Behavior Intervention/Red Flag
Faculty & Staff Training

November 14, 2014

Sonya G. Smith, Ed.D, J.D.
Associate Vice Chancellor for Student Affairs & Enrollment Services
910 Madison Ave. Suite 520
Memphis, TN 38163
Email: ssmit209@uthsc.edu

Kathy Gibbs, M.Ed., M.S., NCC, BCC
Director of Student Academic Support Services
8 S. Dunlap GEB, Rm BB9
Memphis, TN 38163
Email: kgibbs@uthsc.edu
# Table of Contents

Integration of CARE Model and BIT............................................................. 1

UTHSC Student BIT Process System ....................................................... 2

Identifying Red Flag Behaviors in Students........................................ 4

Responding to a Distressed Student ..................................................... 6

Appendix M: Red Flags, Warning Signs, and Indicators ..................... 7

Balancing Student Privacy and School Safety:
A Guide to the *Family Educational Rights and Privacy Act* for
Colleges and Universities ........................................................................ 11

Scenarios: Trent and Caleb...................................................................... 13

PAVE & Campus Counts ......................................................................... 17

Support Services for Distressed Students ............................................. 19

Frequently Asked Questions .................................................................. 21
Integration of CARE Model & BIT

**Recognize**
- Observation of behavior by UTHSC Community (faculty/staff/student)
- Report of behavior via PAVE System (Campus Counts), e-mail, phone, in person

**Respond**
- Discussion of referred cases by College Administration or BIT
- Determine level of risk/concern
- Collaboration to confirm plan of action

**Refer**
- To one or more of the following:
  - Student Affairs
  - Behavioral Intervention Team
  - Student Academic Support Services
  - University Health Services
  - Student Conduct
  - Campus Police

**Revise**
- Team discussion of updates
- Revision of plan

Case deemed resolved

Updated November 10, 2014 by S.G. Smith and K. Gibbs
Source: Wellness Council
What is the UTHSC student behavioral intervention team? A student behavioral intervention team (BIT) is a multidisciplinary group whose purpose is to support its students via an established protocol. The team tracks “red flags” over time, detecting patterns, trends, and disturbances in individual or group behavior. The team receives reports of disruptive, problematic or concerning behavior or misconduct (from faculty, staff, students, community members, friends, colleagues, etc.), conducts an investigation as needed, performs a threat assessment, and determines the best mechanisms for support, intervention, warning/notification and response. The student BIT then deploys its resources and those of the community to coordinate follow-up. (Adapted from the NaBITA: the National Behavioral Intervention Team Association website accessed - http://nabita.org/behavioral-intervention-teams/ January 27, 2014.)

UTHSC Student Behavioral Intervention Team:

- Vice Chancellor for Academic, Faculty, & Student Affairs (Chair)
- Director - University Health/representatives
- Associate Vice Chancellor – Student Affairs
- Director – Student Academic Support Services
- Assistant Vice Chancellor/Director - Student Conduct
- College Dean/Designee
- Legal (flexible – as needed)
- UTHSC Police (flexible – as needed)
- Two Faculty Representatives
The UTHSC Office of Academic, Faculty, & Student Affairs
Case Management Involving Students Who Pose a Potential Risk of Substantial/Immediate Harm

Student Identified by Student/Faculty/Staff/Community Member or Agency

Notice to one or more University Officials

- College Dean/Designee
- UTHSC Police
- Director University Health Services
- Vice Chancellor for Academic, Faculty, & Student Affairs (Chair)
- Assistant Vice Chancellor/Dean for Student Conduct
- Director Student Academic Support Services
- Associate Vice Chancellor for Student Affairs

Behavioral Intervention Team
Convenes to Evaluate Threat of Potential Harm

Standing Members:
- Vice Chancellor for Academic, Faculty, & Student Affairs (Chair)
- Director - University Health/representatives
- Associate Vice Chancellor – Student Affairs
- Director – Student Academic Support Services
- Assistant Vice Chancellor/Director - Student Conduct
- College Dean/Designee
- Legal (flexible – as needed)
- UTHSC Police (flexible – as needed)
- Two Faculty Representatives

- UTHSC Police Investigate and Intervene as Situation Dictates
- Additional Fact Gathering from those in contact with Student
- Interview Student (if needed)
- Fact gathering from Metro Memphis Police or Other Officials/Agencies (if needed)

BIT Initiates Action Plan

Threat of Harm Not Substantial
- No Action

Threat of Substantial/Immediate Harm Appears Credible
- Involuntary Hospitalization for Mental Health Evaluation
- Administrative Disenrollment with Conditions e.g. health examination
- Interim Suspension
  Barred from University Premises Pending Hearing on Code of Student Conduct Charges
  Code of Student Conduct Charges and Hearing
    Range of Sanctions from: Not in Violation to Permanent Dismissal

Intervention Strategies
e.g.
- Referral for Perceived Core Problems
- Voluntary Withdrawal
- Establish Behavioral Boundaries
- Contain Disruption
- Behavioral Monitoring

BIT Enter in PAVE (can be entered at any point)
Identifying Red Flag Behaviors in Students

Below are warning signs for identifying students in distress:

- Excessive procrastination and very poorly prepared work, especially if inconsistent with previous work.
- Infrequent class attendance with little or no work completed.
- Dependency (e.g., the student who hangs around or makes excessive appointments during office hours).
- Listlessness, lack of energy, or frequently falling asleep in class.
- Marked changes in personal hygiene.
- Impaired speech and disjointed thoughts.
- Students who appear overly nervous, tense or tearful.
- Troubling content in written work.
- Repeated requests for special consideration (e.g., deadline extensions).
- Excessive weight gain or loss.
- Behavior which regularly interferes with effective class management.
- Frequent or high levels of irritable, unruly, abrasive, or aggressive behavior.
- Unable to make decisions despite your repeated efforts to clarify or encourage.
- Bizarre behavior that is obviously inappropriate for the situation (e.g., talking to something/someone that is not present).
- Evidence of self-injury such as cutting or burning.

