

CCS Administrative Procedure

2.30.05-B Behavior Intervention Teams

Implementing Board Policy [2.30.05](#)

Contact: Vice President of Student Services

1.0 Purpose

Community Colleges of Spokane (CCS) is committed to the health and safety of its faculty and staff, and in maintaining a safe and efficient workplace. Safety and security concerns will be managed with both employee/student safety and student success as primary concerns. Accordingly, CCS has developed this procedure outlining a proactive student behavioral intervention process that utilizes formalized protocols to both assess behavior that poses a potential threat to campus safety/security and coordinate resources for early intervention and support for involved students.

2.0 Limitations and Requirements

- 2.1 Proactive student behavioral intervention will be assigned to an instructional unit's Behavioral Intervention Team (BIT). That team will adhere to the general provisions of this procedure, amended by structures unique to each institution.
- 2.2 This intervention process provides for both a reasoned and informed assessment of behavioral issues, a referral to resources that can best enable that student to be successful in his/her educational goals, and communication between the BIT and concerned members of the campus community to the extent allowed by law.
- 2.3 The Chancellor is responsible for development of this procedure and providing supporting behavioral intervention training. Each instructional unit's appointing authority is responsible for implementing this procedure at his/her unit, modifying it only as needed to address the unique aspects and issues of the respective unit, and ensuring continued compliance.
- 2.4 Each unit's Chief Student Services Officer is the responsible executive for that respective unit's BIT and will ensure procedural compliance.
- 2.5 The Chief Administration Officer is responsible for updating this procedure, providing ongoing training to BIT members and developing general faculty/staff awareness of this process.

3.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

- 3.1 Student Behavior Concern: Behaviors that are disruptive, problematic, aggressive, or emotionally concerning. May be considered a violation of the student code of conduct.
- 3.2 Behavioral Intervention Team: A multi-disciplinary group whose purpose is to support students, faculty and staff via an established protocol. The team tracks student behavior concerns over time, detecting patterns, trends and disturbances in individuals or group behavior. The team receives reports of disruptive, problematic or concerning behavior or misconduct, conducts an investigation of each report, performs a threat assessment, and then determines the best mechanisms for support, intervention, warning/notification, and response. The team then activates campus resources and resources of the community and tracks/coordinates follow-up. BIT is not a substitute for classroom management.

- 3.3 Threat Assessment: A measurement of generalized risk (including harm to facilities, reputation, finances), mental and behavioral health related risk (harm to self), and aggression (harm to others).

4.0 BIT Structure

- 4.1 To ensure the intervention process has access to information critical to accurate assessment and available support/referral resources, the following employees shall be mandatory members of each unit's team and will include at a minimum:
- 4.1.1 A student services administrator;
 - 4.1.2 A Counseling department representative;
 - 4.1.3 A Disability Support Services representative;
 - 4.1.4 An instructional representative; and
 - 4.1.5 A campus/unit security representative.
- 4.2 A chair will be appointed by the unit's appointing authority. It is recommended that confidential level clerical support also be assigned for purpose of taking minutes and keeping records.
- 4.3 Members will serve for a period defined by that unit's appointing authority and a process for replacement of a team vacancy shall be developed and utilized.
- 4.4 Representatives from the following agencies may also participate as resources to, or ad hoc members of a unit's BIT. These individuals shall not serve as chair and are considered subject matter resources:
- 4.4.1 Assigned Assistant Attorney General
 - 4.4.2 Union representative
 - 4.4.3 City police and/or Community Mental Health representative
 - 4.4.4 Registration and/or financial aid department representative
 - 4.4.5 Veterans Affairs/Services representative

5.0 BIT Meetings

- 5.1 To ensure that the team is adequately trained in assessment per section 3.3, above, and familiar with emerging trends, and to best promote a culture of reporting within the institution, the team will meet both periodically and as determined necessary.
- 5.2 The unit's BIT will meet no less than once a quarter to conduct general business, training and/or to analyze trends. The meeting shall be called by the team's appointed chair, who will have agenda setting and meeting facilitation responsibility. Minutes, if not assigned to a confidential support person, will be assigned to a BIT member and kept for all meetings.
- 5.3 Team meetings should also be called by the chair specific to a concern, the receipt of a Behavioral Intervention Incident Report, or as requested by any member of the team or the unit's appointing authority.

