

Policy on Threats or Harm to Self or Others

1. General Information

Baylor University is concerned about the well-being of all students. The University takes seriously any behavior, including a non-privileged verbal statement, that tends to demonstrate a student may harm himself or herself or another. This policy is applied in a nondiscriminatory manner to all students and allows the University to take interim steps to address immediate safety concerns. The determination to implement this policy will be based on observed student conduct, actions, or statements, and individualized assessments by designated professionals will be utilized in each situation. When the information establishing a student's intent to harm himself or herself or another is obtained solely under confidential circumstances in the Counseling Center, the Counseling Center may obtain an emergency detention order from the Baylor Police Department. In this case, the student will not be placed under this policy, and the incident will not be reported to the senior case manager.

2. Policy Statement

Concern for the safety of each member of the Baylor community has compelled Baylor University to adopt the following policy. Any student who **(a) states an intent or desire to harm himself or herself or another, (b) attempts to harm himself or herself or another, (c) harms himself or herself or another, or (d) exhibits behavior that indicates the student could be a danger or risk to himself or herself or another** may not live in University residential facilities, participate in University academic programs, or participate in other University activities the University may deem to be harmful to the student or others until cleared to do so by the senior case manager for student life or his or her designee in accordance with the clearance procedure set forth below. Any Baylor University employee may place a student under the policy if they exhibit any of the above listed behaviors. University activities may include University work-study programs on or off campus. The University reserves the right to determine what actions might be deemed as harmful to the student or another. The prohibition against living in University residential facilities, participation in University academic programs, or participation in other University activities the University deems to be harmful to the student or others is not disciplinary in nature; and the fact that such a prohibition has been imposed will not be entered in the student's disciplinary records. **However, if the student engages in disruptive behavior (which may include, but is not limited to, the behavior that caused processing under this policy), fails to comply with the terms of the clearance procedure, or violates a University policy such as harming another or stating the intent to harm another, the student may be subject to disciplinary action in accordance with the Student Conduct Code.** In which case, documents relevant to both processes may be placed in the student's disciplinary record.

3. Incident Reporting

If a student is in need of immediate medical treatment, the Baylor University Police Department (campus phone extension: 2222 or 254-710-2222) or 911 should be notified immediately. If a student or a faculty or staff member observes a student **(a) stating an intent or desire to harm himself or herself or another, or (b) attempting to harm himself or herself or another, (c) in the process of harming himself or herself or another, or (d) exhibiting behavior that indicates the student could be a danger or risk to himself or herself or another** the person observing such behavior should report what was observed to the Baylor University Police Department (campus phone extension: 2222 or 254-710-2222) or 911 immediately, to other appropriate staff members and to the senior case manager for student life at 254-710-1314 or 254-710-7069 as soon as possible. The senior case manager may consider the need to advise parents or the next of kin.

4. Initial Incident Review

The senior case manager may consult with witnesses, police, the University Care Team, Student Conduct Administration, the Threat Assessment Group, or other relevant resources or staff members as deemed necessary, to review the reported incident.

- (a)** Where the available information does not support a reasonable conclusion that a risk of threat or harm to self or others exists, the matter shall be closed and no further action taken under this policy. The matter may be referred to other authorities as appropriate.
- (b)** Where the available information supports a reasonable conclusion that a risk of threat or harm to self or others exists, the senior case manager shall proceed under this policy.

5. Clearance Procedure

(a) Notice

The senior case manager for student life, or any Baylor official designated by the senior case manager, may notify each student who has been observed **(a) stating an intent or desire to harm himself or herself or another, (b) attempting to harm himself or herself or another, (c) in the process of harming himself or herself or another, or (d) exhibiting behavior that indicates the student could be a danger or risk to himself or herself or another** that he or she will not be permitted to continue to live in the University's residential facilities, participate in academic programs, or participate in other University activities the University deems

to be harmful to the student or others until the student receives approval of the senior case manager in accordance with this clearance procedure. If, after a student has been notified that he or she cannot live in the University's residential facilities, participate in the University academic programs, or participate in other University activities the University deems to be harmful to the student or others, he or she violates the prohibition by entering a residence hall, attending class, or participating in an activity that has been prohibited, such violation may result in disciplinary action in accordance with the Student Conduct Code.

(b) Evaluation by a qualified mental health professional

Before the senior case manager for student life may clear a student to live in the University's residential facilities, participate in the University's academic programs, or participate in other University activities the University had previously deemed to be harmful to the student or others, the student must have an assessment conducted by a licensed mental health professional, either a psychologist, psychiatrist, or one of the licensed mental health professionals in the Baylor Counseling Center. The student may choose the mental health professional, including those in the Baylor Counseling Center. Cost, if any, for evaluation and treatment will be the responsibility of the student. It is possible that the assessment may include the requirement that the student have an additional assessment by a physician before the final assessment can be completed.

(c) Communication of results of evaluation to the senior case manager for student life

The student must arrange for the mental health professional who evaluated the student to contact the senior case manager for student life. Because the student's contact with the professional is confidential, the student will be requested to sign a release form permitting the mental health professional to disclose the evaluation to the senior case manager for student life.

The mental health professional will be asked to provide his or her evaluation about the overall level of risk or harm to himself or herself or another as well as any factors that might increase or decrease the student's risk to self or others.

Based on the mental health professional's evaluation, the senior case manager for student life will determine:

- (1)** the student's readiness to resume living in the University's residential facilities, participation in the University's academic programs, or participation in other University activities the University had previously deemed to be harmful to the student or others and
- (2)** conditions the University should impose on the student's participation that are in the student's best interest or the University community's best interest when behavior has demonstrated that in the opinion of the senior case manager, in consultation with others, has been disruptive to the educational pursuit of others.

The evaluation of the mental health professional may be communicated orally at first for expedience but must be followed in writing.

(d) Approval from the senior case manager for student life

Based upon the results of the evaluation by the mental health professional that may include a physician's assessment and/or recommendation, the senior case manager for student life will make a decision about the student's fitness to resume living in the University's residential facilities, participation in the University's academic programs, or participation in other University activities the University had previously deemed to be harmful to the student or others. All students placed under this policy must meet with the senior case manager for student life. In some cases, the senior case manager may require an interview with the student prior to making a decision about clearing the student under this policy.

Contact Information:

Meghan Becker, Senior Case Manager for Student Life
Suite 114, McLane Student Life Center (The SLC)
One Bear Place #97066
Waco, Texas 76798-7066
254-710-1314 Office
254-710-1766 Fax

(e) Review related to cases involving disruptive behavior

If the student has also engaged in disruptive behavior, the senior case manager for student life will review the case with the associate dean for student conduct administration or the Title IX coordinator as applicable before clearing the student to live in the University's residential facilities, participate in the University's academic programs, or participate in other University activities. If the behavior would be in violation of the Student Conduct Code, clearance from this policy may be placed on hold until the student is processed under the Student Conduct Code or the Sexual and Gender-Based Harassment and Interpersonal Violence Policy.

If the senior case manager determines that the student is able to resume living in the University's residential facilities, participate in the University's academic programs, or participate in other University activities the University had previously deemed to be harmful to the student or others, the senior case manager will communicate to appropriate University officials that the student has been cleared under this policy and if necessary, will provide a letter to the student stating the student has been cleared to return to residential facilities, classes, or other University activities. The student may be required to present the letter to the Campus Living & Learning staff or any faculty or staff member who requests the letter as proof that the clearance process has been completed unless the senior case manager for student life has provided the letter to the appropriate faculty or staff for the student.

If the senior case manager determines that the student is **not fit to return to the University's residential facilities**, the senior case manager will assist the student, upon request of the student, in making arrangements to meet the residential need of the student and assist the student in communication with his or her professors until approval is obtained. Costs, if any, for arrangements to meet the residential and academic needs of the student will be the responsibility of the student.

If the senior case manager determines that the student is **not fit to return to the University's academic programs**, the senior case manager will assist the student in making academic arrangements, as deemed appropriate. If the senior case manager determines that the student is **not fit to return to University services or programs other than residential facilities or academic programs**, the senior case manager will provide the student with written instructions regarding which activities or programs are prohibited, the length of the prohibition, and the conditions (if any) for re-admittance to those activities or programs.

(f) Unavailability of the senior case manager for student life

In the event that the senior case manager for student life is unavailable to perform any task pursuant to this policy, his or her designee shall act. Currently, if the senior case manager is unavailable, the case manager for student care and outreach shall act. In the event that the case manager for student care and outreach is unavailable to perform any task pursuant to this policy, the care case manager shall act. In the event that the care case manager is also unavailable, the associate vice president for student life shall act.

(g) Appeal of the decision

In the event that the senior case manager has determined that the student is not fit to return to University academic programs, residential facilities, or other University services or programs at this time, the student has the right to:

- (1)** meet with the senior case manager to hear why the student has not been cleared under this policy and what steps the senior case manager recommends the student take in order to receive clearance under the policy.
- (2)** file an appeal to the vice president for student life if the student believes that the decision rendered by the senior case manager was arbitrary or capricious. The appeal shall be made in writing within three business days of the student receiving the decision. The vice president shall review the written appeal and may confer with the senior case manager regarding the decision that was made. If the vice president finds a lack of substantial evidence to support the decision rendered by the senior case manager, or that the decision was so contrary to the weight of the evidence that it was arbitrary and capricious, he or she may modify the decision. The decision of the vice president, or his or her designee, is final.

(h) Additional Provision:

When the information establishing a student's intent to harm self or others is obtained solely under confidential circumstances of the Baylor University Counseling Center, the Counseling Center may obtain an emergency detention order from the Baylor Police Department, but the student will not be placed under the POTH policy and the incident will not be reported to the Senior Case Manager.