The following symptoms are indicative of a person needing immediate assistance:

- Evidence of self-injury such as cutting or burning.
- Suicidal statements, gestures, or attempts.
- Acts or threats of harm to other individuals or property.
- Extreme anxiety resulting in panic reactions.
- Extremely disruptive behavior, such as outbursts, aggression, or hostility.
- Inability to communicate effectively, such as impaired speech, disoriented thought, or babbling.
- Loss of contact with reality, such as hallucinating, or hearing/seeing things that are not present.
- Homicidal threats (written or verbal), or attempted homicide or assault.

When dealing with a student in a crisis situation, remember the following factors:

- Ensure everyone’s safety, including your own.
- Know your limits and take action to protect yourself and others.
- Remain calm.
- Talk to the student in a calm manner.
- Share your concern and belief that the student needs assistance.
- Avoid touching the student if he or she is agitated, violent, or intoxicated.
- Do not threaten or taunt the student.
- Avoid arguing with the student.
Responding to a Distressed Student

Once a student has come to your attention as a concern, here are suggestions for responding:

• Talk in private when you and the student have time and are not preoccupied.

• Be frank about your concerns, sharing what you observe without judging, using specific examples of what you are seeing and why it concerns you.

• Do not be judgmental, (for example, say “I notice you have been missing class, is everything alright?” rather than saying “Why are you never in class?”)

• Be clear about the limits of your ability to help. It is not necessarily your role or responsibility to counsel students, but you can help them get the support they need.

• Suggest that a student seek help instead of telling or ordering them to. Inform the student of UHS & SASS and tell them that students visit for a variety of reasons. Reinforce that counseling sessions are totally confidential. Counseling does not impact or influence UTHSC academic records and counseling sessions are free TO STUDENTS.

• If a student is receptive to seeing a counselor provide him/her with our phone number, offer them access to your phone so they can make an appointment, or accompany them to Counseling Services.

• Know how to locate resources and make a student referral:
  
  https://www.uthsc.edu/univheal/emergencies.php (Memphis)
  https://www.uthsc.edu/univheal/student%20services/Students_at_Other_Locations.php (Other Locations)
Appendix M

RED FLAGS, WARNING SIGNS AND INDICATORS
RED FLAGS, WARNING SIGNS AND INDICATORS

By Roger Depue, Ph.D.

Experts who evaluate possible indicators that an individual is at risk of harming himself or others know to seek out many sources for clues, certain red flags that merit attention. A single warning sign by itself usually does not warrant overt action by a threat assessment specialist. It should, however, attract the attention of an assessor who has been sensitized to look for other possible warning signs. If additional warning signs are present then more fact-finding is warranted to determine if there is a likelihood of danger.

Some warning signs carry more weight than others. For instance, a fascination with, and possession of, firearms are more significant than being a loner, because possession of firearms gives one the capacity to carry out an attack. But if a person simply possesses firearms and has no other warning signs, it is unlikely that he represents a significant risk of danger.

When a cluster of indicators is present then the risk becomes more serious. Thus, a person who possesses firearms, is a loner, shows an interest in past shooting situations, writes stories about homicide and suicide, exhibits aberrant behavior, has talked about retribution against others, and has a history of mental illness and refuses counseling would obviously be considered a significant risk of becoming dangerous to himself or others. A school threat assessment team upon learning about such a list of warning signs would be in a position to take immediate action including:

- Talking to the student and developing a treatment plan with conditions for remaining in school
- Calling the parents or other guardians
- Requesting permission to receive medical and educational records
- Checking with law enforcement to ascertain whether there have been any interactions with police
- Talking with roommates and faculty
- Suspending the student until the student has been treated and doctors indicate the student is not a safety risk

Following are some warning signs (indicators and red flags) associated with school shootings in the United States. Schools, places of employment, and other entities that are creating a threat assessment capability may want to be aware of these red flags:

**Violent fantasy content** –

- Writings (Stories, essays, compositions),
- Drawings (Artwork depicting violence),
Reading and viewing materials (Preference for books, magazines, television, video tapes and discs, movies, music, websites, and chat rooms with violent themes and degrading subject matter), and role playing acts of violence and degradation.

**Anger problems** –  
Difficulty controlling anger, loss of temper, impulsivity,  
Making threats

**Fascination with weapons and accoutrements** –  
Especially those designed and most often used to kill people (such as machine guns, semiautomatic pistols, snub nose revolvers, stilettos, bayonets, daggers, brass knuckles, special ammunition and explosives)

**Boasting and practicing of fighting and combat proficiency** –  
Military and sharpshooter training, martial arts, use of garrotes, and knife fighting

**Loner** –  
Isolated and socially withdrawn, misfit, prefers own company to the company of others

**Suicidal ideation** –  
Depressed and expresses hopelessness and despair  
Reveals suicidal preparatory behavior

**Homicidal ideation** –  
Expresses contempt for other(s)  
Makes comments and/or gestures indicating violent aggression

**Stalking** –  
Follows, harasses, surveils, attempts to contact regardless of the victim's expressed annoyance and demands to cease and desist

**Non-compliance and disciplinary problems** –  
Refusal to abide by written and/or verbal rules

**Imitation of other murderers** –  
Appearance, dress, grooming, possessions like those of violent shooters in past episodes (e.g. long black trench coats)

