Students Displaying Serious Psychological Problems

Original Implementation: October 12, 1982
Last Revision: October 22, 2012

Definitions

Serious psychological problems result in behaviors, occurring on campus, in which a student is a danger to themselves or others or causes significant disruptive activity.

Emergency Situation: occurs when a student is an imminent danger to self or others or there is reasonable certainty of this danger occurring in the immediate future. Examples of emergency situations are, but are not limited to, a suicide attempt, threat of a suicide attempt, actual physical harm to another person or threat of imminent harm to another person.

Non-emergency Situation: occurs when the student's behavior is such that it is reasonable to believe that a further deterioration of the behavior could lead to physical harm or danger to any member of the university community or continues to display significant disruptive behavior. Examples of non-emergency situations are, but not limited to, repeated aberrant behavior such as inappropriate outbursts in classrooms or university offices or obvious non-lethal threats of aggression or increased levels of risk from behavioral distress, disturbances or deregulation.

Behavior Intervention Team (BIT): composed of Student Affairs and Academic Affairs professionals including qualified medical and mental health providers who review each situation on a case-by-case basis to evaluate the student’s observed conduct and actions. In addition to the qualified mental health providers, the team may evaluate the student’s risk level utilizing standardized threat assessment measures. Membership of the BIT may vary depending on the nature of the situation. The dean of students chairs the team. The assistant dean of students for support services or the director of student right and responsibilities may also convene meetings of the team.

Qualified Mental Health Provider: a professional licensed by a state-recognized board to offer mental health services in Texas or in another state if the student returns to another state for evaluation and/or treatment.

Psychological Review Board: composed of the judicial officer, the assistant dean of student affairs for support services/ADA coordinator, a staff counselor from Counseling Services, and a staff physician from the Student Health Center acting as chair. The counselor and physician are appointed by their respective department directors. The director of health services acts as the contact person to initiate hearing proceedings and may appoint alternate members when necessary.
Emergency Procedures

Anyone with knowledge of a student displaying behavior that places the student or others in imminent danger will immediately contact the University Police Department. The university police will coordinate the response to the incident, which may include taking the student into custody, obtaining medical/mental health assistance for the student and/or beginning legal proceedings to seek confinement of the student in a mental health facility.

UPD will contact the judicial officer as soon as is reasonably possible. The judicial officer, under the direction of the vice president for university affairs/designee, may send a letter to the student indicating the student is barred from campus and class attendance until certain conditions are met. These conditions may include, but are not limited to, meeting with the judicial officer to review the case, an evaluation and release from a qualified mental health provider stating the student is ready to return to campus and class and/or that the student agrees to refrain from the behavior displayed in the incident. Also in the letter, the student will be informed of the right to have a hearing with the Psychological Review Board within five (5) working days for reconsideration of the incident and the required conditions.

The student may:

a. accept the required conditions stated in the letter and return to campus and class without a hearing or
b. request a hearing and remain off campus and not attend class until the matter is resolved or

c. do neither and, after the fifth day, be suspended from the university for at least the remainder of the semester and until the required conditions are met.

The request for a hearing must be made in writing and delivered to the judicial officer within two (2) working days of receipt of the letter to preserve the right of a hearing within five (5) days. A request filed after two (2) days but before the end of the fifth day will preserve the right of a hearing but not the right of a hearing within the five (5) day timeframe; however, the university will make every attempt to hold the hearing as quickly as is reasonably possible. Upon receipt of the written request, the judicial officer will contact the director of health services as soon as is reasonably possible to begin hearing proceedings.

The judicial officer may, under the direction of the vice president for university affairs/designee, refer the case immediately to the Psychological Review Board for a hearing within five (5) working days in cases where suspension from the university and/or removal from a class, program or service may be a possibility. The judicial officer will send a letter to the student with initial notice of the hearing and state that the student is barred from campus and attending class until the hearing is held and the matter is resolved.
The formal notice of the hearing date, time and place and the hearing process will follow the procedures outlined in the Hearing Procedures section of this policy.

If no imminent danger is found, UPD will contact the judicial officer who may continue under non-emergency procedures.

