

CARE Team Policies & Procedures Manual

Edited by Brian Van Brunt, Ed.D.
Executive Director, NaBITA

Editorial Contributors

Aaron Chip Reese, Ed.D.

Assistant Vice President for Student Affairs & Dean of Students, Columbus State University

Amy Murphy, Ph.D.

Assistant Professor, Angelo State University

Laura Ulmer, M.Ed.

Director of Student Conduct & Academic Integrity, Old Dominion University

David J. Denino, LPC, NCC

Director Emeritus of Counseling, Southern Connecticut State University

Carolyn Reinach Wolf, J.D.

Executive Partner, Director, Mental Health Law Practice at Abrams Fensterman

Josh E. Gunn, Ph.D.

Director, Counseling & Psychological Services, Kennesaw State University

Dave Wilson

Psychological Wellbeing Manager, University of Cumbria

Authors' Note

NaBITA has written extensively on Behavioral Intervention Teams (BITs), behavioral crisis response, and threat assessment. Over time, we have found that teams struggle to develop a policies and procedures manual. Guidelines can be labor intensive to create, and BITs are often pulled to more pressing assessment and intervention needs that prevent them from investing the time and effort necessary to create such a guiding document.

Aaron "Chip" Reese, NaBITA's Associate Executive Director and Dean of Students at Columbus State University, has frequently offered his institution's BIT manual as a guide for other schools. Many have taken Reese up on this generous offer. Additionally, we have suggested that schools consider our writings, specifically "The Book on BIT" and "Best BITs," for sample language to build their own manuals.

After discussing the concept with NaBITA's advisory board, it became clear that it would be helpful to write a template that BITs could use as a starting place from which to cut and paste some material into their own manuals. We started from a blank page, developing a manual for a hypothetical college just starting its BIT.

Because of the diversity of campus environments, there will likely be pieces of this template that you will find very useful, as well as sections that may not apply to your school. Finally, we offer this resource in an editable format that will allow you to easily move around the text and create a customized document for your own team.

You may also notice the use of the term "CARE" rather than "BIT" throughout the manual. Nationally, BIT and CARE are the most common names for teams that identify and manage risk on campus proactively. CARE evokes a sense of community and offers some clarity in terms of advertising, which is why we chose its use for this manual. While CARE frequently stands for Campus Assessment Response and Education, we find it more helpful as a group of people who simply CARE for the community.

Foreword

Colleges and universities around the country are becoming more diligent and proactive in providing a safe environment for students, faculty, staff, and visitors to their campuses. Changes in the Family Educational Rights and Privacy Act (FERPA) have given administrators “appropriate flexibility and deference” regarding the disclosure of educational records and information¹. The U.S. Department of Education encourages schools and colleges to develop threat assessment programs and teams. These teams should include campus community members and may include non-employee members such as local police and health professionals. These non-employees can qualify as “school officials” with a “legitimate educational interest” under 34 CFR § 99.31(a)(1)(i)(B). Additionally, the Federal Bureau of Investigation supports the development of threat assessment teams in its report, *Mass Victimization: Promising Avenues for Prevention*².

Our university has established the CARE Team to assist in addressing situations in which students, faculty, or staff are displaying behaviors that are concerning, disruptive, or threatening in nature and that potentially impede their own or others’ ability to function successfully or safely. These policies and procedures are designed to help identify persons whose behavior potentially endangers their own or others’ health and safety, or is disruptive to the educational or administrative processes of the university.

It is the responsibility of faculty, staff, and students to immediately report any situation that could possibly result in harm to anyone at the university. Any member of the campus community may become aware of a person of concern or situation that is causing serious anxiety, stress, or fear. It must be noted, however, that behavioral assessment should not be confused with crisis management. A “crisis” may be defined as a situation in which a person may pose an active or immediate risk of violence to **self or others**. In these cases, the university police should be contacted at xxx-xxx-xxxx.

¹ Federal Register, (2008). Proposed Rules, Department of Education, 34 CFR Part 99, RIN 1855-AA05 [Docket ID ED-2008-OPEPD-0002], March 24, 2008, 73; 57.

² Jarvis, John & Scherer, J. Amber. (2015) *Mass Victimization: Promising Avenues for Prevention*. Washington D.C: Federal Bureau of Investigation.

Glossary of terms

BART — Behavioral Assessment and Recommendation Team

BIT — Behavioral Intervention Team

CARE team — Same as BIT with a softer, more accessible marketing name. May stand for Community Assessment of Risk Evaluation or Campus Assessment Response and Education.

CLERYSoft — a hypothetical software product used as an example

DataKeeper — a hypothetical software product used as an example

FERPA — Family Educational Rights and Privacy Act; the nearest U.K. equivalent is the Data Protection Act 1998 (which will be superseded by the General Data Protection Regulation in 2018)

HIPAA — Health Insurance Portability and Accountability Act; the nearest U.K. equivalent is the Data Protection Act 1998 (which will be superseded by the General Data Protection Regulation in 2018)

HousingTRAC — a hypothetical software product used as an example

MAXIENT — a client record management software program designed to help with behavior management on campuses

StarFish — a client record management system that can help with retention

Tarasoff — refers to a case of a duty to protect that took place in the United States in the 1970s; the U.K. equivalent looks at the duty of care owed to the individual seeking support, but also when to break confidentiality in the interests of public safety – the *W v. Edgell* (1990) case would be a comparable example offering analysis of when a breach of confidentiality is justified in terms of the public interest on the grounds of protection from dangerous criminal acts

Title IX — a section of the Education Amendments of 1972 in U.S. Law, it states: “No person in the United States shall, based on sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.” The U.K. equivalent is the Equality Act 2010, making it illegal to discriminate against people (including discrimination by association) under 9 protected characteristics, which are age; disability, gender reassignment, marriage or civil partnerships, pregnancy and maternity, race, religion/belief or lack of religion, sex, and sexual orientation.

Titanium— a client record management system that is used by campus counseling services in the U.S. and increasingly in the U.K.; other similar CRMs in the U.K. include CORE-Net, UNITI, and PCMIS-HE

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Team Mission & Vision

The team mission defines the scope of team activities and provides a general sense of direction and guidance to the team. The mission becomes the basis for the team goals and how the team is evaluated. The mission also helps the campus community understand the team's purpose.

CARE Mission Example 1: The CARE Team is guided by the values of safety, autonomy, and shared responsibility. Above all, CARE prioritizes the safety of the individual and community. CARE respects the autonomy of its community members and takes actions to preserve autonomy and intervene in the least intrusive manner in the absence of safety concerns. Finally, the safety of the campus community is a responsibility shared by CARE and all members of the campus community.

CARE Mission Example 2: The campus CARE Team engages in proactive and collaborative approaches to identify, assess, and mitigate risks associated with students, faculty, staff, and visitors exhibiting concerning behaviors or thoughts. By partnering with members of the community, the CARE Team strives to promote individual student, faculty, and staff wellbeing and success while prioritizing community safety.

CARE Motto Example: College should be challenging, not overwhelming. Let us help.

Team Goals:

- Provide a safe physical environment for members of the university community,
- Provide a safe emotional environment for the university community, and
- Promote peace of mind for friends and family of the university community.

Team Membership

The CARE Team consists of university personnel with expertise in human resources/employee assistance, law enforcement/threat assessment/tactical applications, university operations, medical and mental health, and student affairs. **Membership is based on the position and not the individual. The members selected here have regular contact with campus community members in some manner, which will aid in the assessment of persons of concern (POCs), and/or the authority to take the appropriate action, as needed.** A collaborative process to assess concerning behavior will be used. Depending on the situation, additional personnel with specific areas of specialization or responsibility may be called upon to assist the team. The team may also consult other individuals as needed, such as a faculty member who has a concern about a student, a roommate, family member, local law enforcement, and/or a manager who has information concerning an employee. The CARE Team Chair will keep senior university officials advised of situations.

Team members are critical to the functioning of the team. They are responsible for completing ongoing training, attending meetings, and assisting with follow-up and intervention as designated by their categories. The Care Team has four levels of membership. These are core, inner circle, middle circle, and outer circle.

The positions and titles on your campus may vary slightly, but best practice, along with the NaBITA survey, indicates that members with the types of roles described below are most effective for the CARE Team.