**Interest in previous shooting situations** –  
Drawn toward media, books, entertainment, conversations dealing with past murders
Victim/martyr self-concept –

Fantasy that some day he will represent the oppressed and wreak vengeance on the oppressors

Strangeness and aberrant behavior –

Actions and words that cause people around him to become fearful and suspicious

Paranoia –

Belief that he is being singled out for unfair treatment and/or abuse; feeling persecuted

Violence and cruelty –

A history of using violence to solve problems (fighting, hitting, etc.), abusing animals or weaker individuals

Inappropriate affect –

Enjoying cruel behavior and/or being able to view cruelty without being disturbed

Acting out –

Expressing disproportionate anger or humor in situations not warranting it, attacking surrogate targets

Police contact –

A history of contact with police for anger, stalking, disorderly conduct;
Past temporary restraining orders (or similar court orders),
A jail/prison record for aggressive crimes

Mental health history related to dangerousness –

A history of referral or commitments to mental health facilities for aggressive/destructive behavior

Expressionless face/anhedonia –

An inability to express and/or experience joy and pleasure

Unusual interest in police, military, terrorist activities and materials

Vehicles resembling police cars, military vehicles, surveillance equipment, handcuffs, weapons, clothing (camouflage, ski masks, etc.)

Use of alcohol/drugs –

Alcohol/drugs are used to reduce inhibitions so that aggressive behaviors are more easily expressed

A school official may generally share with a parent information that is based on that official’s personal knowledge or observation of the student.

**FERPA and Student Health Information**

Postsecondary institutions that provide health or medical services to students may share student medical treatment records with parents under the circumstances described above. While these records may otherwise be governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HIPAA Privacy Rule excludes student medical treatment records and other records protected by FERPA. The Department plans to issue further guidance on the interplay between FERPA and HIPAA.

**FERPA and Student and Exchange Visitor Information System (SEVIS)**

FERPA permits institutions to comply with information requests from the Department of Homeland Security (DHS) and its Immigration and Customs Enforcement Bureau (ICE) in order to comply with the requirements of SEVIS. Officials who have specific questions about this and other matters involving international students should contact the U.S. Department of Education’s Family Policy Compliance Office.

**Transfer of Education Records**

Finally, FERPA permits school officials to disclose any and all education records, including disciplinary records, to another institution at which the student seeks or intends to enroll. While student consent is not required for transferring education records, the institution’s annual FERPA notification should indicate that such disclosures are made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the student about the disclosure, unless the student initiates the disclosure. Additionally, upon request, the institution must provide a copy of the information disclosed and an opportunity for a hearing. See 34 CFR § 99.31(a)(2) and § 99.34(a).

**Contact Information**

For further information about FERPA, please contact the Family Policy Compliance Office or visit its Web site.

[Contact Information details]

For quick, informal responses to routine questions about FERPA, school officials may e-mail the Family Policy Compliance Office at FERPA@ED.Gov.

For inquiries about FERPA compliance training, contact FERPA.Client@ED.Gov.

Postsecondary officials are regularly asked to balance the interests of safety and privacy for individual students. While the Family Educational Rights and Privacy Act (FERPA) generally requires institutions to ask for written consent before disclosing a student’s personally identifiable information, it also allows colleges and universities to take key steps to maintain campus safety. Understanding the law empowers school officials to act decisively and quickly when issues arise.

**Health or Safety Emergency**

In an emergency, FERPA permits school officials to disclose without student consent education records, including personally identifiable information from those records, to protect the health or safety of students or other individuals. At such times, records and information may be released to appropriate parties such as law enforcement officials, public health officials, and trained medical personnel. See 34 CFR §§ 99.31(a)(10) and § 99.36. This exception to FERPA’s general consent rule is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student’s education records. In addition, the Department interprets FERPA to permit institutions to disclose information from education records to parents if a health or safety emergency involves their son or daughter.

**Disciplinary Records**

While student disciplinary records are protected as education records under FERPA, there are certain circumstances in which disciplinary records may be disclosed without the student’s consent. A postsecondary institution may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. An institution may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution’s rules or policies. See 34 CFR §§ 99.31(a)(13) and (14).

**The Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires postsecondary institutions to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data be collected, reported, and disseminated to the campus community and to the Department annually. The Clery Act is intended to provide students and their families with accurate, complete, and timely information about safety on campuses so that they can make informed decisions. Such disclosures are permitted under FERPA. The following Web site provides more information about these and other provisions about campus safety: http://www.ed.gov/admins/lead/safety/campus.html.

**Law Enforcement Unit Records**

Many colleges and universities have their own law enforcement units to monitor safety and security in and around campus. Institutions that do not have specific law enforcement units may designate a particular office or school official to be responsible for referring potential or alleged violations of law to local police authorities. Investigative reports and other records created and maintained by these law enforcement units are not considered education records subject to FERPA. Accordingly, institutions may disclose information from law enforcement unit records to anyone, including outside law enforcement authorities, without student consent. See 34 CFR § 99.8.

While an institution has flexibility in deciding how to carry out safety functions, it must also indicate in its policy or in information provided to students which office or school official serves as the college or university’s “law enforcement unit.” (The institution’s notification to students of their rights under FERPA can include this designation. As an example, the Department has posted a model notification on its Web site at http://www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html.)

Law enforcement unit officials who are employed by the college or university should be designated in the institution’s FERPA notification as “school officials” with a “legitimate educational interest.” As such, they may be given access to personally identifiable information from students’ education records. The institution’s law enforcement unit officials must protect the privacy of education records it receives and may disclose them only in compliance with FERPA. For that reason, it is advisable that law enforcement unit records be maintained separately from education records.

