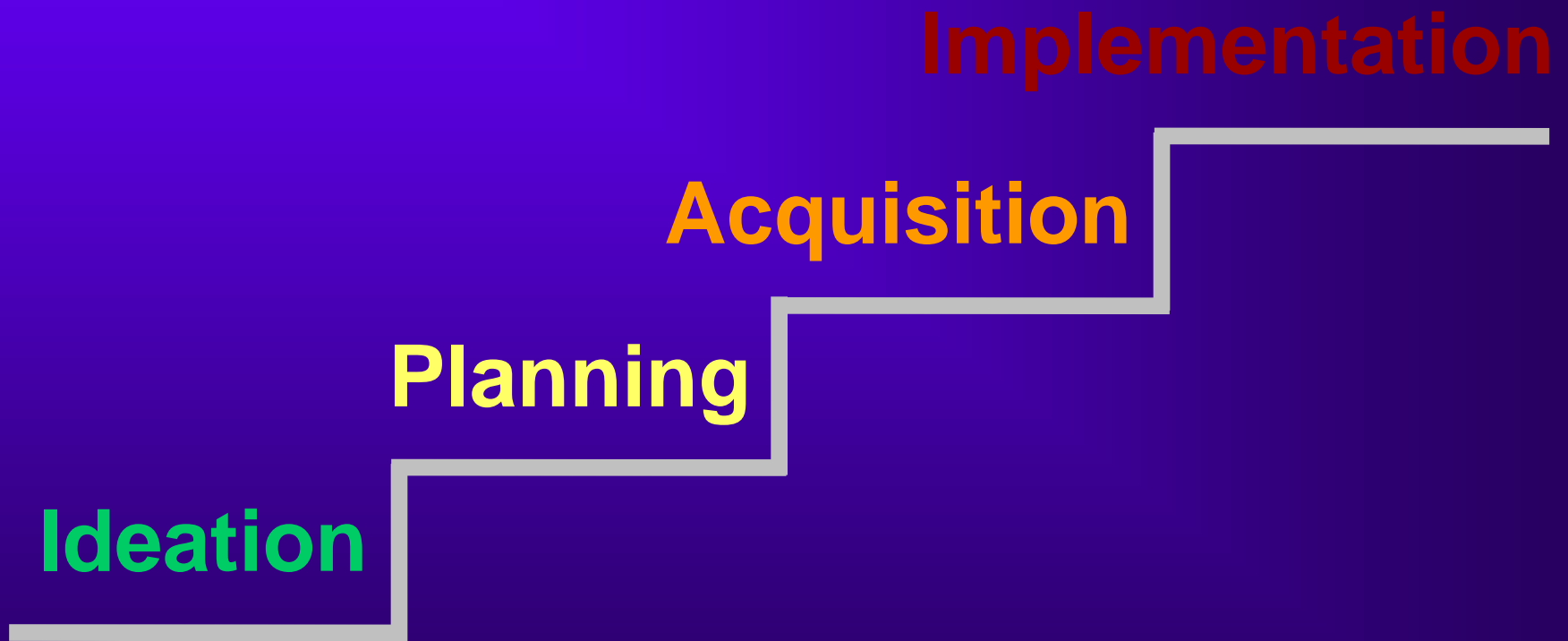
- **Identify** situations of concern.
- **Investigate** persons and situations that have come to attention.
- **Assess** the information gathered.
- If necessary, **manage** persons and situations to reduce threat posed.

# What is Threat Assessment?

- Assessment involves asking: ***Is this person on a pathway toward violence?***
- Using a team can be particularly effective for gathering and evaluating information, and intervening if necessary.
- Threat assessment and case management is not an automatically adversarial process.
- Engagement with a person of concern can be critical to preventing violence or harm.



