**Behavioral Intervention Teams**

University of Mississippi

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 Colleges and universities are increasingly forming threat assessment teams to address the behavior of distressed students. Today the most popular name for these teams appears to be “Behavior Intervention Teams” (or “BIT”), perhaps because of the organization known as NaBITA (“National Behavior Intervention Team Association,” at NaBITA.org). While some institutions have teams that look at both student and employee behavior, different team members are needed for discussing employee behavior. This panel will be discussing student intervention teams only.

 Although there is no clear definition of “troubled” or “distressed” students, such individuals are usually identified as those who are having trouble functioning in the college or university environment. These individuals may be disruptive in class or in student housing, they may present a danger to themselves or to others, or they may appear to be in a downward spiral – such as students who are no longer able to care for their own basic needs. Many distressed students may be experiencing mental health problems, but institutions are cautioned against focusing on a mental health diagnosis, rather than on behavior and students should never be penalized because they are mentally ill. Instead, the focus should be on student *behaviors* that may or may not be the result of underlying mental illness. For example, a student should not be removed from student housing because she is suffering from depression, but a student who is disrupting the housing community by engaging in self-harming behaviors or suicide attempts in the residence hall might be removed in order to protect other students whose lives are being disrupted. Of course, an institution may always act to remove a student who poses a “direct threat” to the health and safety of others (28 C.F.R. § 35.139(a)).

**Institutions Must Accommodate Students**

Title II and Title III of The Americans with Disabilities Act prohibits public and private universities from discriminating against students on the basis of a disability (42 U.S.C.A. § 12101 *et seq*., 2002). Furthermore, Section 504 of the Rehabilitation Act of 1973 also prohibits discrimination on the basis of disability in programs run by federal agencies and programs that receive federal assistance (19 U.S.C.A. §501 *et seq*.). These federal laws also require institutions to provide accommodations to students who have a disability. Under these laws, students with mental health problems are usually considered to be covered. While most students requiring accommodations are those that identify to the institution’s disability services office, a student’s failure to do so does not mean an institution can refuse to accommodate the student once he has been considered to have a disability. After addressing immediate safety concerns, BITs should always consider whether reasonable accommodations can allow a student to function successfully on campus. Because DOE’s Office of Civil Rights expects an institution to conduct an individualized assessment of a student’s ability to remain on campus, teams should keep minutes that discuss all the options that are considered for a student and why any accommodations or lesser penalties are rejected before more serious action is taken.

 Most institutions offer free counseling services to some extent, and these services are frequently offered to troubled students as an accommodation. When students take advantage of these services voluntarily, they can provide the needed support that allows students with minor mental health issues to remain enrolled. Requiring a student to participate in therapy sessions is usually counter-productive, although some institutions require students returning from withdrawal for mental health problems to maintain treatment as a requirement of returning to campus (Amada, 2015).

But while institutions frequently offer counseling services (and some also have campus clinics that can prescribe and monitor medications for mental health issues), few (if any) institutions have the resources necessary to serve students whose mental problems require intensive, in-patient care. Any description of a university’s services provided to students or parents should explain the extent of the services provided and caution them that the university cannot provide the services that a student in crisis with severe mental health issues might require. Policies should explain that the university reserves the right to transport a student to a medical facility during a crisis situation and that a student may need to withdraw from the university if she reaches a point that she is not able to function successfully on campus.

Behavior that violates the student conduct code may also result in a judicial charge against a student. Proceedings from a conduct charge often run parallel to any action taken by the team. One benefit of this is that it helps the student understand that there are consequences for bad behavior, regardless of other issues the student might be experiencing.

**Team Membership**

 Universities may vary in how they constitute team membership. The heart of a team will usually be individuals representing different offices from student affairs. Such individuals may include the Dean of Students, a representative from student housing, a case manager (for institutions lucky enough to have one), a member of the university counseling team, a representative from student conduct, a representative from student housing, and a representative from campus security. Someone from academic affairs can help the team determine whether a student appears to be having trouble in individual classes and whether there are academic accommodations that can be taken to assist students in distress. Teams also may include a member of the general counsel’s office. Other individuals may be asked to attend meetings on an ad hoc basis, such as affected faculty members or staff members who have dealt directly with the troubled student.

In order to be effective, the institution must advertise the existence of the team on campus so that faculty members, staff, and students are aware of the team and how to contact it. The idea is that individuals who have a concern about a particular student (based on classroom conduct, extreme behavior outside of the classroom, lack of self-care, or statements from the student implying a desire to do harm to himself or others) will reach out with a report to the team. These contacts are usually directed to the chair of the team, who is often a student affairs staff member. Upon this first contact, a determination should be made as to the urgency of the matter. While some students of concern cases can be discussed at the next scheduled meeting, others may need immediate attention.

 Based on the number of students currently under concern, a team may meet every week or every other week, with the option of emergency meetings whenever necessary. The team will have an agenda listing students to be discussed. An important function of the team is gathering information from different environments in which the student functions. For example, if a faculty member has contacted the team about a disruptive student, the team will need to determine whether the student is also having trouble in other classes, if the student has been subject to discipline in campus housing, or if the student has been investigated by campus security. This ability to “collect information” is one of the main benefits to a team approach.

**Working with Faculty and Staff**

 In addition to working with faculty on individual student cases, the team may want to do training with faculty and staff members. For example, faculty (especially newer faculty members) may not understand their own rights in the classroom. On the UM campus, we reminded faculty that they could ask a student to leave class and not to return until meeting individually with the faculty member. On the other hand, faculty members cannot permanently remove a student from class without authority from the dean of the school or the BIT.

Another area for faculty training is discussing methods for de-escalating a situation with a student in the classroom. Team members from the counseling center may be well-suited to this task. Faculty may not understand how their responses to a student’s conduct in the classroom can turn an unpleasant situation into a dangerous one. And any faculty/staff training should always include a reminder that campus security should always be contacted immediately any time an individual believes himself or others to be in imminent danger.

**Suggested Policies**

 As teams consider what tools they need to be effective, they should consider any gaps in university policies that may need to be filled. The University of Mississippi adopted both a mandatory assessment policy and an involuntary withdrawal policy to use with students of concern. Under the mandatory assessment policy, the university can require that a student submit to an assessment by the counseling center or by the student’s choice of mental health professional. The involuntary withdrawal policy allows the university to withdraw a student from campus who is a danger to herself or others, or who is currently unable to function appropriately and successfully within the campus community. The BIT may choose to involuntarily withdraw a student if it appears that his behavior is the result of current mental health issues and the student refuses to withdraw voluntarily.

 In drafting policies, remember to provide students with due process rights, particularly before a student is involuntarily withdrawn from the university. Even though all evidence collected by the institution may indicate that a student presents a threat to himself or to the campus community, students should be allowed to request a hearing before the team before a final determination is made to withdraw the student. Notices to students should make it clear that no final decision regarding a student’s status will be made until after a student has been given the opportunity to have a hearing. Students should also be given a right of appeal.

**Conclusion**

 More and more colleges and universities today have threat assessment teams or behavioral intervention teams. Based on conversations with student affairs professionals, the need for these teams will only increase in the immediate future. Teams can only be effective if they understand their obligations both to students of concern and to the larger campus community.

Resources

Amada, G. (2015). *Mental health and student conduct issues on the college campus: A reading.* Prospect, CT: Biographical Publishing Co.

Van Brunt, B. & Murphy, A. (2018). *A staff guide to addressing disruptive and dangerous behavior on campus.* New York, NY: Routledge.

Van Brunt, B. & Lewis, W. S. (2014). *A faculty guide to addressing disruptive and dangerous behavior.* New York, NY: Routledge.

Feming, D. L. (2019). Current issues in reasonably accommodating students and faculty. *NACUA April 2019 CLE Workshop.* Seattle, WA.

National Behavioral Intervention Team Association website: NaBITA.org

Wei, Marlynn H. (2008). College and university policy and procedural responses to students at risk of suicide. *Journal of College and University Law. 34,* 285-317.