**Disclosure to Parents**

When a student turns 18 years old or enters a postsecondary institution at any age, all rights afforded to parents under FERPA transfer to the student. However, FERPA also provides ways in which schools may share information with parents without the student’s consent. For example:

- Schools may disclose education records to parents if the student is a dependent for income tax purposes.
- Schools may disclose education records to parents if a health or safety emergency involves their son or daughter.
- Schools may inform parents if the student who is under age 21 has violated any law or its policy concerning the use or possession of alcohol or a controlled substance.
Trent
Scenario 1

Trent was a highly recruited student to the COM, who received a $26,000 scholarship, covering tuition & fees. During the fall term, a student approaches you after class and states he has noticed that Trent (M3) has been very withdrawn. Although he is normally shy and solitary by nature, he appears even more so lately. His recent surgery grand rounds presentation was lackluster. However, on his summer Peds clerkship evaluation, the director wrote that he was “spectacular.” You learn that he has also fallen behind academically this term and failed an oral part of the surgery exam.

- Using the CARE Guide, what is Trent’s level of distress?
- What would you say or do?
- What resources are available to Trent?
- What referrals would be appropriate for Trent?
Trent
Scenario 2

Three days later, a student drops by the Office of the Assistant Dean – COM to report that Trent shared his dating profile with her from a social media website. She pulls up the picture, and the Assistant Dean notes a drastic change in his appearance. His hair is now UT orange and his has not shaved in a number of weeks. Earlier, the Assistant Dean received an email from a fellow student stating that Trent had sent her a text with the following: what does she know about “dysphoric mania” and telling her to stay away from him, because he is “bad news.” The Assistant Dean calls Trent to a meeting, and he states that he wants to withdraw from the program.

• Using the CARE Guide, what is Trent’s level of distress?
• What concerns do you have at this point?
• What would you recommend that the Assistant Dean say or do?
• What resources are available to Trent?
• What referrals would be appropriate for Trent at this point?
Trent Scenario 3

Trent has stopped attending sessions with the University psychiatrist, Dr. Goldman. Dr. Goldman calls the Campus Police and reports the following: 1) receiving threatening text messages from Trent, and 2) a package with $400 in scorched 20 dollar bills, the infinity sign, and a notebook containing a placard. Written on it: “Trent Jones, Of Life.” The COM granted Trent a leave of absence until next term.

Campus Police has disabled his campus ID.

- Using the CARE Guide, what is Trent’s level of distress?
- What University response would you recommend?
- What resources are available to Trent?
- What referrals would be appropriate for Trent at this point?
- What concerns do you have at this point?
Caleb Scenario 1

Caleb is a second year Nursing student, who works at the VA as an LPN. He is enrolled in the BSN Program. After graduating from high school, he was on active duty for 11 years in the Army as a sniper. He received service awards and commendations, including three good-conduct medals. During the fall term, he failed a pediatric nursing class, and is currently struggling in his spring critical care class. Fellow students describe him as "very aggressive and mean" and state that he “seems to have a lot of issues with being angry."

A clinical professor noted in a Nursing faculty meeting that "it was common knowledge among the faculty that he was depressed." To a Financial Aid Counselor, he expressed that his wages had been garnished for “child support” payments & he needed additional loans.

Eighteen months previously, a Nursing Instructor contacted the campus police department, and she reported that Caleb was "contemplating" suicide. Caleb was experiencing problems with a paper and he told the Nursing Instructor that he was having “lots of other personal problems other than school.” The Professor also reported that he had threatened to "put something under" the nursing school. A Campus Police Officer initiated an investigation. The Officer called Caleb, but he did not answer. The Officer left a voicemail and reported that he would follow-up.
PAVE & Campus Counts

Event Main Information

Event Number: 201200001  Event Date: 8/17/2012
Referral Date: 8/17/2012  Event Time: 9:05 AM

Event Types:
Level 3: Behavior That Indicates Severe Distress:
1) Highly disruptive behavior (aggression, violence) 2) Loss of contact with reality (seeing or hearing things) 3) Stalking behaviors 4) Inappropriate communication (including threatening letters, communication, e-mail messages, threats of revenge, harassment) 5) Overtly suicidal thoughts (including referring to suicide as a current option or in a written assignment) 6) Threats to harm self or others 7) Inability to communicate clearly (garbled, slurred speech)

Associates:
Mickey Mouse 885110455

Event Manager:
Smith, Sonya G  
Gibbs, Kathy L

Referred By:
Faculty/Staff  
Wanda Patrick
PAVE & Campus Counts

Witness:
Staff Member
Jennifer Williams

Place of Event:
Zone: Madison Avenue area
Location: Pharmacy Building
Room: No Room
Specific Location: Wanda's Office

Affected Party:
Staff Member
Stephanie Phelps

Event Narrative:
Mickey Mouse showed up at the College of Pharmacy and asked to see Dr. Eoff or Dr. Phelps. Lanell Smith told Mickey that they were both in a meeting. He was upset because he received a D in Pharmacology. While Mickey Mouse wanted to see Dr. Phelps, Dr. Williams and Dr. Eoff came in to Lanell's office. Mickey told them that he would "kill some people" if his "grade wasn't changed." Dr. Eoff tried to get Mickey to calm down and to walk with him to University Health to speak with someone. Mickey started yelling at Lanell, and left the building. He told them that "someone would pay." Dr. Williams called Campus Police and reported what Mickey said. Lanell stated that Mickey Mouse also slurred his words and looked disheveled.