**Non-Emergency Procedures**

The judicial officer can receive a report of an incident from the University Police Department or anyone with knowledge of a student displaying behaviors described in the non-emergency situation definition of this policy. The judicial officer will begin an initial investigation into the incident that may include interviewing involved parties and seeking input from appropriate professional resources. The student in question will be directed to report to the judicial officer as soon as is reasonably possible for an initial meeting. At this meeting, the judicial officer will interview the student and make one of the following findings:

a. The student's condition is currently such that the student is an imminent danger to self or others. In this case, the judicial officer will immediately contact UPD to begin emergency procedures.

b. The student's condition is currently such that further deterioration could reasonably result in harm or danger to a member of the university community or the condition continues to display significant disruptive behavior. In this case, the judicial officer will immediately issue an initial notice to the student that a hearing with the Psychological Review Board will be held within the next five (5) working days and will contact the director of health services as soon as is reasonably possible to begin hearing proceedings. The formal notice of the hearing date, time and place and the hearing process will follow the procedures outlined in the Hearing Procedures section of this policy.

c. The student's condition is currently such that counseling or other services would benefit the student. The judicial officer will assist the student in making the necessary referrals. If the student's condition is drug or alcohol related, the judicial officer will follow the procedures outlined in the Illicit Drugs and Alcohol Abuse (13.11) policy.

d. The student's behavior was not related to a serious psychological problem. The case may, at the discretion of the judicial officer, be handled through the regular disciplinary procedures outlined in the Student Conduct Code (10.4) and Student Discipline (10.5) policies.

e. The student's condition and behavior is found to require no action.

**Behavior Intervention Team**

When the Behavior Intervention Team convenes, the meeting will incorporate an individual assessment of the student that includes observations of actions that could indicate safety or code
of conduct issues. This assessment includes input from qualified health and mental health professionals to help determine the risk of substantial harm and whether a student is “otherwise qualified” to take classes or remain in the residence halls. The members will also determine if there are reasonable ways to accommodate the student to decrease risk and/or to ensure compliance with polices and the Student Code of Conduct. If no reasonable accommodations can be determined, the student will have a right to a hearing before the Psychological Review Board before a final decision is made to dismiss or withdraw the student. In exigent circumstances, the vice president for university affairs/designee may take immediate measures to suspend the student until a final decision is made.

**Psychological Review Board Procedures**

**Pre-hearing Process**

The chair of the Psychological Review Board will give written notice of the hearing to the student at least three university business days before the date of the hearing. This notice will contain the date, time and place of the hearing; the date(s), time(s), place(s) and a brief description of the behavior in question; and the rights accorded to the student in the hearing. The hearing may be held sooner than three (3) days at the request of the student. The hearing will be closed unless the student requests otherwise. The judicial officer will be responsible for coordinating the gathering of witnesses and other evidence and delivering a witness list and evidence to the chair.

**Hearing Process**

At the hearing, the chair will rule on all procedural matters and the admissibility of evidence. The informal nature of this proceeding does not require strict adherence to formal courtroom procedures or rules of evidence. All parties will be afforded the opportunity for reasonable oral argument, to question any participant present in the hearing, and be permitted to file written briefs.

The student will have the right to:

a. be present during the presentation of all evidence,

b. be accompanied by an advisor,

c. present such witnesses and documentary evidence as may be pertinent, and

d. cross-examine witnesses offered by other parties.

The record of the hearing will consist of the summary notes of the chair or a secretary appointed by the board, a tape recording or transcription of testimony, along with any exhibits admitted as evidence.
Immediately after the hearing, the board will decide upon a recommendation to make to the vice president for university affairs. The recommendation may include withdrawal of the student from the university or any class, program or service. The recommendation, along with the record, will be forwarded to the vice president for university affairs by the chair as soon as possible, but no later than two (2) university working days from the adjournment of the hearing.

Within three (3) university working days following the receipt of the recommendation of the board, the vice president for university affairs will either concur, in whole or in part, with the recommendation of the board and direct appropriate action to implement the recommendation, or will overrule the recommendation. The vice president will inform the student of the action to be taken and is the final authority in these proceedings.

**Suspension Procedures**

In cases where a student is suspended from the university under this policy, occurring through failure to accept to the required conditions, failure to request a hearing or through recommendation of the board, the vice president for university affairs will direct the judicial officer to notify the student in writing that the student is barred from re-enrollment to the university until the required conditions are met. The judicial officer will place a bar on the student's university account preventing the student from re-enrollment until approval is obtained from the judicial officer. Other university offices will be contacted as necessary for completion of the suspension.

**Retention of the Record and Confidentiality**

Any records dealing with an incident of a student displaying serious psychological problems will be held indefinitely by the judicial officer as a confidential file, apart from disciplinary records, to be released or accessed only by those having legitimate need as defined by state and federal laws.

**Non-Discrimination**

Decisions under this policy will be made based on observations of a student’s conduct, actions and statements and not on the knowledge or belief that a student is an individual with a disability.

**Cross Reference:** Illicit Drugs and Alcohol Abuse (13.11); Student Conduct Code (10.4); Student Discipline (10.5)
**Responsible for Implementation:** Vice President for University Affairs

**Contact For Revision:** Dean of Student Affairs

**Forms:** None

**Board Committee Assignment:** Academic and Student Affairs