
Chapter: Student Affairs

Modification No. 001

Subject: **Campus Behavioral Intervention Teams**

- I. Montgomery College is committed to promoting the overall health and safety of Montgomery College students, staff, and faculty by providing proactive assistance to students who are exhibiting behaviors of concern.
- II. Behavioral Intervention Teams (B.I.T.) are used in higher education as a proactive way to address the growing need in the college and university community for a centralized, coordinated, caring, developmental intervention for those in need prior to crisis. Montgomery College is a member of NaBITA (National Behavioral Intervention Team Association), an organization for the support and professional development of behavioral intervention teams. The College is also a member of the statewide Behavioral Intervention Team Affinity Group. The Behavioral Intervention Team members participate in ongoing training to ensure current and best practices as well as provide training and education to the College community in addressing student behaviors of concern.
- III. The Student Code of Conduct, which governs students' rights and responsibilities, requires the College to take action after the occurrence of an incident or perceived violation. By contrast, the use of Behavioral Intervention Teams (B.I.T.) is preventative and allows the College to respond to student behaviors of concern before an actual incident occurs.
- IV. Therefore, it is the policy of the Board of Trustees to create campus Behavioral Intervention Teams (B.I.T.) to which student behaviors of concern can be referred and addressed. The B.I.T. conducts threat assessments for referred students of concern and recommends interventions to manage the concerning or threatening behavior to assure the safety and rights of the student and/or others and to minimize the disruption to the College community.
- V. The B.I.T. will make recommendations to the President regarding interventions, policies, procedures, practices, and education consistent with College policy and procedures.
- VI. The President is authorized to develop procedures to implement this policy.

Board Approval: February 22, 2016

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I. Introduction

- A. The Campus Behavioral Intervention Teams (B.I.T.) promote the overall health, safety and welfare of the Montgomery College community by providing proactive assistance to students who are exhibiting behaviors of concern and through preventative education.
- B. The B.I.T. is an interdisciplinary team composed of representatives from Counseling, Disability Support Services, Safety and Security, the Dean of Student's office, and other possible faculty and staff as appropriate. The team is chaired by the associate dean of student services, or designee, and functions under the supervision of the Campus Dean of Student Services.

II. Definitions

- A. The term "College" means Montgomery College and all of its campuses, sites, divisions, programs and college sponsored activities.
- B. The term "student" means a person currently matriculating, enrolled in or auditing credit or non-credit courses at the College, whether on or off campus, regardless of their physical location or enrollment status online, or on a part-time or full-time status. This definition also includes students who were registered for the previous or current semester, but who are not yet registered for the upcoming semester.
- C. The term "student of concern" means a student whose behavior is deemed concerning by others or who engages in behavior that may threaten the safety of the Montgomery College community.
- D. The term "behaviors of concern" is an umbrella term for inappropriate, disruptive and/or threatening or self-harming actions or behaviors that employees observe.
- E. The term "intervention" means a plan of action to address behaviors of concern.
- F. The term "threat assessment" means the process used to determine the threat level for students of concern.

III. Responsibilities

The responsibilities of the Behavioral Intervention Teams are to:

- A. Investigate and assess reports of concerning behavior that may pose a potential risk of harm to self or persons in the College community.
- B. Consult with administration, faculty, staff, and other students affected by the inappropriate behaviors of a student of concern.

- C. Conduct threat assessments for referred students of concern and recommends interventions to manage the threatening or concerning behavior to assure the safety and rights of others and to minimize the disruption to the College community.
- D. Provide education and training to the campus community on prevention, protocols, resources, and roles/rights/responsibilities.

IV. General Procedures

- A. Step 1. An Incident Report is submitted to the B.I.T. Chair and/or Dean of Student Services/WD&CE Instructional Dean via B.I.T. Incident Report, email, phone and/or Safety and Security.
- B. Step 2. The B.I.T. Chair and/or Dean of Student Services/WD&CE Instructional Dean determine whether to proceed as a B.I.T. case or other.

*Non-student behaviors will be addressed under the direction and authority of Campus Safety and Security.
- C. Step 3. If a B.I.T. case is opened, the campus-based team is convened and reviews the information using assessment tools.
- D. Step 4. If behaviors of concern exist, the B.I.T. recommends an intervention to the B.I.T. Chair and/or the campus Dean of Student Services, Instructional Dean of WD&CE or designee. If behaviors of concern do not exist, the case is closed.
- E. Step 5. An intervention takes place and the team follows up with the reporter and other individuals/groups as appropriate.

