



## **Responding to Troubled and At-Risk Students: Best Practices\***

**October, 2007**

Gary Pavela

(references are to Internet resources listed below)

### **Learning from schools**

[1] A review of Cho's educational history reveals that he received more coordinated attention and support in the public school system than in college. While college is a time for greater student autonomy and independence, the best practices developed in many public schools for working with at-risk students (especially after Columbine) should be studied by college administrators.

[2] Core elements of those best practices include active engagement with troubled students sooner rather than later; clear expectations for

promptly reporting concerns and rule violations; consistent "case management" and information sharing; prompt outreach to and coordination with parents; and use of established threat assessment protocols by trained personnel working as a team.

## Active engagement with troubled students

[3] One danger in the aftermath of the Virginia Tech shootings would be a climate of fear and distance between teachers and students, especially students who seem odd, eccentric, or detached. Research on violence prevention suggests schools and colleges need *more* cross-generational contact, not less.

[4] From the Florida "Gubernatorial Task Force For University Campus Safety."

The Task Force heard recurring testimony that faculty were focused on the academic and research nature of their jobs, to the exclusion of other responsibilities. At the same time, however, they have a critical role in developing students, enhancing the value of the college experience, and recognizing the early warning symptoms that have become evident in students having difficulties with the stresses of college life . . . *Positive interaction between a student 'who poses a risk' and faculty, staff, and other students can be the best method for early identification and intervention*" (emphasis supplied). [e]

[5] The 2003 National Research Council report *Deadly Lessons: Understanding Lethal School Violence* stated that:

[W]e could not put it better than the words of a beloved long-time teacher [at one of the schools studied]: "The only real way of preventing [school violence] is to get into their heads and their hearts . . . [a]

[6]

From the Secret Service "Threat Assessment in Schools: A guide to Managing Threatening Situations and to Creating Safe School Climates." [b/i]

[A]ll too frequently adults forget that respectful listening is a "two-way street." *A school with a culture of 'two-way listening' will encourage and empower students to have the courage to break the ingrained code of silence.* Listening also must be expanded beyond academic concerns. Communications between teachers and students also should include listening to feelings, especially those of hurt and pain (emphasis supplied).

## Emergency response planning

[7] Colleges should develop and regularly review an emergency response plan. The plan should be linked to a "threat assessment team." Campus police agencies should have a voice in the "decision-making hierarchy" for the plan. Emergency planning should also include victim service protocols and training. [c]

[8] Procedures should be in place to send emergency messages to "the entire campus community," preferably linked to an "audible warning device" like a siren. Discretion needs to be given to the campus police or a designated senior administrator to send such messages immediately, without waiting for deliberation by a committee. [c]

## Threat assessment

[9] Colleges and universities should create a cross-functional, multidisciplinary threat assessment team. Campus-wide policies and procedures should be developed for prompt, mandatory reporting of apparently dangerous behavior to the team.

[10] From the "Report of the Virginia Tech Review Panel":

Virginia Tech and other institutions of higher learning should have a threat assessment team that includes representatives from law enforcement, human resources, student and academic affairs, legal counsel, and mental health functions . . . Incidents of aberrant, dangerous, or threatening behavior must be documented and reported immediately to a college's threat assessment group, and must be acted upon in a prompt and effective manner to protect the safety of the campus community . . . [c]

[11] From the "Report of the Virginia Tech Review Panel": (Appendix M "Red Flags, Warning Signs and Indicators" by Roger Depue, Ph.D):

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 . . . [c]

[12] From the "Report of the Virginia Tech Review Panel": Depue, continued:

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 [c]

[13] From the "Report to the President on Issues Raised by the Virginia Tech Tragedy":

The FBI's National Center for Analysis of Violent Crime Behavioral Analysis Unit (BAU) . . . provides training programs [on threat assessment and school violence] to various law enforcement agencies, school administration personnel, and mental health professionals who are regularly tasked with responding to threatening situations in school environments.[g]

## Campus police

[14] Campus police should focus on law enforcement and crime prevention, but should also be designated as having legitimate educational interests in student records. Senior police officials should be an integral part of threat assessment and emergency response teams. [c]