# Pathway to Violence



# Why Threat Assessment?

- Evidence-based.
- Derived from U.S. Secret Service model, also supported by FBI recommendations.
- Used successfully to prevent campus, school, and workplace shootings.
- Broadly applicable for identifying people in need.
- Low-cost and effective.
- Legally defensible
- Considered “Best Practice”

# **Development of Threat Assessment Teams**

# Critical Roles of Effective Teams

- Communication
- Collaboration
- Coordination, and
- Capitalization on existing resources and capacity

# Threat Assessment Team: Functional Authority and Role

- Understand threats / concerns
- Evaluate legitimacy of concerns
- Identify motivations for violence
- Assess likelihood of physical harm
- Develop strategies for risk reduction
- Guide implementation of strategies
- Re-evaluate threat
- Evaluate needs of community

# Threat Assessment Team: Scalable Capacity

- Utilize existing resources and mechanisms
- Identify gaps in services
- Evaluate & maximize communications
- Involve relevant components

# Need for Collaboration

“Most important, dangerous people rarely show all of their symptoms to just one department or group on campus. A professor may see a problem in an essay, the campus police may endure belligerent statements, a resident assistant may notice the student is a loner, the counseling center may notice that the student fails to appear for a follow-up visit. Acting independently, no department is likely to solve the problem. In short, colleges must recognize that managing an educational environment is a team effort, calling for collaboration and multilateral solutions.”

Source: Peter Lake, Chronicle of Higher Ed 6/29/07

# Threat Assessment Team Size

- The initial team membership is flexible, based on the institutions resource capacity.
- The membership can expand or contract as conditions dictate.
- General Guide:

***“Have as few core team members as are necessary to provide for a timely and objective review of cases”***



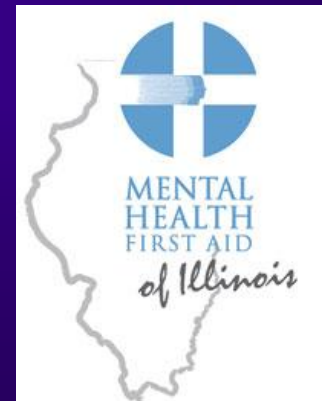
# Threat Assessment Team: Core Membership

- **Academic Affairs / Provost / Graduate College**
- **Police/Security** (Campus or Local Law Enforcement)
- **Residence Life** (if providing student housing)
- **Student Affairs / Dean of Students**
- **Student Health / Counseling Service**
- **Legal Counsel** (as needed)



# Threat Assessment Team: Optional Membership

- **Employee Assistance** (faculty/staff assessments)
- **Faculty Members** (on case by case basis)
- **Human Resource Services**
- **External Community Services:**
  - \*Community Counseling / Mental Health
  - \*Community Agencies



# Options for Campus with Limited Resources

- Some institutions may have limited resources to staff a team
- Consider availability of personnel from agencies in broader community and affiliated campuses
  - Members can meet and assess cases via videoconferencing, teleconferencing, etc.
  - Consider formal Memorandum of Understanding to delineate roles/responsibilities and commitment



# Team Member Qualifications

- An inquisitive and skeptical mindset
- Relates well with others
- Exercises good sense of judgment, objectivity, and thoroughness
- Training in information collection and evaluation
- Exercises discretion and ability to keep information confidential

# Teamwork

- Each member has a unique role and function by virtue of their expertise.
- Member titles and labels should be “left at the door.”
- All team members are equal partners and all opinions carry the same weight.

# Setting A Threshold for Team Involvement

- **What information do you want reported to your threat assessment team?**
- **What “threshold” do you want to establish for reporting?** (High and low thresholds both have advantages and disadvantages.)
- **How will you communicate this with your campus?**

# Legal Considerations and Information Sharing



As in all legal matters, always  
check with your institutions  
legal advisor before taking any  
actions



# Virginia Tech Example

- Cho's mental stability was questioned
- Efforts to share the information were impeded by interpretation of laws concerning privacy of information
- Widespread lack of understanding of laws
- Conflicting practices



# What Rules May Apply?

- Federal Americans with Disabilities Act and Section 504 of Rehabilitation Act
- State public accommodations laws / disability-related employment laws
- Federal Family Educational Rights and Privacy Act
- Federal Health Insurance Portability and Accountability Act (“HIPAA”)
- State Patient-Health Care Professional Privileges

# Disability Law Considerations

- Ensuring Due Process
- Direct Threat Provisions
- Not assuming every threat assessment case involves mental illness

# Family Education Records and Privacy Act (FERPA)

- FERPA should not be an impediment to effective threat assessment and case management.
- FERPA governs records only, not observations, communications, etc.
- **FERPA does not govern police records.**
- New guidance from ED encourages information sharing where public safety is a concern.
- FERPA does not permit a private right of action.