*If the threat assessment indicates a direct threat to others, based on medical or psychological reasons, B.I.T. may recommend that the Dean of Student Services or Instructional Dean of WD&CE initiate the Involuntary Medical Withdrawal (IMW) Procedure. There may be situations in which both the Involuntary Medical Withdrawal policy and the Student Code of Conduct may apply.

V. Involuntary Medical Withdrawal Overview

- A. Montgomery College considers the safety and welfare of its students, faculty and staff a top priority. When a student engages in behavior that violates the rules of conduct, the behavior will be addressed as a disciplinary matter under the applicable [Student Code of Conduct](#). The Student Code of Conduct defines prohibited conduct and outlines a process for conducting disciplinary proceedings.
- B. This Involuntary Medical Withdrawal Procedure is not a disciplinary code, policy or process. It is not intended to apply to situations in which a student engages in behavior that violates the College's rules of conduct. It is intended to apply when a student's observed conduct, actions and/or statements indicate a direct threat to the health and/or safety of others. There may be situations in which both this Involuntary Medical Withdrawal Policy and the Student Code of Conduct may apply. In such cases, the policies and procedures in the Student Code of Conduct are preferred unless, in the judgment of the Dean of Student Services or

Instructional Dean of WD&CE, the Code of Conduct should not or cannot be applied.

VII. Involuntary Medical Withdrawal Guidelines

A student may be withdrawn involuntarily from Montgomery College if the College determines that the student represents a direct threat to the health and safety of others by:

- A. Engaging or threatening to engage in behavior which poses a high probability of substantial harm to others; or
- B. Engaging or threatening to engage in behavior which would cause significant property damage, would directly and substantially impede the lawful activities of others, or would interfere with the educational process and the orderly operation of the College.
- C. In each case, an assessment of the student's ability to safely participate in the College's programs will be conducted. In cases where the behavior constitutes an imminent threat, the College may take action to immediately withdraw a student pending the assessment.

VIII. Emergency Interim Withdrawal

- A. The College may take emergency action to immediately withdraw a student on an interim basis where there is the likelihood of imminent or significant danger of serious physical harm to others. The purpose of an interim withdrawal is to provide time to obtain a mental health assessment or to gather additional information before a withdrawal decision is made.
- B. In the event emergency action is taken to withdraw the student on an interim basis, the student shall be given notice of the emergency withdrawal either in person, by certified mail, phone, and/or email. The student will have an initial opportunity to address the circumstances on which the emergency withdrawal is based with the Dean of Student Services, Instructional Dean of WD&CE, or designee within forty-eight (48) hours from the effective date of the interim withdrawal.
- C. Following this meeting, the Dean of Student Services, Instructional Dean of WD&CE, or designee may either cancel the interim withdrawal or continue it until a formal decision has been made in accordance with the procedures set forth in this policy or until the reasons for imposing the interim action no longer exist.
- D. If the emergency interim withdrawal remains in effect, the next stages of this procedure will be followed, and every effort will be made to expedite the process.
- E. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.

IX. Commencement of the Involuntary Medical Withdrawal Procedure

- A. When the Dean of Student Services, Instructional Dean of WD&CE, or designee based on a student's conduct, actions or statements, has reasonable cause to believe that the student meets one or more of the criteria for involuntary medical withdrawal, an assessment of the student's ability to safely participate in the College's program is initiated.
 - B. The Dean of Student Services, Instructional Dean of WD&CE, or designee initiates this assessment by first meeting with the student to:
 - 1. Review available information concerning the behavior and/or incidents which have caused concern and give the student the opportunity to respond to these concerns,
 - 2. Provide the student with a copy of this Involuntary Medical Withdrawal Policy and Procedure and discuss its contents with the student,
 - 3. Provide the student an opportunity to explain his/her behavior, and
 - 4. Discuss options available to the student, including counseling, voluntary withdrawal and evaluation for involuntary medical withdrawal.
 - C. If the student decides to withdraw voluntarily from the College and waives any right to any further procedures available under this policy, the student will be dropped or given a grade of W for all courses (as appropriate). The student will be advised in writing of any conditions that must be satisfied prior to re-enrollment, and may be referred for appropriate mental health or other health services.
 - D. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.
 - E. If the student does not decide to withdraw voluntarily and the Dean of Student Services, Instructional Dean of WD&CE, or designee continues to have reasonable cause to believe the student meets one or more of the criteria for involuntary medical withdrawal, the Dean of Student Services, Instructional Dean of WD&CE, or designee may require the student to be evaluated by an appropriate and approved licensed mental health professional.
- X. Evaluation by Mental Health Professional
- A. The Dean of Student Services, Instructional Dean of WD&CE, or designee may refer the student for an evaluation, to an appropriate/approved community mental healthcare professional or other appropriate professional (e.g. a psychiatrist, licensed psychologist, licensed clinical social worker, psychiatric nurse practitioner, or licensed clinical professional counselor) The student may also select his or her own appropriate mental health care professional (e.g. psychiatrist, licensed psychologist, licensed clinical social worker, psychiatric nurse practitioner, or licensed clinical professional counselor). In either case, documentation should be provided by a licensed or otherwise properly credentialed professional for the area being evaluated, who has undergone appropriate and comprehensive training, has relevant experience, and has no personal relationship with the individual being evaluated.