Police/Security Information
Were Emergency Medical Staff present or was an involved person transported to the hospital? No
Did the Police/Security Department make an official report of the Event? No
UTHSC STUDENT RESOURCES

- **One Stop Shop** — Keith Chandler, Director
  - Phone: 901-448-7703, Fax: 901-448-7700,
  - Email: schandle@uthsc.edu
  - 910 Madison Ave, Suite 105, Memphis, TN 38163
  - (Available for Skype Appointment or After Hours by Appointment)

- **Office of Admissions**—Bill Carter, Director; Melodie Patterson, Assistant Director
  - Phone: 901-448-5560, Fax: 901-448-7772,
  - Email: uthscadmit@uthsc.edu
  - 910 Madison Ave, Suite 520, Memphis, TN 38163
  - (Available for Skype Appointments or After Hours by Appointment)

- **University Health Services**—Dr. Lawrence Madlock, Director
  - **Memphis**: 910 Madison Ave, Suite 922, Memphis, TN 38163
    - Phone: 901-448-5630
  - **Knoxville**: 1800 Volunteer Blvd, Knoxville, TN 37996,
    - Phone: 865-974-3648
  - **Chattanooga**: 615 McCallie Ave, Maclellan Gym, Room 205,
    - Chattanooga, TN 37403, Phone: 423-778-9303

- **Student Mental Health Issues**
  - **Memphis**: Student Behavioral Health: 901-448-5064
  - **Knoxville**: Counseling Center, Phone: 865-974-2251
  - **Chattanooga**: Counseling and Personal Development
    - Phone: 423-425-4438
  - **24/7 Student Assistance Program (SAP) hotline**, 1-800-327-2255

- **Student Affairs**—Dr. Sonya Smith, Associate Vice Chancellor of Student Affairs; Dr. Simpfronia Taylor, Director of Student Affairs
  - Phone: 901-448-5568, Fax: 901-448-1359,
  - Email: ssmit209@uthsc.edu, staylo37@uthsc.edu
  - 910 Madison Ave, Suite 520, Memphis, TN 38163
  - (Available for Skype Appointments and After Hours by Appointment)
• **Financial Aid**—Sam Matheny, Director; Paulette Moore, Associate Director
  o Phone: 901-448-5568, Fax: 901-448-1570, Email: fao@uthsc.edu
  o 910 Madison Ave, Suite 520, Memphis, TN 38163
  o (Available for Skype Appointments or After Hours by Appointment)

• **Bursar’s Office (Student Accounts)**—Gwen Campbell, Bursar; Byron Porter, Assistant Bursar
  o Phone: 901-448-5550, Fax: 901-448-6795, Email: cashier@uthsc.edu
  o 62 South Dunlap, Suite 103, Memphis, TN 38163

• **Equity & Diversity (Student Conduct)**—Dr. Michael Alston, Assistant Vice Chancellor of Student Rights & Responsibilities/Director of Student Conduct; Dustin Fulton, Deputy Conduct & Compliance Officer
  o Phone: 901-448-2112, Fax: 901-448-1120, Email: mialston@uthsc.edu, dfulton2@uthsc.edu
  o 910 Madison Ave, Suite 826, Memphis, TN 38163

• **Student Academic Support Services/Student Disability Services**—Kathy Gibbs, Director, Tia Kofahl, Assistant Director
  o Phone: 901-448-5056, Fax: 901-448-1451, Email: sass@uthsc.edu
  o 8 South Dunlap, GEB, Room BB9, Memphis, TN 38163

• **Financial Literacy and Debt Management Counseling**—Janice Maddox and Christopher Pollard, Financial Literacy Coordinators
  o Phone: 901-448-2190 (Janice), 901-448-2190 (Christopher), Fax: 901-448-7700, Email: jmaddox9@uthsc.edu, mbj846@uthsc.edu
  o 910 Madison Ave, Suite 105, Memphis, TN 38163
  o (Available for Skype Appointments or After Hours by Appointment)

• **Veteran Support Services (Office of the Registrar)**—Ilisa Gunn, VA Certifying Official, Dr. Darla Keel, Registrar/Director of Academic Records
  o Phone: 901-448-5568, Fax: 901-448-1017, Email: igunn@uthsc.edu, dkeel1@uthsc.edu
  o 910 Madison Ave, Suite 520, Memphis, TN 38163
  o Available for Skype Appointments or After Hours by Appointment)
• What is the UTHSC BIT?

BIT addresses student behaviors that are disruptive and may include mental health and/or safety issues. The Behavioral Intervention Team consists of staff and faculty members from across the campus whose mission is to:

• Balance the student’s individual needs and those of the community
• Provide structured positive methods for addressing student behaviors that impact the UTHSC and/or surrounding community and may involve mental health and/or public safety issues.
• Manage each case individually.
• Initiate appropriate intervention(s) without simply resorting to student conduct processes
• Share information from multiple sources and eliminate "fragmented care.


• Who are the core BIT members?

Standing Members:
• Vice Chancellor for Academic, Faculty, & Student Affairs (Chair)
• Director - University Health/representatives
• Associate Vice Chancellor – Student Affairs
• Director – Student Academic Support Services
• Assistant Vice Chancellor/Director - Student Conduct
• College Dean/Designee
• Two Faculty Representatives
• Legal (flexible – as needed)
• UTHSC Police (flexible – as needed)

We call on other members of the UTHSC and Memphis community as needed for assistance and guidance (i.e. Executive Vice Chancellor, Privacy Compliance Officer, Local Police, etc...)

• What should the campus community know about the BIT?