6.0 BIT Training

- 6.1 Team members will receive ongoing training to utilize basic behavioral assessment techniques and rubrics, develop a longitudinal view of student behavior trends and patterns, risk management concepts, and applicable legal statutes/regulations.

- 6.2 Prior to assessing any referred issue, each BIT member will receive training provided by/arranged by the Chief Administration Officer, in the following topics:
- 6.2.1 Common mental health issues and developing trends,
 - 6.2.2 Fact finding and basic investigative skills,
 - 6.2.3 Use of the NaBITA threat assessment rubric (see section 9.0, below), and
 - 6.2.4 General knowledge of related laws, including legal liability, FERPA, HIPAA, the Clery Act and the Americans with Disabilities Act.

7.0 Reporting and Referral Process

- 7.1 Access points: student behavior concerns or perceived threats can be reported by any member of the college/unit community utilizing that respective unit's Student Conduct Incident Report form. The form will be conspicuously posted at both the college/unit and district web sites. Additionally, guidance in how to access the BIT will be attainable through that unit's chief student services office and the district's human resources office.
- 7.2 Communication and feedback: Matters considered by BIT will be treated as confidential to the extent allowed by law. Information gathered and shared within the team will be retained as outlined in section 11, below (BIT Record Retention).
- 7.2.1 The employee(s) filing the concern will be generally updated of progress and/or resolution. BIT will appoint a member with responsibility for this communication and the team will discuss the appropriate content in advance of communication.
- 7.3 BIT Spokesperson: The chair is charged as the official spokesperson for the team, authorized to communicate on the committee's behalf as necessary. The chair is supported by the CCS Public Information Officer and will work cooperatively with that office as determined necessary.

8.0 Fact Finding Protocols

- 8.1 BIT membership is prescribed to include those representatives most logically aware of a student's behavior and best prepared to both conduct a threat assessment and produce a longitudinal view of potential risk.
- 8.2 Teams will focus on facts, discovered through assessment of applicable records, reports, notices, observations and contacts. Additionally, a member(s) may be assigned to gather additional facts.

9.0 Assessment

Teams will use the National Behavioral Intervention Team Association (NaBITA) Threat Assessment Tool. This generally accepted national rubric assesses risk based upon assessment of both behavioral health and levels of observed aggression.

10.0 Referral from BIT to Support Resources

Once a reasonable assessment has been made and a risk identified, the team will next consider the most appropriate source of support for that student, with the goal of maximizing the student's chance of educational success. This may include, but is not limited to:

- 10.1 The unit's academic support or early alert systems,
- 10.2 Meeting with a member of the unit's BIT,
- 10.3 Student code violation and discipline process, or
- 10.4 External resources supporting behavioral health and safety to include medical, mental health or law enforcement.

11.0 BIT Record Retention

Each assessed concern will be maintained in a file specific to that concern/student and retained for three (3) years from the date of closure. The file may include the concern form, fact finding documents, and any other document gathered and considered in the threat assessment or resource referral process. Records generated by a referral source are considered confidential and shall not be obtained or retained as part of the unit's BIT file.

- 11.1 Team meeting minutes, trend documents and notes will be retained by unit's chief student services officer in a general file and retained for five (5) years from creation.
- 11.2 Team working files/records will be retained in the chief student services officer's office. File access is limited to the chief student services officer, his/her confidential support and the team.
- 11.3 Official records and files related to closed matters shall be routed to and maintained by the respective unit's Chief Student Services Officer, with access limited to the unit's BIT chair and record custodian. Requests for records will be processed through the district's public records request procedure (administrative procedure 1.50.02-A).

12.0 Pertinent Legal References (summary with pertinent aspects to this procedure *highlighted*)

- 12.1 Negligence: A common law concept, "negligence" is the opposite of "diligence" and is at issue where an agency knew or should have known of a risk, yet did not act. It can be generally defined as *conduct that is culpable because it falls short of what a reasonable person would do to protect another from foreseeable risks of harm*. A matter of statutory tort liability in the State of Washington (chapter 4.92 RCW Actions and Claims Against State) which includes numerous possible claims, the most common of which is negligence. See also RCW 4.92.070 regarding indemnification and defense.
- 12.2 FERPA: *Family Educational Rights and Privacy Act of 1974* (a.k.a. FERPA or the Buckley Amendment) is federal law (20 U.S.C. § 1232g) implementing regulations in title 34, part 99 of the Code of Federal Regulations. FERPA is the federal statute that protects the privacy of student educational records. Schools may disclose the contents of education records only when the student consents, when the disclosure meets a statutory exemption, or when the disclosure is of directory information, such as name and address, and the student has not opted out. Exemptions applicable to this procedure include disclosure of a student's education records without student consent (1) to school officials who have legitimate educational interests, (2) in connection with a health or safety emergency if necessary to protect the health or safety of the student or other individuals and (3) in connection with a disciplinary proceeding. *These exceptions to disclosure provide some latitude in situations that may arise involving students with mental health challenges or behavioral concerns. It should be noted that behavioral intervention is aided by the fact that FERPA only covers student education records when they are in a written or recorded medium.* What college personnel observe or hear through personal knowledge about a student is not protected by FERPA, because it does not meet the definition of education record.
- 12.3 Health Care Information Access and Disclosure: Medical Records that detail a patient's health care are protected from release and disclosure pursuant to Chapters 70.02 and 71.05 RCW. These records may only be released if there is an adequate authorization signed by the patient named in the records. Medical records may also be released in limited situations without the patient's authorization. *These exceptions include* release to other health care providers; *release for the purposes of avoiding imminent danger to the patient or others*; oral communication to family members; for research purposes; for audit purposes; to an official of a penal or other custodial institution; and to federal, state, or local public health or law enforcement agencies to the extent required by law.

- 12.4 Clery Act: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal statute codified at 20 U.S.C. §1092(f). Regulations implementing are found in Code of Federal Regulation at 34 C.F.R. 668.46. The Clery Act requires colleges/universities to keep and disclose information about crime on and near their respective campuses. *The act requires* annual security reporting of crime statistics for the prior three years, *policy statements regarding various safety and security measures, campus crime prevention program descriptions*, and procedures to be followed in the investigation and prosecution of alleged sex offenses. The institution's security departments are required to 1) maintain a public log of all crimes reported to them, or those of which they are made aware. Each entry must contain the nature, date, time and general location of each crime and disposition of the complaint, if known; and 2) *give timely warnings of crimes that represent a threat to the safety of students or employees*. Institutions are required to publish their policies regarding timely warnings in their Annual Campus Security Report; and 3) keep the most recent three years of crime statistics available to the campus community and indicate if any of the reported incidents was a "hate crime."
- 12.5 ADA: *Americans with Disabilities Act of 1990* is a federal civil rights law prohibiting, under certain circumstances, discrimination based on disability. Title 1 prohibits discrimination in employment and *Title 2 prohibits discrimination in the provision of public services, including education*. It affords similar protections against discrimination as found in the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin, and other characteristics illegal. *"Disability" is defined as "a physical or mental impairment that substantially limits a major life activity."* The determination of whether any particular condition is considered a disability is made on a case by case basis. Certain specific conditions are excluded as disabilities, such as current substance abuse, temporary impairments and some impairments which are correctable.

13.0 Community Resources

The various unit BITs will work cooperatively to develop and maintain a list of community resources and referral services necessary for effective student referral.

14.0 Related Information

- 14.1 [Chapter 132Q-30 WAC](#) Standards of conduct for students
- 14.2 [NaBITA Threat Assessment Tools](#)
- 14.3 Clery Act [20 USC § 1092\(f\)](#); [34 CFR Part 668.46](#)
- 14.4 Family Educational Rights and Privacy Act (FERPA) [20 U.S.C. § 1232g](#); [34 CFR Part 99](#)
- 14.5 [Americans with Disabilities Act of 1990](#)
- 14.6 [Health Insurance Portability and Privacy Act \(HIPAA\) of 1996](#)
- 14.7 [Chapter 4.92 RCW](#) Actions and claims against state
- 14.8 [Chapter 70.02 RCW](#) Medical records – health care information access and disclosure
- 14.9 [Chapter 71.05 RCW](#) Mental illness
- 14.10 CCS Administrative Procedure [1.50.02-A Public Records Requests](#)