

OVERVIEW The BIT is a screening team which will receive reports of threatening or concerning behavior from a variety of sources (e.g. faculty, campus police, students, and staff) and determine the best mechanisms for response, support, intervention, and warning/notification as needed. The Care Team is a cross-functional group which responds to students in apparent or potential distress through coordination of resources established to promote the health and safety of our community.

APPLICABILITY This procedure is applicable to students, but reporting is expected of all members of the MCC community.

DEFINITIONS Campus BIT – Each campus shall have a BIT which will be the initial screening team for reports of concerning behaviors and will determine the appropriate course of action. The BIT is also responsible for making the determination whether a student poses a direct threat to the health or safety of others. The members of the campus BIT shall be as follows:

- Dean of Students – Chair
- Counselor as designated by the Dean of Students
- Campus Police Captain or designee

Campus Care Team – Each campus shall have a Campus Care Team. The BIT will review reports of concerning behaviors and refer to the Campus Care Team when warranted for coordination of resources to support students in distress. The members of the Campus Care Team shall be as follows:

- Counselor as designated by the Dean of Students – Chair
- Campus Police Captain or designee
- Dean of Students
- Faculty member appointed by the Dean of Instruction
- Student Engagement Manager
- Disability Support Services Coordinator
- Campus DEI Council member as designated by the Dean of Students
- Ad hoc members who are MCC employees, as needed

District Care Team – MCC shall have a District Care Team to facilitate coordination of information and activities between campuses. The members of the District Care Team shall be as follows:

- Vice Chancellor of Student Success & Engagement or their designee – Chair
- Director of Student Disability Services
- Dean of Students from each campus
- MCC Police Chief or their designee
- An MCC Counselor as appointed by the Vice Chancellor of Student Success & Engagement or their designee

Direct Threat – Threatened or actual behavior which poses a direct or significant risk to the health and safety of the campus community. Direct and significant risk

means a high probability of risk of serious injury or death and must be more than a remote, slightly increased, or speculative risk.

REPORTING TO
BIT/MCC CARES

All students and employees are encouraged to be alert and report concerning behaviors as soon as possible for the safety and well-being of the MCC community. The "MCC Cares" page on the MCC website includes the reporting form that should be submitted as well as examples of the types of behaviors to report. Employees with knowledge of threats, intimidating conduct, and acts of violence are required to report. Employees are also asked to report concerns regarding a student's well-being, erring on the side of over-reporting when in doubt, to promote a caring and preventive culture. **If there is perceived imminent danger, campus police should be called.** Confidentiality will be maintained to the extent provided by the law. Anonymous reports will be accepted but MCC's ability to investigate and respond may be limited.

MEETINGS AND
TRAINING

The campus BITs will meet as needed to review reports of concerning behavior. Each Campus Care Team will schedule at minimum monthly meetings; a meeting may be canceled if there are no reports to discuss. Emergency meetings may be called as needed.

The District Care Team shall meet at least two times per year (approximately mid-spring and mid-fall) to participate in training, discuss relevant events on their campuses, identify trends, and consider revisions to BIT and MCC Cares procedures as needed. The liaison members will report on the District Care Team meetings to their Campus Care Teams.

Annual training on the policy and NaBITA risk rubric for all BIT/Care Team members is required. All new/ad hoc Campus Care Team members will be required to review district BIT/Care Team training materials before attending their first meeting.

BIT AUTHORITY

Decisions to take action with regard to students under investigation by a BIT will be made with considerable caution. The BITs are not designed to replace the authority of other offices or departments, but to work with them to protect the safety and security of the MCC community and promote student wellness and success. Any BIT or Care Team member with a prior personal relationship with a student shall recuse themselves from team discussions when that relationship may affect objectivity. BITs shall ensure that the campus police, President, Vice President, and the Chancellor's office are notified of any imminent threats.

BIT ACTIONS

Upon receipt of an MCC Cares report, the BIT will:

- Review the report and make an individualized assessment based on the best reasonable objective evidence available to ascertain the nature, duration, and severity of the risk/concern
- Use the standard National Behavior Intervention Team Association (NaBITA) tool for threat analysis
- Document decisions. The BIT chair will maintain all records of BIT activity, reports, and follow-up in a cross-campus searchable database accessible

by campus BIT team members and the District Care Team. District records will be maintained by the District Care Team chair.

- Exercise care in sharing and protecting confidential information, particularly personally identifiable information, and balance the need for confidentiality with the need to protect the MCC community

Depending on the threat analysis, the concern may be:

- Addressed through the “Direct Threat Procedures” listed below
- Mediated, with a possible emphasis on education, coaching, and/or problem-solving
- Referred to an MCC counselor
- Referred to the Campus Care Team
- Addressed by the Dean of Students in one of the following ways:
 - Meeting(s) with student of concern
 - Student Code of Conduct charges
 - Requesting that the student participate in counseling or other treatment or support services
 - Requesting that the student take a mental or physical health related action, such as a medical or psychiatric evaluation

CAMPUS CARE TEAM ACTIONS

Upon receipt of an MCC Cares report from the BIT, the actions of the Campus Care Team may include, but are not limited to:

- Review and evaluate the report, establishing baseline behavior
- Use the NaBITA tool to assign level of risk. This initial risk placement will be reviewed by the team at each meeting to determine any changes.
- Designate a team member or other MCC employee familiar with the student to reach out to the student via phone or email to express concern and informally inquire about the student’s well-being. Continued follow-up with the student may be considered when concerning behaviors are present and/or the student’s behavior is deviating from the established baseline, including situations in which a student who was previously showing behaviors of concern goes dormant.
- Discuss possible interventions to include community resources and/or College support services
- Coordinate recommended services

- When a documented disability is indicated, refer to the Disability Support Services office. Consideration will be given as to whether reasonable accommodations or the provision of auxiliary aids will mitigate the risk or concern.
- When applicable, recommend referral for an individualized psychological assessment through an independent source at the College's expense if there are mental health concerns which may require a treatment plan
- When behavior indicates a significant risk to the health and safety of the College community, refer to the BIT team to begin the direct threat procedure
- Exercise care in sharing and protecting confidential information, particularly personally identifiable information

DIRECT THREAT When an individual appears to pose a direct threat to the health and safety of others, the BIT will make an individualized assessment, based on reasonable judgment relying on current medical knowledge and/or the best available objective evidence, to ascertain:

- The nature, duration, and severity of the risk
- The probability that the potential injury will occur
- Whether any reasonable modifications of the College's policies, practices, or procedures, or the provision of auxiliary aids or services, will mitigate the risk

Students will not be subjected to adverse action on the basis of unfounded fear, prejudice, or stereotypes.

The campus BIT chair will take the following actions in direct threat situations:

- **Notify campus police.**
- Written notice will be provided to the student, including an invitation to provide documents or other information relating to the direct threat inquiry. This written notice will include a copy of the BIT/MCC Cares policy and procedure as well as the name and contact information of the campus BIT chair for student questions/concerns. The written notice will also include a statement that the direct threat inquiry will proceed with the information available to the College if the student fails to provide a response.
- The student may be referred for a formalized violence risk assessment through an independent source at the college's expense if there is a concern regarding the possibility of violence.
- Interim restrictions may be imposed if the BIT believes that such interim restrictions are advisable to protect the College community, or to ensure safety and maintenance of order of the College. In exceptional circum-

stances, such as situations where safety is an immediate concern, the College may take interim steps pending a final decision regarding adverse action against a student on the basis of direct threat as long as minimal due process is provided in the interim and due process is offered later.

- The student will have ongoing access to continue their courses. If this is not plausible, the student will be given every reasonable opportunity to complete course work without penalty if the findings support the student's return to campus.
- Emergency contact notification should be considered at the NaBITA elevated stage and is obligatory at the critical stage.
- The Student Code of Conduct will be followed.

The third party violence risk assessment report is considered a police record and will be stored in the office of the MCC Chief of Police. This report will not be released to anyone outside of the College, but may be reviewed by the BIT on a need-to-know basis. Upon reviewing the psychological or violence risk assessment report, the BIT may:

- Determine that the student can return to campus under certain conditions, such as regular appointments with the counseling center, etc. If the student fails to attend these appointments, the Dean of Students may bring Code of Conduct charges against the student.
- Consider whether reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids may mitigate the risk
- If the team determines the student poses a direct threat to the health and safety of the College community, and that the risk cannot be mitigated by reasonable modifications of policies, practices or procedures or the provision of auxiliary aids and services, the BIT will:
 - Make the necessary referrals for action regarding the student. Disciplinary decisions regarding student conduct are made by the Dean of Students or other appropriate administrator, who will consider the recommendation and any supporting documentation available from the Campus Care Team.
 - Emergency contact notification is obligatory unless contraindicated.
 - The campus BIT chair will notify the District Care Team chair, MCC Police Chief, and the campus President and Vice President of the direct threat and actions taken by the BIT team. If the risk is determined to be district-wide, the

campus BIT chair will also notify the other campus Presidents.

- o The MCC Police Chief will notify the Chancellor.

APPEAL
PROCESS

The campus BIT chair will provide the student written notice of applicable appeal procedures in cases resulting in interim suspension or other adverse action. A student may use the appeal procedures outlined in the Discipline Appeal Process in the Student Code of Conduct to appeal a decision made by the BIT/Care Team within five days of notification of the decision. In cases of appeal, the Vice President will receive from the campus Care Team chair and consider the student's threat analysis completed by the Campus Care Team and supporting documentation. Campus Care Team members will not participate in the deliberation or decision regarding the student's appeal. Failure of a student to take the opportunity to respond at the time and in the manner provided by the College shall not affect the validity of or delay any decision made. In exceptional circumstances, such as situations where safety is of immediate concern, the College may take interim steps pending a final decision regarding adverse action against a student on the basis of direct threat as long as minimal due process is provided in the interim and due process as outlined in the Student Code of Conduct is offered later.

CONDITIONS
OF RETURN

Following a determination that an individual poses a direct threat to the College community, the College may require a student seeking return to provide documentation that he or she no longer poses a direct threat to the College community. The campus BIT chair may request records from the student and request permission to speak to a treating professional. The records and information that will be requested and required are determined on a case by case basis depending on what information is necessary to determine whether the student is able to return and fulfill the code of conduct requirements of the College's programs with or without accommodation.

The student must authorize verbal and written communications about his or her condition between all licensed mental health providers involved in this process and the campus Vice President. The College will maintain confidentiality practices and adhere to the requirements of FERPA and HIPAA.

Requests for readmission must be made in writing to the Vice President. The student is not entitled to a hearing on the readmission determination. Re-enrollment or readmission is contingent upon the student meeting any admission or enrollment requirements of the College.

Upon reinstatement at the College, the student will be referred to the Dean of Students for review and adjudication of any violations of the Student Code of Conduct that may be outstanding. When all College judicial proceedings have been completed and any applicable academic requirements satisfied, the student may be permitted to re-enroll at the College.