# FERPA

*Authorizes unlimited disclosure when:*

- The student violated university rules involving a crime of violence
- The student committed sex offense.

## **~Emergency Exception~**

“An educational agency or institution may disclose personally identifiable information from a school record to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals.” Sec 99.36(a)

# FERPA

Updates on FERPA can be found at:

[www.ed.gov/ferpa](http://www.ed.gov/ferpa)

# Health Insurance Portability and Accountability Act of 1996 (HIPAA)

The HIPAA Privacy Rule requires a covered entity to make reasonable efforts to limit use, disclosure of, and requests for protected health information to the minimum necessary to accomplish the intended purpose.

A covered entity refers to a health care provider, a health care clearinghouse and/or health plan.

# HIPAA

Providers may disclose information about a person who presents imminent danger to the health and safety of individuals and the public.

45 C.F.164.512(j)



# Information Sharing: HIPAA

- Check with legal counsel as to which laws govern counseling center records.
- Confidentiality is held by client, not MH provider.
- In cases where HIPAA applies, can try these strategies:
  - No legal prohibition against providing information to health/MH professionals.
  - Can inquire about *Tarasoff* - type duty.
  - Can ask subject for permission to disclose.

# Duty to Warn

- Psychologists, psychiatrists and physicians have a duty to warn.

Tarasoff v. Regents University of California  
(1976)

17 Cal. 3d 425

# Record Keeping

- Incident tracking database
- Document exact words and actions - include date, time, behaviors, witnesses;
- Document personal reactions and protective actions;
- Preserve evidence: Keep copies of email, memos, etc.

# Common Problems and Solutions

- Turnover of faculty and staff, as well as students.
  - ❖ Systematized training and awareness
- Information flow.
  - ❖ Understanding privacy laws
  - ❖ Regular team interaction, not just during crisis
  - ❖ Clear direction from university leadership on need/importance of information sharing.
- Perceived/real lack of authority to make decisions.
  - ❖ Clear delineation of leadership within team.

# Common Problems and Solutions

- Lack of training/inappropriate training.
  - Scrutinize training vendors for experience, credibility, best practices.
  - Consult with colleagues at other institutions.
- Complicated/cumbersome/redundant processes.
  - Use what the institution already has.
  - Capitalize on what already fits/works.
- Cottage industry hype.
  - Look for approaches that are based on best practices, administered by accomplished personnel, AND that meet your institution's needs.

# *CASE STUDIES*

All Case Studies are fictitious and are not depicting any actual persons or events. They are intended for training purposes only and should not be shared, copied, duplicated or transmitted in any form without the consent of the author.

# CASE STUDY #1

You are sitting in the cafeteria taking a break and one of the instructors for the college asks to speak to you about a student. The instructor is concerned for a student in their class who has apparently been having a difficult time.

The instructor tells you one of the students in their class use to be a good student, participated actively during class and always had a positive attitude in class and towards assignments. Now the student has become withdrawn and his grade has dropped from an “A” to almost failing. The instructor attempted to talk with the student who refused to meet with the instructor to discuss his class performance and appeared upset and preoccupied.



# CASE STUDY #1

The instructor has advised you they are going to have to fail the student if things do not change and worries how the student will react. This is the second time the instructor has had the student in class and has always had a positive relationship with him before.

The instructor has told you the student is carrying a full load of classes and is also from the community. The student also plays on the college basketball team.

# CASE STUDY #1

You have met with the instructors for the remainder of the student's classes. All report there has been a drop in the student's grades in all classes and is in danger of failing for the semester. None of the other instructors seems to know much about the student and only are able to report the grades.

You have checked with the coach of the basketball team regarding the student's attendance for practice and his game performance. The coach reports a slight decline in performance and the student has missed one practice all season and that was because he was home ill. The coach has known the student for several years as the coach is friends with the student's father and came to the college to play for the coach. The coach has had no discipline problems with the student or any reason to suspect any problems.

# CASE STUDY #1

Your campus does not have a mental health professional on staff and the academic advisor has no information on the student except the student missed an appointment to discuss his classes next semester.

What next????

# CASE STUDY #1

Several days have past and you get a call from one of the instructor's in the English Department. This is one of the instructors you spoke with before about the student. The instructor is concerned with several subtle comments in a paper the student submitted for an assignment. Because of the discussion you had with the instructor the paper has alarmed her. You meet with the instructor in her office.

As part of an assignment the students were asked to complete a paper discussing their views on the economic decline in the nation to their lives. The paper submitted has several bleak comments about the student having no future and life not being worth living.

# CASE STUDY #1

You have decided to call the Threat Assessment Team together to discuss the student. Who will be invited to this meeting and why?

What future actions can/should you take?

Who would you want to talk to?

What other sources of information should you seek out?



## CASE STUDY #2

You are reviewing the reports from the contract security service on campus and see there was a disruption in a class where security had to remove a student from the classroom. The political science class was discussing the war in Iraq and one student become upset and hostile towards several students in the class who were against the war.

The student become confrontational with other students and would not calm down and allow the class to continue when asked to do so by the instructor. The instructor called security to remove the student from the classroom. Security escorted the student out of the building and to his vehicle where he left the campus as requested.

## CASE STUDY #2

You meet with the two security officers who responded to the call for assistance. They reported to you they had no problems with the student when they asked him to leave. The student reported to the security officers he is tired of the liberal agenda of the campus and the instructors have no idea what is going on in the world or what the war in Iraq is really about.

You speak with the instructor and asked what occurred. The instructor was holding a discussion about the war in Iraq and the views and opinions of the students. Some students were very opposed to the war and when the student in question tried to argue with them the instructor told him to be quiet and he refused. The student reportedly told the class they did not know what was really going on in Iraq and to stop making assumptions on false political propaganda.



## CASE STUDY #2

You review the students application and file and find he is 23 years old and was in the US Marines for 4 years. This is his first semester in college. He is unmarried and has no children. He does not appear to be from your community having gone to both elementary school and high school in Wyoming.

You spoken with the two students who were debating the war in Iraq. Both report never having had any problem with the student in question and they have even talked outside of class and gotten along well. They did not support the war but were respectful of military personnel not having a choice and doing their duty for their country.

## CASE STUDY #2

In a review of the security reports there are no other contacts with this student.

What actions should you take now?

## CASE STUDY #2

Who would be part of the Threat Assessment Team?

What outside agencies might be consulted?

What services would be available to the student?

What other actions would you take?



## CASE STUDY #3

You have received a call from a member of the security staff indicating they received a report from a female student advising she is concerned that her boyfriend is planning on doing something to the college. According to her, the boyfriend has made several comments about how the college has done nothing but destroy his life and he is not going to take it any more. Recently she found a set of floor-plans he drew for the college's administration building, which also houses a large number of classes.

In checking on the student's history with the college you find this is his second semester in college and he is not from out of state. He achieved all "A's" and "B's" his first semester but he has not attended any classes for two weeks. He is not involved in any activities on the campus.

## CASE STUDY #3

The head of campus security advises you of three contacts they have had with the student in question. The first two were when he was found inside of the building sleeping at 3:00am two weeks before. A third contact was with him last week when he was walking around the outside of the administrative building at 5:00am one morning. He had vague explanations for his actions including he fell asleep in the lounge for the first two contacts and was walking home for the final contact.

What actions should you take now?

Who else would you want to contact?

What additional information would you like?

How should you deal with the student in question?

## CASE STUDY #3

The head of campus security contacts the local police and finds out the student in question has no criminal record. In addition the student was questioned because he was seen in the vicinity of a burglary from a farm building where 200 pounds of Ammonium Nitrate was stolen. The police have NO evidence to link the student to the crime.

Based on this new information, what actions should you take?

Who else would you want to contact or speak with?

How should you deal with the student in question?

How would you work with the local police to achieve both your goals?





Questions?

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