The Behavior Intervention Team is a consultative and preventative resource for faculty, staff, departments, and the colleges. The Team is available to assist you in developing and implementing intervention strategy to help our students and prevent an individual, group, classroom, event, or campus crisis. We work with you to determine the type of intervention and based on the situation, who should respond and provide the appropriate interventions.
• **Who can contact the BIT to make a report?**

Anyone! If it is an emergency, please contact Campus Police at 8-4444. We are only as effective as the reports we receive. Anyone who feels there is a potential threat to the community or an individual should make a report, which can include students, employees, parents, or community members.

• **When would I make a referral to the BIT team?**

- Student has made veiled threats to harm self or others (direct threats warrant an Immediate call to campus security (x4444) or police (911).
- Displays loss of touch with reality (seeing or hearing things that others do not. Beliefs or actions clearly at odds with reality.)
- Highly disruptive behavior (hostility, aggression, stalking, consistently exaggerated Emotional responses).
- New or repeated behavior that pushes the limit of decorum and interferes with classroom management efforts.
- Student makes repeated personal attacks and demeaning statements to other(s).
- If you are not certain and want to discuss the matter with others (even if you don’t yet have a lot of evidence).
- Student appears to need additional support; i.e., in the middle of a crisis, domestic violence, etc.


• **When should I refrain from a BIT referral?**

- When the behavior is best handled through typical classroom management techniques.
- When it is clearly a case of student misconduct best handled through the usual channels.
- When the student needs to be referred to counseling for help with anxiety, stress, depression, relationships, potentially suicidal feelings or comments, domestic violence, other crises.
- When the threatening behavior is immediate and direct – call Campus Police (8-4444) and/or 911.


• **How do I contact BIT for assistance?**

Contact Dr. Sonya Smith, Associate Vice Chancellor for Student Affairs at 8-5070 or sonya@uthsc.edu, Kathy Gibbs at 8-7746 or kgibbs@uthsc.edu, or any BIT member.
• How will I know when the situation has been addressed?
  • BIT will address every report that is brought to the committee and someone from the team will get back to you as soon as possible.
  • Intervention by BIT members typically involves handling of confidential information, so those filing reports will not necessarily know the entire resolution.


• Should I approach the student first?
  • Whenever possible, you should express your concern directly to the student unless you are concerned for your safety and/or the safety of others.
  • If you feel the person might benefit from counseling, you can make your concern known and discuss that option.
  • It is always ideal for a student to take ownership and schedule their own appointment for personal counseling, but if needed, you can assist by walking them over or calling to schedule at 8-5064.

• Should I document my concerns?

Yes! You can use your own system or write a Memorandum to your record and provide it to the BIT.


• Is the BIT like "big brother," or the tv show, “Point of Interest”?

No, the intent is not to watch students like "big brother," or spy on students in secret. Instead, BIT acts as collaborative and preventive support network to the community. It can be scary to hear or witness information that makes someone feel uneasy or worried about what another person might do and they don’t always know where to take that concern. We are the place to provide support in those situations and will use our training and knowledge to review and develop intervention plans to address concerning behaviors brought to our attention.

• May faculty or staff disclose personal knowledge and impressions about a student, based on the employee’s personal interactions with the student?

Yes. “FERPA’s disclosure restrictions apply only to information derived from student education records, not to personal knowledge derived from direct, personal experience with a student. For example, a faculty or staff member who personally observes a student engaging in erratic and threatening behavior is not prohibited by FERPA from disclosing that observation. (If at some point the employee describes the observation in a personally identifiable record, that record would be subject to FERPA protections. The employee would still be permitted to disclose the personal observation but would not be permitted to disclose the record of the observation unless one of the exceptions to FERPA applied or the student consented to the disclosure). Again, however, the employee generally should limit disclosure of such information to professionals trained to evaluate and manage it, [such as BIT or SOC Teams], as
other privacy laws conceivably could apply and prohibit broader disclosures, depending upon the circumstances.”


- What should university faculty and staff do if he or she is concerned about a student?

“If the concern is that a student may engage in violent behavior, toward self or others, and the threat appears to be imminent, the employee should contact the campus police or security office immediately.

When circumstances reasonably permit, the employee should consult with professionals on campus or associated with the institution who may be able to assess the potential threat, identify resources for the student, and provide information that could assist in deciding on an appropriate course of action. In consultation with appropriate campus resources, such as BIT and college level administration/SOC Team, a collective decision may then be made to contact a family member, an appropriate off-campus resource or others. FERPA would not present an obstacle to any of these disclosures.”


- What if I am wrong about the student?

You are reporting a concern based on an observed behavior (e.g., verbal exchange, action, etc.), not making a determination. By alerting the appropriate campus representatives, a safety determination can be made and community resources can be used to provide assistance to the student.

- What happens after I file a report with BIT?

Once a report is received, the Core-BIT team reviews the information. Depending on the case, the Team can take action immediately, gather more facts, assemble a larger team, implement an intervention plan in connection with campus/departmental staff, or deem no action is necessary.

- Is my name protected?

The name of the person who makes a report to the BIT will be kept confidential when possible. There are some cases in which the identity of the person who makes a BIT report must be divulged.

- Who enters student concerns in Campus Counts (PAVE)?

BIT, department, and college level administrators have access to Campus Counts. The system is user id and password protected. The BIT or colleges, Academic Deans and Student Affairs, enter concerning student behavior in PAVE that is reported by the campus community. PAVE is a confidential software system that allows the campus to monitor student behaviors that may be concerning. For more information, please contact Dr. Michael Alston or Dustin Fulton in the Office of Equity and Diversity.
• Does FERPA permit a postsecondary institution to disclose a student’s treatment records or education records to law enforcement, the student’s parents, or others if the institution believes the student presents a serious danger to self or others?

