

Delaware Technical & Community College

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 threat 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 threat, and the circumstances surrounding the threat, to uncover any facts or evidence that indicate the threat is likely to be carried out. The primary purpose of threat assessment is to prevent acts of violence from occurring. 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 threat to include efforts to prevent the threat from being carried out through appropriate intervention.

Definitions

Threat: A threat is defined as any behavior which suggests an intent to harm someone. Threats may be spoken, written, e-mailed, or expressed in some other way, such as through gestures. Threats can be made directly to the intended victim, 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.

Transient Threat: A transient threat does not express a lasting intent to harm someone and can be easily resolved. Transient threats reflect feelings that dissipate in a short period of time when the student thinks reflectively about the meaning of what he or she has done or said. A most important feature of a transient threat is that the student does not have a sustained intention to harm someone. Transient threats may merit disciplinary action in accordance with other college policies, but there is no need to take proactive action to prevent a future act of violence.

Substantive Threat: A substantive threat is serious in the sense that it represents a continued risk of harm to someone beyond the circumstances which precipitated the report. If there is doubt whether a threat is transient or substantive, the threat shall be treated as substantive under this policy.

Threat Assessment Team Coordinator

A Threat Assessment Team Coordinator (TAC) 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 TAC will gather and analyze information needed for threat assessment.

The TAC should be trained in student mental health issues. The TAC 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.

Threat Assessment Team

A Threat Assessment Team (TAT) shall be appointed by the Campus Director to conduct threat assessments and make recommendations about the appropriate course of action to the Campus Director. The three major functions of the TAT are: identification of a student(s) who may pose a threat; assessment of the risks of violence posed by the student(s) at a given time; and management of both the student(s) and the risks that he/she/they may present to the campus community.

A standing Threat Assessment Team shall be appointed by the Campus Director to include the Threat Assessment Team Coordinator (TAC), the campus Public Safety Chief, the Dean of Student Services or a designated Student Services counselor, the campus ADA Coordinator, a faculty member, and such others as may be designated by the Campus Director. Each member of the TAT 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. All members of the TAT shall participate in College designated training.

Threat Assessment Reporting 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 TAC or Chief of Public Safety. 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 TAC or Chief of Public Safety.

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 DTCC Violence Free policy.

2. TAC and Chief of Public Safety will conduct a preliminary inquiry to determine whether a transient or substantive threat exists. They will report the initial results and recommendations of the inquiry to the Dean of Student Services or his or her designee within 24 hours for review and approval. 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. The Dean of Student Services is authorized to suspend the student from classes and college activities pending the outcome of the TAT inquiry. The Dean of Student Services shall inform the Campus Director of the results of the initial inquiry.
3. If it is determined through the initial inquiry that a substantive threat may exist, the TAC will activate the entire TAT. The TAT will conduct a threat assessment inquiry and determine an appropriate course of action including developing and implementing crisis management and intervention protocols. The TAT shall report the findings and recommendations to protect the safety of an individual (s) or the campus community to the Campus Director or his or her designee within 72 hours for review and approval.
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 TAC 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 TAC 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.

The TAT 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 TAT. The TAT 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 TAT 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 TAT.

The TAT may also make other recommendations which may include, but are not limited to, a plan to:

- provide support, guidance and/or monitoring of the student(s) accused of making a threat;
- provide support, guidance and/or monitoring to students and employees who may be or feel at risk;
- control and contain the situation to prevent danger;
- follow-up to evaluate the effectiveness of intervention

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 Threat Assessment 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 Threat Assessment Team, including educational records and/or information derived therefrom 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.