

# Behavioral Intervention and Threat Assessment

## Background and Purpose

The purpose of this policy is to provide members of the Delaware Technical and Community College community with an effective and efficient process to report concerns that a student may pose a risk to his or her own safety or the safety of another, and to establish a process for identifying, assessing and managing students who may pose a threat of violence.

Threat assessment is a process of evaluating a risk to the safety of any member of the campus community. The primary purpose of threat assessment is to prevent acts of violence from occurring by identifying emerging aggressive and potential violence to themselves or others. Threat assessment is conducted when a person (or persons) threatens to commit a violent act or engages in behavior that appears to threaten an act of violence. Threat assessment is ultimately concerned with whether an individual poses a threat, not whether he or she has made a threat. Threat assessment can be distinguished from profiling in part because the investigation is triggered by some sort of threatening behavior rather than some combination of demographic and personal characteristics of the individual. Moreover, threat assessment goes beyond the determination that an individual poses a safety risk and includes early detection and intervention to ensure the safety of all members of the campus community.

A threat is defined as any behavior which suggests intent to harm themselves or others. Threats may be spoken, written, e-mailed, or expressed in some other way, such as through gestures. Threats can be made directly or indirectly, communicated through third parties, or expressed in private writings. Possession of a weapon such as a firearm or knife on school grounds would be presumed to indicate a threat, unless determined otherwise by a subsequent investigation.

## CARE Team Coordinator

A Campus Awareness Response and Evaluation (CARE) Team Coordinator (CTC) shall be appointed by the Campus Director as the first point of contact for students or employees who want to report a threat or concern for campus safety or an individual's safety. The CTC will gather and analyze information needed for threat assessment. The CTC shall recommend for approval by the Vice President/Campus Director a designee who shall serve in their place in the event that the member is unavailable.

The CTC should be trained in student mental health issues. The CTC should also possess skills in questioning with an analytical mindset, the ability to relate well with others, experience in how to collect and evaluate information from multiple sources, discretion and understanding of confidentiality, understanding of state and federal confidentiality laws, and be fair and trustworthy.

## CARE Team

A Campus Awareness Response and Evaluation Team (CARE team) shall be appointed by the Campus Director to conduct secondary threat assessments when the CTC has

determined that a moderate or higher threat exists as defined by the Threat Assessment Guidelines and, if necessary, make recommendations about the appropriate course of action to the Campus Director. The primary functions of the CARE Team are the assessment of the risk of violence posed by a student at a given time and the development of recommendations to manage the risk that he/she may present to the campus community and/or themselves.

A standing CARE Team shall be appointed by the Campus Director to include the CARE Team Coordinator (CTC), the campus Chief Constable (CC), the Dean of Student Affairs or a designated Student Affairs counselor, the campus ADA Coordinator, a faculty member, and such others as may be designated by the Campus Director. All members of the CARE team shall participate in College designated training.

### **Campus Awareness Response and Evaluation Process and Protocol**

1. Members of the college community are encouraged to report any behaviors that raise concerns regarding an individual's propensity to harm oneself or others to the campus CTC or CC. The conduct giving rise to the concern need not be witnessed by the individual making the report. Faculty and staff who receive reports of threatening conduct shall notify the CTC or CC.

If an incident occurs that results in physical harm to an individual, damage to property, involves the possession of a weapon, or poses an imminent danger to person or property, employees should remove themselves and students from the immediate danger and immediately contact Public Safety or call 911 in accordance with the Delaware Tech Violence Free policy.

2. The CTC will conduct a preliminary inquiry to determine the level of risk to campus safety. Upon request of the CTC, the CC will assist with this initial inquiry. The CTC will report the initial results and recommendations of the inquiry to the Dean of Student Affairs or his or her designee for review and approval. This inquiry will begin within one business day of initial notification and every effort will be made to complete the inquiry within three business days. In the event that the TAC determines that it is necessary to protect the safety of an individual (s) or the campus community, the TAC is authorized to ask the student to leave campus or have them removed by Public Safety or local law enforcement. In the event that the inquiry determines that an individual poses an elevated or higher risk to the safety of an individual (s) or the campus community, Dean of Student Affairs is authorized to suspend the student from classes and college activities pending the outcome of the CARE Team inquiry. The Dean of Student Affairs shall inform the Campus Director of the results of the initial inquiry.
3. If it is determined through the initial inquiry that a moderate or higher level threat risk may exist, the CTC will activate the CARE Team. The CARE Team shall endeavor to meet within three (3) business days to conduct such additional threat assessment as determined to be necessary and recommend an appropriate course of action including the development and implementation of crisis management and intervention protocols. The CTC shall report the CARE Team's findings and recommendations to the Campus Director or his or her designee within one (1)

business day after development thereof for the Campus Director's review and approval. A copy of the findings and recommendations shall also be forwarded to the College's Chief Legal Counsel.

4. In situations where an individual is found to be in violation of either the College's Violence Free Policy or the College's Policy Prohibiting Deadly Weapons and Dangerous Instruments, the CTC will initiate the threat assessment process as set forth above.

Further, individuals who have been charged with a criminal offense that raises a concern for individual and/or campus safety may be subject to a threat assessment inquiry as a condition of commencing, resuming or continuing participation in College sponsored activities. This shall apply regardless of whether or not the alleged offense occurred on campus, off campus or at a College sponsored activity.

### **Threat Assessment Recommendations and Consequences**

If at any point a student refuses to fully cooperate with the threat assessment inquiry process, he/she shall be subject to immediate involuntary withdrawal from all College activities. This will create a hold on the student's account, thereby preventing them from registering at another campus until all conditions for reinstatement are met.

The CARE Team may recommend to the Campus Director for approval that a student be required to have a mental health evaluation by a licensed mental health professional, at his/her own expense, and to provide a report to the CARE Team. The CARE Team may rely upon the evaluation provided by the student's mental health practitioner or may require the student to undergo an evaluation by a mental health professional selected by the CTC in its sole discretion, which shall be at the expense of the College.

A decision regarding whether or not the student will be permitted to return to College activities will be made by the Campus Director following reports and recommendations of the CARE Team. Students who have been suspended from campus as a result of a CARE Team inquiry may apply to return to campus by submitting the required documents, which may include a mandated assessment, to the CTC. Upon receipt of assessment results, the CTC will reconvene the CARE Team to review the student's request. After reviewing the assessment results and any other available information, the CARE Team will make a recommendation to the Campus Director regarding the student's return to campus.

Recommendations for allowing the student to return to campus may include, but are not limited to, the following stipulations:

- Behavioral Contract with the student which will be monitored by the Dean of Student Affairs or his/her designee, which may include the CTC.
- Referrals to appropriate resources including the Campus ADA Coordinator and/or community based mental health and medical services.
- Increased support from the student's advising team.
- Restrictions to the student's schedule pertaining to limited access to campus facilities and events, credit limits, and/or limited interaction with specified members of the campus community.

In the event that the required mandated assessment indicates that the student poses an ongoing threat to campus safety that cannot reasonably be managed, then the Care Team shall recommend the student not be permitted to return to campus. The student may apply to return to campus contingent upon a follow up assessment.

### **Confidentiality**

Confidentiality of all reports and of student and staff information will be preserved to the greatest extent possible, understanding that the College has an obligation to conduct an inquiry and, in appropriate cases, to share information to protect the safety of the campus community and others. All members of the campus community involved in an inquiry are also expected to maintain confidentiality, understanding that they may impair the inquiry by divulging information to persons outside of the process. All inquiries and reporting of findings will be conducted in compliance with state and federal confidentiality laws.

### **FERPA**

Individuals who serve on the CARE Team shall be considered school officials with a legitimate educational interest in accessing a student's educational records in connection with a threat assessment inquiry. All faculty and staff shall fully and promptly cooperate with a threat assessment inquiry and shall provide any information requested by members of the CARE Team, including educational records and/or information derived there from without the prior consent of the student. All documents, summaries or reports created or compiled in connection with a threat assessment inquiry shall be law enforcement records maintained by the Campus Public Safety Office.

### **Non-Retaliation and False Claims**

Delaware Technical & Community College prohibits retaliation against persons who in good faith report direct or indirect threats or acts of violence, intimidation or harassment or concern for campus safety or an individual's safety or who cooperate in an inquiry. The College also prohibits the filing of false reports and knowingly providing false or misleading information in an investigation. Disciplinary action will result from either of these acts in violation of this policy.

### **Other College Policies**

This policy is one component of a comprehensive approach toward maintaining a safe campus community. Therefore this policy is intended to supplement and not to replace existing College policies regarding student discipline and behavior, such as the Violence Free Policy, the Policy Prohibiting Deadly Weapons and Dangerous Instruments and the Standards of Student Conduct. It is expected that actions or behaviors prohibited by those policies will be addressed in compliance with the procedures set forth therein.