CORE MEMBERS

Core Members attend every meeting and have full access to the team's electronic records database. If certain core members are unable to attend a meeting, they have designee backups who attend. The departments they represent are crucial to the CARE Team's function. Many core members keep records in their own departments and can share this information with the team through the Family Educational Rights and Privacy Act's emergency exception clause³ or when a school official has legitimate educational interest⁴. Core and inner circle members sign an annual confidentiality and training agreement, which addresses their responsibility to record privacy (see Appendix K). The counseling department operates under state confidentiality laws for their records, while health services operates under the Health Insurance Portability and

³ In some situations, school administrators may determine that it is necessary to disclose personal identifying information (PII) from a student's education records to appropriate parties to address a health or safety emergency. FERPA's health or safety emergency provision permits such disclosures when the disclosure is necessary to protect the health or safety of a student or other individuals. See 34 CFR § 99.31(a)(10) and 99.36, <http://familypolicy.ed.gov/content/when-it-permissible-utilize-ferpa's-health-or-safety-emergency-exception-disclosures>.

⁴ In some instances, the CARE Team Chair may share personal identifying information (PII) with a faculty or staff member when this knowledge may be beneficial to the student in academic and social settings, which is educational in nature. See 34 CFR § 99.31(a)(1). It may, however, be necessary for this shared record to be a disciplinary record. See <https://ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Accountability Act of 1996 (HIPAA)⁵, as it conducts insurance billing electronically and is thus a HIPAA entity.

Dean of Students: The Dean chairs the team and attends all meetings. If the Dean is unable to attend, the Associate Dean attends the meeting. The Dean organizes the agenda, performs a cursory rating with the NaBITA Threat Assessment Tool, ensures team members' attendance, ensures that a risk level is assigned to each case during meetings, and coordinates the selection and implementation of interventions and follow-up for cases. The Dean maintains case data through an electronic reporting database called Maxient.

Data Reporting Responsibilities:

- Brief overview of the incident report (team members should have already read the incident report in Maxient prior to the meeting).
- Admission application: Did the POC check the box associated with a criminal history? Did the POC check the box noting having been suspended or expelled from another institution?
- Financial Aid/Bursar's Office information: Is the POC having difficulty paying the tuition bill or experiencing other financial aid concerns?
- Withdrawal information: Did the POC previously withdraw from school? Was the withdrawal for a medical reason?
- Student organization information: Is the POC a member of a student organization or Greek Life? Are there systemic problems associated with that organization?

Director of Student Conduct: The Director of Student Conduct attends the team meetings and sends the Assistant Director of Student Conduct when unable to attend. The Director consults on cases involving on- and off-campus conduct violations, criminal charges, and academic disruptions. Conduct data is kept in the Maxient database and is accessible to the Director during the meeting. This data is partitioned from the CARE Team. Conduct records are protected under FERPA and shared with the CARE Team by the Director of Student Conduct under the legitimate educational interest clause of FERPA.

Data Reporting Responsibilities:

- Conduct history of POC: Are there previous records of academic and non-academic discipline concerns?
- Are there reoccurring themes of behavior or possibly escalating behaviors? Is the POC well known to the student conduct office?

⁵ The HIPAA Privacy Rule permits a covered entity to disclose personal health information (PHI), including psychotherapy notes, when the covered entity has a good-faith belief that the disclosure: 1) is necessary to prevent or lessen a serious and imminent threat to the health or safety of the patient or others; and 2) is to a person(s) reasonably able to prevent or lessen the threat. This may include, depending on the circumstances, disclosure to law enforcement, family members, the target of the threat, or others who the covered entity has a good-faith belief can mitigate the threat. See 45 *CFR* § 164.512(j)(1)(i), www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf.

- In any previous cases, what was the level of assessment using the NaBITA Tool? If a behavioral baseline has been established for this POC, is the currently reported behavior in line with the assessment baseline or not?

Faculty/Academic Affairs: This individual also often serves as the primary contact in working with faculty, Department Chairs, and Provosts. As most institutions are concerned with shared governance, working closely with the faculty senate to select a team member is advisable. The contact could be a Dean, Department Chair, or other academic affairs administrator who carries enough positional leadership and influence to assist the team with gaining community buy-in for training and reporting. Additionally, it is best if this person has a good understanding and appreciation for student affairs structure and theory.