1. The mental healthcare professional selected to conduct the evaluation must be qualified to provide an effective assessment relevant to the evaluation questions at hand. The student should check with the Dean of Student Services, Instructional Dean of WD&CE, or designee before selecting their own mental healthcare professional to clarify qualifications.
 2. The College will cover the evaluation costs of any mandated referrals the College makes to a mental healthcare professional. If the student selects their own mental healthcare professional, the student will be responsible for the cost of the evaluation. The student may apply to the College for financial assistance. A written copy of the involuntary medical withdrawal referral shall be provided to the student. The student will be asked to sign a release authorizing the healthcare professional to discuss the evaluation with the Dean of Student Services, Instructional Dean of WD&CE, or designee.
 3. The Dean of Student Services, Instructional Dean of WD&CE, or designee shall review the report and recommendations submitted by the student's mental healthcare professional and may seek a secondary evaluation from an independent healthcare professional of the College's choice if it is determined that the professional selected by the student does not have the expertise to give an opinion about the student's condition and whether he or she poses a threat to others at the College, the information submitted does not specifically address the referral provided by the College, or there are other factors that indicate the information submitted is not credible or is fraudulent. This evaluation will be at no cost to the student.
 4. The Dean of Student Services, Instructional Dean of WD&CE, or designee shall provide the student with a specified period in which to be evaluated. If a student refuses to undergo an evaluation, does not attend the evaluation at the time it is scheduled, or refuses to provide a release authorizing the healthcare professional to discuss the evaluation with the Dean of Student Services, Instructional Dean of WD&CE, or designee, the student may be subject to disciplinary action under the Student Code of Conduct for failure to comply with the directive of a College official.
- B. The professional making the evaluation shall make an individualized and objective assessment of the student's ability to safely ~~to~~ participate in Montgomery College's program, based on a reasonable professional judgment relying on the most current professional knowledge and/or the best available objective evidence.
1. This assessment shall include a determination of the nature, duration and severity of the risk posed by the student to the health or safety of others, the probability that the potentially threatening injury will actually occur, and whether reasonable modifications of policies, practices or procedures will sufficiently mitigate the risk.

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2. The professional will, with appropriate authorization, share his/ her recommendation with the Dean of Student Services, Instructional Dean of WD&CE, or designee, who will consider this recommendation in determining whether the student should be involuntarily withdrawn from Montgomery College. A copy of the professional's recommendation will be provided to the student.
 3. If the evaluation results in a determination that the student's continued attendance presents no significant risk to the health or safety of others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the College, no further action shall be taken to withdraw the student from the College except as a result of sanctions resulting from a violation of the Student Code of Conduct.
- C. If the evaluation results in a determination that a treatment plan is needed to ensure the likelihood that there will be decreased risk, then the Dean of Student Services, Instructional Dean of WD&CE or designee will expect that the treatment plan be followed and documented in order to maintain an active enrollment status.
 - D. If the evaluation results in a determination that the continued attendance of the student presents a significant risk to the health or safety of others, such that there is a high probability of substantial harm, or a significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the College, the student may be involuntarily withdrawn from the College. In such an event, the student shall be informed in writing by the Dean of Student Services, Instructional Dean of WD&CE, or designee of the involuntary withdrawal, of his/her right to an informal hearing, of his/her right to appeal the decision of the hearing officer, and of any conditions necessary for re-enrollment.
 - E. The Dean of Student Services/WD&CE Instructional Dean, or designees, will notify faculty members of the change in registration status for the student, as appropriate.