Yes. “Family Educational Rights and Privacy Act (FERPA) permits the disclosure of information from student education records “to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.” (See 20 U.S.C. § 1232g; 34 CFR Part 99).

“For example, if a student sends an e-mail to his resident assistant saying that he has just been diagnosed with a highly contagious disease such as measles, the institution could alert the student’s roommate, and perhaps others with whom the student has come in close contact, to urge them to seek appropriate testing and medical care. Safety concerns warranting disclosure could include a student’s suicidal statements or ideations, unusually erratic and angry behaviors, or similar conduct that others would reasonably see as posing a risk of serious harm.”

“This exception does not authorize “knee-jerk” or (in most cases) “broadcast” disclosures, but a limited disclosure to a limited number of people, made on the basis of a good-faith determination in light of the facts available at the time, and is highly unlikely to be deemed a violation of FERPA, even if the perceived emergency later turns out, in hindsight, not to have been one. In general, and when reasonably possible, the initial disclosure should be made to professionals trained to evaluate and handle such emergencies, such as campus mental health or law enforcement personnel, who can then determine whether further and broader disclosures are appropriate.”


• What does the FERPA health or safety emergency require?

“Disclosures for health or safety emergency reasons do not include disclosures to address emergencies for which the likelihood of occurrence is unknown, such as would be the case in emergency preparedness activities. Rather, disclosures made under the health or safety emergency provision must be “in connection with an emergency,” which means it must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.”


• How does FERPA apply to BIT?

“Some educational agencies and institutions may need assistance in determining whether a health or safety emergency exists in order to know whether a disclosure may be made under FERPA’s health or safety emergency provision. The [US] Department [of Education] encourages schools and postsecondary institutions to implement a threat assessment program, including the establishment of a threat assessment team that utilizes the expertise of representatives from law enforcement agencies in the community and that complies with applicable civil rights and other Federal and State laws. Under a properly-implemented threat assessment program, schools can respond to student behavior that raises concerns about a student’s mental health and the safety of the student and others that is chronic or escalating, by using a threat assessment team, and then may make other
disclosures under the health or safety emergency exception, as appropriate, when an “articulable and
significant threat” exists. Information on establishing a threat assessment program and other helpful
resources for emergency situations can be found on the Department’s Web site:


- What other laws protect student privacy?

“Students may have additional privacy rights under state privacy and confidentiality laws and under
federal laws such as the Health Insurance Portability and Accountability Act (“HIPAA”). Moreover,
certain professionals on campus, such as medical and mental health care providers, may be bound by
professional obligations of confidentiality that require a higher burden to be met (such as a significant
threat of serious and imminent harm to a specifically foreseeable victim) before disclosure of
information in their possession may be made. Even when this is the case, however, other personnel on
campus (such as a faculty member, dean of students or residential life employee) may disclose
information about a student under the lower FERPA health and safety emergency standard if the
circumstances warrant.”

Source document for the above question: N.E. Tribbensee & S.J. McDonald. (August 6, 2007). NACUA Notes: FERPA and

- Where the HIPAA Privacy Rule applies, does it permit a health care provider to disclose protected
health information (PHI) about a patient to law enforcement, family members, or others if the
provider believes the patient presents a serious danger to self or others?

The HIPAA Privacy Rule permits a covered entity to disclose 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. The disclosure also must be consistent
with applicable law and standards of ethical conduct. See 45 CFR § 164.512(j)(1)(i). For example,
consistent with other law and ethical standards, a mental health provider whose teenage patient has
made a credible threat to inflict serious and imminent bodily harm on one or more fellow students may
alert law enforcement, a parent or other family member, school administrators or campus police, or
others the provider believes may be able to prevent or lessen the chance of harm. In such cases, the
covered entity is presumed to have acted in good faith where its belief is based upon the covered
entity’s actual knowledge (i.e., based on the covered entity’s own interaction with the patient) or in
reliance on a credible representation by a person with apparent knowledge or authority (i.e., based on a
credible report from a family member or other person). See 45 CFR § 164.512(j)(4).

For threats or concerns that do not rise to the level of “serious and imminent,” other HIPAA Privacy Rule
provisions may apply to permit the disclosure of PHI. For example, covered entities generally may
disclose PHI about a minor child to the minor’s personal representative (e.g., a parent or legal guardian),
consistent with state or other laws. See 45 CFR § 164.502(b).
• When can a student’s medical or psychological treatment records be disclosed to members of the BIT?

“Many postsecondary institutions, such as colleges and universities, provide health and medical services to eligible students and maintain medical treatment records on those students. While these types of health care providers would ordinarily be covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), the HIPAA Privacy Rule specifically excludes from the definition of protected health information both student treatment records and education records protected by FERPA. See 45 C.F.R. § 160.103 (definition of “protected health information”). Under FERPA, medical and psychological treatment records of eligible students are excluded from the definition of “education records” if they are made, maintained, and used only in connection with treatment of the student and disclosed only to those medical professionals providing the treatment. See 34 CFR § 99.3 “Education records.” These records are commonly called “‘treatment records.’”