[15] From the "Report of the Virginia Tech Review Panel":

"The head of campus police should be a member of a threat assessment team as well as the emergency response team for the university . . ." [c]

[16] Consider the work of the Memphis, Tennessee Police Department "Crisis Intervention Team," described in the October 2000 issue of *Psychiatric Services* (Cochran, et. al, "Improving Police Response to Mentally Ill People"). [p]

## Mental health services

[17] Counseling centers can't be "passive" in responding to students in crisis. They must play a key role in responding to threatening behavior, including requiring at-risk students to participate in counseling. [c]

[18] From the "Report of the Virginia Tech Review Panel":

Repeated incidents of aberrant, dangerous, or threatening behavior should be reported to the counseling center and reported to parents. The troubled student should be required to participate in counseling as a condition of continued residence in campus housing and enrollment in classes . . . [c]

[19] A recurring problem evident at Virginia Tech and in the MIT *Shin* case (among others) is the failure to coordinate care for troubled students. Too often students are seen in multiple settings (e.g., counseling centers and mental health clinics) without adequate monitoring or record-keeping. Ideally, counseling and mental health services should combine record-keeping functions and assign high-risk students to a case manager. [h]

[20] Rules of medical privilege do not bar mental health professionals from *receiving and assessing* information from multiple sources. Even when mental health practitioners cannot breach confidentiality, having greater access to information allows them to provide better general guidance to other decisionmakers.

[21] Examples of such general guidance include discussing the strong association between intimate partner problems and suicide and the heightened risk of violence when persons with certain mental disorders abuse alcohol.

[22] Experienced mental health professionals assigned to threat assessment teams might also be assertive in becoming what the authors of the Secret Service *Threat Assessment Guide* describe as "boundary spanners":

In a well-functioning threat assessment program, effective systems relationships are most likely to occur between individuals, not institutions. Individuals who build and maintain these relationships across disciplines and agencies are called "boundary spanners." They serve as a formal link or liaison between various systems and meet regularly with them. Boundary spanners have credibility, respect, and strong interpersonal skills. In addition, they should understand the needs and operation of other systems. This understanding helps in integrating ongoing interagency relationships, in developing written protocols, and in facilitating the resolution of conflicts. [b/i]

## Collaboration with parents

[23] Parents can play a key role in seeing students longitudinally and holistically over extended periods of time. They should be regarded as potential partners, not adversaries. Vital facts and information--like a student's detention in a mental facility--should normally be shared with parents. [c]

[24] From the "Report of the Virginia Tech Review Panel":

During his formative years, Cho's parents worked with Fairfax County school officials, counselors, and outside mental health professionals to respond to episodes of unusual behavior. Cho's parents told the panel that had they been aware of his behavioral problems and the concerns of Virginia Tech police and educators about these problems, they would again have become involved in seeking treatment. [c]

[25] From the "Report of the Virginia Tech Review Panel":

When Cho's parents were asked what they would have done if they had heard from the college about the professors', roommates, and female students' complaints, their response was, 'We would have taken him home and made him miss a semester to get this looked at ... but we just did not know ... about anything being wrong.' From their history during the high school years, we do know that they were dedicated to getting him to therapy consistently and also consented to psychopharmacology when the need arose . . . [c]

[26] From *Synfax Weekly Report*: "The student-university-parent partnership"

'Privacy isn't everything; life is everything,' says [Dr. Paul R. McHugh] the former chairman of the department of psychiatry at Johns Hopkins School of Medicine, . . . 'We lock people up, we take their civil liberties away if they are a danger to themselves. But we can't call the parents? What kind of nonsense is that?' [j]

## Interpreting privacy Laws

[27] Federal privacy laws are consistently misunderstood and over interpreted. Such laws give "ample leeway to share information in

potentially dangerous situation(s)." Colleges need to review the policy options available in FERPA to share more information with parents and clearly communicate the choices made. Regular training on privacy and confidentiality polices needs to undertaken, especially for front-line staff responding to inquiries. [c, d]

[28] From the "Report to the President on Issues Raised by the Virginia Tech Tragedy"

We repeatedly heard reports of "information silos" within educational institutions and among educational staff, mental health providers, and public safety officials that impede appropriate information sharing. These concerns are heightened by confusion about the laws that govern the sharing of information. [g]

[29] From the "Report of the Virginia Tech Review Panel":

University officials in the office of Judicial Affairs, Cook Counseling Center, campus police, the Dean of Students, and others explained their failures to communicate with one another or with Cho's parents by noting their belief that such communications are prohibited by the federal laws governing the privacy of health and education records. In reality, federal laws and their state counterparts afford ample leeway to share information in potentially dangerous situation. [c]

[30] From the "Report of the Virginia Tech Review Panel":

law enforcement officers are usually responsible for transporting people who are under temporary detention orders to mental health facilities. No privacy laws apply to this law enforcement function. In the Cho case, the VTPD was not prohibited from contacting the university administration or Cho's parents to inform them that Cho was under a temporary detention order and had been transported to Carilion St. Albans Behavioral Health. [c]

## **Student peer support and engagement**

[31] From the Florida "Gubernatorial Task Force For University Campus Safety":

[I]individual institutions [should] encourage and foster the development of organized peer mental health support groups on campus. [e]

[32] From the Florida "Gubernatorial Task Force For University Campus Safety":

Peer group support systems, including student-only group counseling activities, are an important component of a comprehensive campus mental health system. Students afraid of being stigmatized by their illness are frequently much more likely to interact with others suffering from similar difficulties. The Active Minds Program, active on 65 campuses in 25 states, including the University of South Florida, is one of the 'best practices' worthy of review by other institutions. [e]

[33] From the "Report to the President on Issues Raised by the Virginia Tech Tragedy"

[The U.S. Department of Health and Human Services should include a focus on college students in its mental health public education campaign to encourage young people to support their friends who are experiencing mental health problems . . . \[g\]](#)

## Limits of disciplinary action

[34] From *The School Shooter: A Threat Assessment Perspective*, National Center for the Analysis of Violent Crime, Federal Bureau of Investigation, (2000), emphasis supplied:

Expelling or suspending a student for making a threat must not be a substitute for careful threat assessment and a considered, consistent policy of intervention. *Disciplinary action alone, unaccompanied by any effort to evaluate the threat or the student's intent, may actually exacerbate the danger--* for example, if a student feels unfairly or arbitrarily treated and becomes even angrier and more bent on carrying out a violent act. [b/ii]

[35] From the United States Secret Service, *Threat Assessment in Schools* (2002), emphasis supplied:

Those with responsibility to manage a student assessed as posing a threat of targeted violence should consider options for the long term management of threatening situations in the context of the primary goal of prevention. *The response with the greatest punitive power may or may not have the greatest preventive power.* [b/i]

[36] From Katherine S. Newman, *Rampage: The Social Roots of School Shootings* (2004):

"*Discretion is an important tool for keeping order.* If students believe that their teachers and administrators are unable to exercise any judgment, they are not likely to consider them people they can confide in or trust."

### **Successful adaptation to a mental disability can add strength and wisdom to life**

[37] A fellow legislator in Illinois (Robert L. Wilson) saw the extent of Abraham Lincoln's "melancholy" in 1836:

In a conversation with him about that time (1836), he told me that although he appeared to enjoy life rapturously, still he was the victim of terrible melancholy. He sought company, and indulged in fun and hilarity without restraint, or stint as to time. Still when by himself, he told me that he was so overcome with mental depression, that he never dare carry a knife in his pocket. As long as I was intimately acquainted with him, previous to the commencement of the practice of the law, he never carried a pocket knife . . . [k]

[38] Multiple observers have referred to a "mental health crisis" on college campuses. Whether or not such a crisis exists, students have much to gain by studying the adaptive strategies of a person who turned a mood disorder into a source of strength and wisdom for himself and the nation. How did Lincoln do it? [k]

[39]

A consistent theme in Lincoln's life is his deliberate management of mental focus. This is a form of cognitive therapy before the term was invented. Joshua Wolf Shenk and biographer Ward H. Lamon cited an example in an 1842 letter from Lincoln to Joshua Speed:

I think if I were you, in case my mind were not exactly right, I would avoid being *idle*. I would immediately engage in some business, or go to making preparations for it. [k]

[40] [Lincoln] persisted, in part, because he defined a higher goal beyond his own success or failure. With that goal in mind he became a practitioner of "wise failure." Each defeat, properly understood, provided knowledge and experience for subsequent success. [k]

[41] Contemporary students often lack skills in adapting to and learning from failure. For some the first B- in college represents the end of all hope. How can educators help? The best place to start is with candid discussion of our personal experiences in learning how to *fail wisely*. [k]

[42] Ken Bain makes this point in his book *What the Best College Teachers Do* (2004):

Highly effective teachers tend to reflect a strong trust in students . . . They often display openness with students and may, from time to time, talk about their own intellectual journey, its ambitions, triumphs, *frustrations, and failures*, and encourage their students to be similarly reflective and candid. They may discuss how they developed their interests, *the major obstacles they faced in mastering the subject*, or some of their secrets for learning particular material. They often discuss openly and enthusiastically their own sense of awe and curiosity about life. Above all, they tend to treat students with what can only be called simple decency (emphasis supplied). [k]

\*Drawn from state and national reports following the Virginia Tech shootings.

---

### **Internet Resources and Commentary \***

**Gary Pavela**

**(cut and paste links to your browser as necessary)**

---

#### **[a] Research on rampage shootings in the schools**

*Deadly Lessons: Understanding Lethal School Violence* (National Academies Press)

[http://www.nap.edu/catalog.php?record\\_id=10370#toc](http://www.nap.edu/catalog.php?record_id=10370#toc)

#### **[b] School violence: threat assessment**

[i] *A Guide to Managing Threatening Situations and to Creating Safe School Climates* [Secret Service]

[http://www.secretservice.gov/ntac/ssi\\_guide.pdf](http://www.secretservice.gov/ntac/ssi_guide.pdf)

[ii] *The School Shooter: A Threat Assessment Perspective* [FBI]

<http://www.fbi.gov/publications/school/school2.pdf>

**Overview and commentary:**

[iii] *School violence and threat assessment*

[http://docs.google.com/Doc?id=dfdpvzp9\\_40k33knb](http://docs.google.com/Doc?id=dfdpvzp9_40k33knb)

[iv] *School violence: threat assessment, part II*

[http://docs.google.com/Doc?id=dfdpvzp9\\_10ffd365](http://docs.google.com/Doc?id=dfdpvzp9_10ffd365)

**[c] State of Virginia "Report of the Virginia Tech Review Panel"**

<http://www.governor.virginia.gov/TempContent/techPanelReport.cfm>

[http://docs.google.com/Doc?id=dfdpvzp9\\_301fngw4c](http://docs.google.com/Doc?id=dfdpvzp9_301fngw4c) (overview)

**[d] June 2007 Department of Education FERPA/HIPAA clarification (with related links)**

<http://www.ed.gov/policy/gen/guid/fpc/hottopics/ht-parents-postsecstudents.html>

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a law passed by Congress intended to establish transaction, security, privacy, and other standards to address concerns about the electronic exchange of health information. However, the HIPAA Privacy Rule excludes from its coverage those records that are protected by FERPA at school districts and postsecondary institutions that provide health or medical services to students.

**FERPA regulations with links to each part:**

<http://www.ed.gov/policy/gen/reg/ferpa/index.html>

**University of Maryland "Parents' Guide to Student Privacy Rights" (Student Honor Council).**

<http://www.studenthonorcouncil.umd.edu/ferpa.html#four>

**August 6, 2007 NACUA Notes on FERPA:**

<http://www.naspa.org/files/NACUA%20Notes%208-6-2007.pdf>

**2006 Washington State Hospital Association Guide to Disclosure of Protected Health Information (HIPAA):**

[http://depts.washington.edu/comply/docs/HLE\\_Guide.pdf](http://depts.washington.edu/comply/docs/HLE_Guide.pdf)

The Guide provides the following example of an instance when disclosure of federally protected health information would meet the applicable standard of being "necessary to prevent or lessen a serious and imminent threat to health or safety." Such a disclosure "must be to a person who is reasonably able to prevent or lessen the threat."

Example: A patient tells her mental health therapist during a session that if her mother ever yells at her again she will put rat poison in her coffee. If the provider reasonably believes that the patient is going to poison her mother

in the near future, the provider may report the information to law enforcement. If, however, the provider believes that the patient is not seriously threatening the safety or health of the mother, no information may be released. The provider must use his or her best professional judgment and consider factors such as the current symptoms of the patient, the patient's credibility and history of violent acts, and any known ability or access to the method of harm

The Guide properly cautions, however, that "State law and the HIPAA privacy regulation must be read together to provide the parameters" for "imminent threat" disclosure.

**[e] Florida "Gubernatorial Task Force For University Campus Safety" (overview)**

[http://docs.google.com/Doc?id=dfdpvzp9\\_145dbfhbg](http://docs.google.com/Doc?id=dfdpvzp9_145dbfhbg)

**[f] Report of the Virginia Inspector General (overview)**

[http://docs.google.com/Doc?id=dfdpvzp9\\_200dsw846](http://docs.google.com/Doc?id=dfdpvzp9_200dsw846)

**[g] "Report to the President on Issues Raised by the Virginia Tech Tragedy" (overview)**

[http://docs.google.com/Doc?id=dfdpvzp9\\_118dpxskd](http://docs.google.com/Doc?id=dfdpvzp9_118dpxskd)

**[h] "Expanding the role of college mental health services"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_195hsg39w](http://docs.google.com/Doc?id=dfdpvzp9_195hsg39w)

**[i] "College Student Suicide: Law and Policy Perspectives"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_41d8872s](http://docs.google.com/Doc?id=dfdpvzp9_41d8872s)

**[j] "The Student, University, Parent partnership"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_320gbnd3x](http://docs.google.com/Doc?id=dfdpvzp9_320gbnd3x)

**[k] "Turning depression into wisdom: What Lincoln can teach contemporary college students"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_279gzhs4w](http://docs.google.com/Doc?id=dfdpvzp9_279gzhs4w)

**[l] Joshua Wolf Shenk's website on "Lincoln's Melancholy"**

[http://www.lincolnmelancholy.com/feat\\_back\\_1.html](http://www.lincolnmelancholy.com/feat_back_1.html)

**[m] "Memorandum to the Faculty: Teaching Troubled Students"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_77drxc7](http://docs.google.com/Doc?id=dfdpvzp9_77drxc7)

**[n] "Mood Disorders and Creativity"**

<http://www.garypavela.com/> (scroll down to 06.4)

**[o] "Focus on the Conduct"**

[http://docs.google.com/Doc?id=dfdpvzp9\\_319dcjk7b](http://docs.google.com/Doc?id=dfdpvzp9_319dcjk7b)

**[p] "Improving Police Response to Mentally Ill People" (the Memphis model)**

<http://www.psychservices.psychiatryonline.org/cgi/content/full/51/10/1315>

**[q] Wisconsin Task Force on Campus Safety (Interim Report).**

<http://oja.state.wi.us/docview.asp?docid=11668&locid=97>

### [r] Virginia Tech Presidential Internal Review

[http://www.vtnews.vt.edu/documents/2007-08-22\\_internal\\_communications.pdf](http://www.vtnews.vt.edu/documents/2007-08-22_internal_communications.pdf)

\*Newsletter articles by Gary Pavela on docs.google.com are copyright protected. Authorization to print one copy for non-commercial educational purposes is granted. For other permissions (including requests for electronic transmission or posting) please contact Gary Pavela at [garypavela@gmail.com](mailto:garypavela@gmail.com).



For further information contact [Pavelareport@gmail.com](mailto:Pavelareport@gmail.com). The views expressed here do not constitute legal advice. For legal advice the services of a lawyer in your jurisdiction should be sought.

Subscription rates (forty weekly issues): [] \$95 six month trial subscription for new subscribers; [] \$185 annual subscription ; [] \$375 annual subscription for unlimited distribution on a single campus. To order or for information contact: [Pavelareport@gmail.com](mailto:Pavelareport@gmail.com).