XI. Involuntary Medical Withdrawal Hearing

- A. A student who has been involuntarily withdrawn may request an Involuntary Medical Withdrawal hearing before the College's Director of ADA Compliance or designee by submitting a written request to the Dean of Student Services, Instructional Dean of WD&CE, or designee within three (3) business days from receipt of the notice of involuntary withdrawal. A student who does not request an informal hearing within three (3) business days shall be immediately withdrawn from the College without further procedures. When an informal hearing is requested, it shall be held within five (5) business days, by the Director of ADA Compliance or designee, who shall inform the student in writing of the time and place of the hearing and the nature of the reasons for the proposed actions. If a student fails to attend the scheduled hearing, the Director of ADA Compliance may proceed and make a determination based on available evidence.
- B. The hearing shall be conversational and non-adversarial. No rules of evidence shall apply. The hearing will be closed to the public and the evidence presented shall be kept confidential pursuant to the Family Educational Rights and Privacy

Act ("FERPA"). The student may be accompanied to the involuntary medical withdrawal hearing by an advisor of his or her choice. The advisor may be an employee or student at the College, a member of the student's immediate family, or a health professional of his/her choice. The role of the advisor is limited to providing advice to the student. Only the student is allowed to speak or ask questions. The hearing officer can excuse or dismiss anyone who is disruptive to the hearing process. If the student declines to attend the hearing or does not request an alternative hearing date, then the hearing may take place without the student being present.

- C. The Dean of Student Services, Instructional Dean of WD&CE, or designee will provide all evidence relevant to whether the student is subject to involuntary withdrawal, including the health professional's written evaluation, witnesses, statements, documents and written reports.
 - D. The student shall be provided with the opportunity to review and comment on all documents, information, testimony and statements that are in the case file and would be considered regarding the involuntary withdrawal and shall also be allowed to present information in support of his or her case, including documentation from an appropriate health care provider of their choice who has conducted a proper assessment.
 - E. A recording shall be made of the proceedings and shall be made available to the Dean of Student Services, Instructional Dean of WD&CE and/or the student, upon written request, and to the Senior Vice President for Student Services if there is an appeal.
 - F. The Director of ADA Compliance shall prepare a written decision containing findings and conclusions as to whether the student should be involuntarily withdrawn from the College. The decision of the Director of ADA Compliance shall be furnished to the student and the Dean of Student Services or Instructional Dean of WD&CE within five business days.
- XII. Procedural Appeal to the Senior Vice President

The decision of the Director of ADA Compliance shall be final unless the student submits a written appeal to the Senior Vice President for Student Services within three (3) business days. The appeal is limited to a determination as to whether there was an arbitrary and capricious procedural error that substantially affected the outcome of the involuntary medical withdrawal process to the material prejudice of the student. The written appeal should specify the specific procedural errors the student wishes the Senior Vice President for Student Services to consider. The Senior Vice President for Student Services shall review the student's written appeal and notify the student of his/her decision within five business days. The decision of the Senior Vice President for Student Services is final and constitutes a final administrative decision by the College.

XIII. Notice

All decisions and notices referenced in these procedures shall be delivered to the student by any of the following methods: first class mail; certified mail, return receipt requested; hand delivery or electronic mail to the student's College e-mail account, and will become effective immediately upon deposit in the mail, the date sent by electronic mail or, in the case of hand delivery, upon receipt by the student.

XIV. Effect on Academic Status

A student who has been involuntarily withdrawn under these procedures may no longer attend classes, may not be an active member of any registered student organization and may no longer use any College facilities. The student shall be dropped or receive a grade of "W" in all enrolled classes (as appropriate). A refund will be considered in accordance with current policy 45001, II. B.2 - refund will be prorated based on the total amount of expired course time. The student shall have an administrative hold placed on their records that will prevent them from being readmitted or reenrolled at the College except as set forth below.

XV. Conditions for Re-enrollment

A student who has been involuntarily withdrawn under this policy who wishes to be considered for reenrollment should contact the Dean of Student Services or Instructional Dean of WD&CE, and shall provide to the Dean appropriate documentation that the student is fit to return to school and safely participate in the College community, including documentation from an appropriate licensed healthcare provider of their choice who has conducted a proper assessment of the student and has concluded the student does not pose a threat of serious harm to others. The Dean may also require the student to be evaluated by a licensed healthcare professional chosen and paid for by the College. If the student refuses to undergo an evaluation, provide authorization to review his/her medical records, or submit any other required information, the Dean may deny the student's request for readmission/reenrollment.

XVI. Education

Education is an important element of this Policy. The College will provide education and information, as determined appropriate by the president, for all employees and students to enhance understanding and increase awareness of the College's Campus Behavioral Intervention Team Policy and Procedures. Periodic training will also be conducted for responsible College employees, as determined by the President.

Administrative Approval: March 7, 2016