Data Reporting Responsibility:

- Review POC admission application: Does the POC's application and transcripts from other institutions match? Did the POC write in the space asking why the person wanted to attend this institution? Is there an admission essay, and if so, what does it say?
- Academic history (e.g., high school and college transcripts, and recent grades from past terms): Are current grades consistent with what should be normally expected? Are there dips in grades with a return to normal? Is there anything about the degree program that impacts the situation?
- Current class attendance, participation, and demeanor: Is the POC attending? Was the person attending, but recently stopped? Does the POC take an active and constructive part in class discussions? Does the POC turn in assignments? What is the regular appearance and hygiene associated with the POC?
- Class disturbances addressed independently by the instructor: Has the instructor had any unreported issues with the POC, either during class or possibly online?

Chief of Police: Our campus has a sworn police department and the Chief attends each meeting. If the Chief is unable to attend, the Lieutenant attends the meeting. The Chief provides liaison communications with local and federal law enforcement agencies, consults on CARE Team cases that have court or law enforcement elements, and assists with interventions on campus requiring a police presence. Police records are kept in CLERYSoft, separate from student conduct and CARE Team records. These records are protected by FERPA and shared with the CARE Team by the Chief under the emergency exception clause of the law.

Data Reporting Responsibilities:

- Criminal History: Was the POC hired or admitted to the institution with a known criminal history? Could the same type of behavior be taking place now?
- Police Contact and Reports: There may be a report with no charges of which only the police department is aware. The POC may be a repeat witness to events; this may bring into question whether the person is actually part of that problem. Has

the POC been a recent victim of a crime?

- Social Media: Are posts by the POC dark or concerning? Do they have threatening statements or overtones? Who are the POC's "friends," and what do they post? What groups, activities, etc., does the POC like? Are there writings on social media that could possibly be evaluated using the VRAW² Campus Assessment Response and Education?

Director of Counseling: The Director of Counseling attends the meetings, and sends the Assistant Director of Counseling if unable to attend. The Director of Counseling receives information from the team to ensure collaborative communication and consults on issues of mental health, crisis, and disruptive/dangerous behavior. The Director of Counseling keeps privileged medical treatment records in Titanium. These records are protected by state confidentiality law, and information is only shared with the CARE Team when a student gives permission through a specific release of information or the expanded informed consent document (Appendix A). Exceptions to confidentiality law include danger to self and others on a need-to-know basis.

Data Reporting Responsibilities:

- The team member from the counseling center most likely will not share any knowledge of a particular POC unless a release has been signed or there has been a public incident, such as suicide attempt in a resident hall. The counseling representative may be able to speak professionally to the public knowledge of an event.
- Counselors may also be able to share professional insight in a general sense, such as recalling a similar situation when working at another institution.
- Counselors may assist by educating the team about certain disorders that present in the POC based on observable behaviors being described by other team members at the meeting.

Director of Residential Life: The Director of Residential Life attends the meetings, and the Associate Director of Residential Life attends if the Director is unable to attend. They offer insight into residential life students, after-hours emergencies, and targeted intervention with Resident Advisors (RAs) and Resident Directors (RDs). The Residence Life Director keeps housing records in HousingTRAC, and these records are covered under FERPA. Information is shared with the CARE Team under the legitimate educational interest clause of FERPA.

Data Reporting Responsibilities:

- Incident Reports: Are there any residence life incident reports on the POC? Have professional staff or student staff interacted with the POC?
- Room Condition: Does residence life have a vehicle for conducting a room inspection? Is the POC unusually clean? Is the room a health hazard? Are there pictures or posters of concern (e.g., depicting guns, death, or destruction)?

- Roommates' Impression of the POC: Care should be taken in obtaining this information as to not violate FERPA.
- Recent Room Changes: Does the POC have difficulty making friends? Is the POC intentionally creating a roommate conflict to drive others away and get a private room?
- Recent Maintenance Requests: Are there unusual patterns of requests? Is there more than what would be considered normal wear and tear on the room?