While “treatment records” are excluded from the definition of education records under FERPA (and thus an eligible student does not have a right to personally inspect and review his or her treatment records), if an eligible student’s treatment records are used for any purpose other than the student’s treatment, or if a school wishes to disclose the treatment records for any purpose other than the student’s treatment, they may only be disclosed as education records subject to FERPA requirements. Therefore, an eligible student’s treatment records may be disclosed to any party, without consent, as long as the disclosure meets one of the exceptions to FERPA’s general consent rule. See 34 CFR § 99.31. Accordingly, treatment records on eligible students may be disclosed without consent, pursuant to § 99.31(a)(8), to an eligible student’s parents if the student is claimed as a dependent on Federal tax returns, pursuant to §§ 99.31(a)(10) and 99.36, to other appropriate parties if the disclosure is in connection with a health or safety emergency, pursuant to § 99.31(a)(9), to comply with a judicial order or lawfully issued subpoena, or pursuant to any other pertinent exception to FERPA’s consent requirement.


• Does HIPPA or FERPA apply to student records at health clinics run by postsecondary institutions?

FERPA applies to most public and private postsecondary institutions and, thus, to the records on students at the campus health clinics of such institutions. These records will be either education records or treatment records under FERPA, both of which are excluded from coverage under the HIPAA Privacy Rule, even if the school is a HIPAA covered entity. See the exceptions at paragraphs (2)(i) and (2)(ii) to the definition of “protected health information” at 45 CFR § 160.103.

The term “education records” is broadly defined under FERPA to mean those records that are: (1) directly related to a student and (2) maintained by an educational agency or institution or by a party acting for the agency or institution. See 34 CFR § 99.3, “Education records.”
“Treatment records” under FERPA, as they are commonly called, are: records on a student who is eighteen years of age or older, or is attending an institution of postsecondary education, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student’s choice.

See 20 U.S.C. § 1232g(a)(4)(B)(iv); 34 CFR § 99.3, “Education records.” For example, treatment records would include health or medical records that a university psychologist maintains only in connection with the provision of treatment to an eligible student, and health or medical records that the campus health center or clinic maintains only in connection with the provision of treatment to an eligible student.

“Treatment records” are excluded from the definition of “education records” under FERPA. However, it is important to note, that a school may disclose an eligible student’s treatment records for purposes other than the student’s treatment provided that the records are disclosed under one of the exceptions to written consent under 34 CFR § 99.31(a) or with the student’s written consent under 34 CFR § 99.30. If a school discloses an eligible student’s treatment records for purposes other than treatment, the treatment records are no longer excluded from the definition of “education records” and are subject to all other FERPA requirements, including the right of the eligible student to inspect and review the records.

While the health records of students at postsecondary institutions may be subject to FERPA, if the institution is a HIPAA covered entity and provides health care to nonstudents, the individually identifiable health information of the clinic’s nonstudent patients is subject to the HIPAA Privacy Rule. Thus, for example, postsecondary institutions that are subject to both HIPAA and FERPA and that operate clinics open to staff, or the public, or both (including family members of students) are required to comply with FERPA with respect to the health records of their student patients, and with the HIPAA Privacy Rule with respect to the health records of their nonstudent patients.


- What about disclosing information from the student discipline process, either to others on campus or to other institutions?

“FERPA expressly permits institutions to include in a student’s education records appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the community. Such information may be disclosed to any “school officials” who have “legitimate educational interests” in the behavior of the student, and it also may be disclosed as appropriate under the health and safety emergency exception. FERPA also expressly provides that, for purposes of the health and safety emergency exception, the “appropriate parties” to whom disclosure may be made include teachers and officials at other institutions who have legitimate educational interests in the behavior of the student.”
“In a separate (and again independent) exception, FERPA further permits institutions to disclose to anyone the final results of a disciplinary proceeding conducted against a student who is an alleged perpetrator of a crime of violence or a non-forcible sex offense, if the institution determines as a result of that disciplinary proceeding that the student committed a violation of the institution’s own rules or policies with respect to such crime or offense. Yet another exception permits institutions to disclose the final results of such a proceeding to the victim regardless of whether the alleged perpetrator was found to be in violation of the institution’s rules or policies. For purposes of these two exceptions, “final results” is limited to the name of the student who is an alleged perpetrator of a crime of violence, the violation found to have been committed, and any sanction imposed against the student by the institution.” See: 34 CFR § 99.31(a)(13).


Note: “An institution may disclose to anyone – not just the victim – the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution’s rules or policies.’ See 34 CFR § 99.31(a)(14).


• Is the disclosure of campus law enforcement unit records restricted by FERPA to BIT?

No. “Records that are created by the campus law enforcement unit (whether commissioned police or non-commissioned security) at least in part for a law enforcement purpose are not “education records” and, at least as far as FERPA is concerned, may be shared freely with anyone at the institution, in its discretion, deems appropriate. For example, FERPA would not prevent a campus law enforcement unit from disclosing to external law enforcement agencies an incident report concerning the unit’s response to a student’s threatening statements or behavior. However, any copies of that report that are shared with other campus offices would become subject to FERPA, though the original in the law enforcement unit would continue not to be. Moreover, any student education records that other campus offices share with the campus law enforcement unit, as “school officials” with a “legitimate educational interest,” remain subject to FERPA even in the hands of that unit.”


• Isn’t campus police required to disclose certain reported crimes in the manner to aid in the prevention of similar crimes?

Yes. “These crimes include all of the Clery Act crimes under 34 CFR § 668.46(c)(1) and (c)(3) that are reported to campus security authorities or local police agencies and that are considered by the institution to represent a threat to students or employees (e.g., an active shooter on campus or a string of robberies in an area frequented by students).”

“These include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and arrest for liquor law violations, drug law violations, and illegal weapons possession. For definitions of these crimes, see Appendix A to Subpart D of 34 CFR Part 668, Crime Definitions in Accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting Program.”

See also:
UTHSC Timely Warning Policy: http://www.uthsc.edu/campuspolice/handbook_warnings.php

Other Sources:


