



THREAT ASSESSMENT POLICY AND PROCEDURES

POLICY STATEMENT

Franciscan University of Steubenville is committed to ensuring the safety of its students, employees (i.e., faculty and staff), and visitors and to provide them with the best possible learning, living and working environment. To that end, this policy specifically addresses the University's implementation of a Threat Assessment Plan and Behavioral Assessment Team ("The Team") dedicated to the prevention, reduction, and management of threats or acts of violence and substantially disruptive behavior. This policy complements, and should be read together with, other policies and handbooks governing student, faculty, and staff/employee conduct.

Where a person-of-concern (as defined herein below) is not a member of the University community (i.e., third party, visitor, vendor, or contractor), the University is not required to follow the entire process described in this policy or in the above specified handbooks. In such cases, the University reserves the right to take summary action.

PROHIBITION OF THREATS OR ACTS OF VIOLENCE AND SUBSTANTIALLY DISRUPTIVE CONDUCT

All students, employees, and visitors are prohibited from committing threats or acts of violence by or against members of the University community, as well as engaging in persistent behavior that substantially disrupts operations. Examples include:

- Intentionally causing physical injury to self or another person;
- Engaging in behavior that creates a risk of physical injury to self or another person;
- Brandishing or using a firearm, weapon, or other device in violation of law or University policy;
- Intentionally damaging property;
- Threatening to cause injury to self or another person or damage to property;
- The use of language or behavior that threatens unlawful physical violence, has the effect of provoking others to engage in violence, or that causes a reasonable person to fear they will be subjected to physical harm. Threats can be verbal or nonverbal, and may be communicated orally, in writing, through gestures, or by any other means, including social media and electronic transmission;

- Engaging in other behavior that substantially and persistently disrupts University operations and consumes an inordinate amount of University resources; and/or
- Other violent or threatening conduct prohibited by law or University policy.

Such behavior is subject to disciplinary action by the University under pertinent policies contained in the Student Handbook, Employee Handbook, and Faculty Handbook; Academic policies imposed by the Office of Academic Affairs and/or Academic Instructor; or other University policies. Persons engaging in such behavior are subject to University sanctions, which may include, but not limited to warning, restitution, disciplinary probation, suspension for a definite period of time with conditions for reinstatement, permanent dismissal, specialized treatment, mandatory assessments, mandatory counseling with a provider approved by the University, restrictions on participation in University programs or activities, and/or other sanctions deemed appropriate under the circumstances.

Additionally, students and employees who are identified as engaging in such behavior may be required, as a condition of continued employment or continued enrollment, to participate in a mental health evaluation as part of a threat assessment process at their expense. The University may require that such assessment be completed by a clinical psychologist or psychiatrist who has received training or experience in risk assessment that is acceptable to the University.

NOTE: This policy does not prohibit a person-of-concern (as defined herein below) from also being disciplined (in addition to or in concurrence with interventions, plans, or other measures imposed under this Policy) for violating the Student Handbook, Employee Handbook, Faculty Handbook, Academic policies imposed by the Office of Academic Affairs and/or Academic Instructor, or other University policies. The Team is not intended to replace the disciplinary functions of the determining University officials for violations of individual handbooks or other University or Academic policies.

PURPOSE FOR A THREAT ASSESSMENT PLAN AND BEHAVIORAL ASSESSMENT

In an effort to maintain order and discipline and to further protect the health, safety and welfare of the campus community, the University has established a Threat Assessment Plan and Team. The primary responsibilities of the Team are: (a) to conduct threat assessments and to address aberrant, dangerous, or threatening behavior that might impact the safety or well-being of the campus community; (b) provide guidance and best practices for preventing violence; and (c) provide supportive services.

Franciscan University does not tolerate acts or threats of violence committed by or against employees, students, visitors, or other third parties on University owned, controlled, or leased properties or in connection with University events or programs. All useful management strategies will be employed to identify and prevent incidents of campus violence in order to reduce the effects of violence on victims and to address and respond to those who threaten or perpetrate violence. The University and the Team will use available resources such as the Office of Campus Security, Office of Human Resources, Office of Student Life, Office of Academic Affairs, University Wellness Center, and other applicable programs and policies (as needed) in responding to alleged acts/threats of violence.

The safety of individuals and the Franciscan community is the primary focus of the Team and a shared concern of all members of the community. The Team supports the comprehensive violence prevention strategies by:

- Serving as a point of contact for assessing community concerns regarding persons who may be at risk of harming themselves or others;
- Conducting multi-disciplinary, collaborative, coordinated and objective assessments of employees and students or other third parties whose behavior may reasonably present a threat to themselves or others in the university community;
- Developing and implementing appropriate interventions and assistance with such individuals;
- Recommending actions to the Director of Campus Safety and Compliance (or designee) and appropriate university officials to resolve potential threats; and/or
- Monitoring the effectiveness of a threat management plan.

OVERVIEW OF THREAT ASSESSMENT PLAN

Responsible University Official

The Director of Campus Safety and Compliance (or designee) shall be responsible for overseeing this policy.

Team Members

The Team is a multi-disciplinary team composed of individuals from various departments (e.g., student life, campus security, human resources, counseling services, and other constituents as needed, including legal counsel). Currently those individuals are:

- Director of Campus Safety and Compliance
- Director of Campus Security
- Assistant Vice President of Student Life
- Director of the Wellness Center
- Director of Advising and Academic Operations

The Director of Campus Safety and Compliance (or designee) has the discretion to modify the members of the Team as needed, including on a case-by-case basis.¹

Guiding Principles

The guiding principles for the Team are as follows:

- The Team is not a substitute for emergency response to an active or imminent threat to the safety of the university community;
- Coordination, collaboration, and effective information sharing is critical to Team performance.

¹ For example, the Director Campus Safety and Compliance may include a faculty member on the team if the report implicates conduct occurring in an academic setting.

- A fact-based, analytical approach will guide the decision-making process of the Team;
- The Team will establish or utilize existing collaborative relationships with local, state, and federal law enforcement and other local and institutional resources as necessary in order to expedite assessment and intervention with individuals whose behaviors may present a threat;
- The Team will treat all persons fairly, with dignity and respect; and the Team will address and manage impact to individuals, groups and the campus community.

Team Process

When the Team first learns about a student, employee, or third party who has engaged in violent, threatening or potentially threatening behaviors or whose conduct or actions raise concerns about their potential for violence or suicide (hereinafter, a “person-of-concern”), the Team will follow a general inquiry in areas of concern in a Threat Assessment Inquiry as outlined herein below.

In the event of an anonymous threat (e.g., bomb threats, letters and graffiti with threatening language), there is no single best protocol for responding to anonymous threats. Such threats will be taken seriously and examined carefully. Correspondingly, the Team will consider the nature and quality of the threat, the context in which it occurs, and the possible motives for the threat.

Identifying Person-of-Concern

The following example behaviors may indicate that a person may be distressed, concerning, or substantially and persistently disruptive to the campus community (the behaviors listed below are not meant to be an exhaustive list):

- A student, employee, or other third party exhibits behavior that can reasonably be interpreted as threatening.
- A student, employee, or other third party makes an explicit threat of violence to any member of the Franciscan community.
- A student, employee, or other third party exhibits highly disruptive behavior including hostile, aggressive, bullying, intimidating, and/or violent behaviors.
- A student, employee, or other third party expresses concern about their personal safety.
- A student, employee, or other third party is cited, arrested or investigated for a violent or threatening offense.
- A student, employee, or other third party pursues options that do not reasonably exist and continues to do so after being instructed to cease (i.e., a student continues to pursue a grading complaint after being informed all administrative procedures have been exhausted, or an employee persists in pursuing a reversal of a sanction after exhausting the established appeal process).

Cooperation

A person-of-concern is required to cooperate with any investigation under this policy. Failure to cooperate with an investigation in any way will be considered by the Team and will be reflected in any recommendation given by the Team.

All current students and employees (and victims as defined herein below) are expected to cooperate with the Team or other University official in response to a threat or act of violence. Failure to cooperate may result in disciplinary sanctions.

Inquiry Phase (When Team is assembled)

When a person-of-concern has been identified, the Team will be assembled by the Director of Campus Safety and Compliance (or designee/other Team member) and conduct a fact-based threat assessment inquiry, guided by the list of Fact Based Considerations in Appendix A (attached hereto) of this document. The Team members will determine whether a person-of-concern is on a path toward or away from harmful or violent behavior, the level of risk that currently exists for harm or violent behavior (see Appendix B attached hereto), and/or if the person does not pose a threat of harm or violence, the need for managed assistance or intervention.

In determining whether a person-of-concern presents a direct threat, the Team will make an individualized and objective assessment of the individual's ability to safely remain in the University community, based on the best available objective evidence (see Appendices A and B) or a reasonable medical judgment relying on the most current medical knowledge. To the extent possible, the assessment will determine the nature, duration, and severity of the threat, the probability that the potentially threatening injury will actually occur, and whether reasonable modifications of policies, practices, or procedures will sufficiently mitigate the threat. An individual's observed conduct, actions, and statements will be considered, not mere knowledge or belief that the individual has a disability. An individual with a disability will not be subjected to an adverse action based on unfounded fears, prejudice, and stereotypes.

Developing/Maintaining Management and Assistance Plans

The Team will recommend to the respective University official the most appropriate intervention and/or referral plan for the person-of-concern, including plans for monitoring and follow-up. Management plans are interventions for persons-of-concern who the Team determines pose a threat. Assistance plans are interventions designed for persons-of-concern who are believed not to pose a threat but may need to be connected to appropriate services. The Team may access a range of support services for students and employees that includes mandatory mental health services, crisis management and comprehensive services for victims, whether provided on campus or by accessing community resources.

Review, Update, & Training

The Team will review and recommend updates to the plan and procedures as deemed necessary. Any proposed amendments will be made through the Director of Campus Safety and Compliance (or designee), who, in turn, will forward the same to the appropriate University officials for consideration. In order to continually improve Team functioning, the Team will participate in ongoing training as often as practicable.

Authority

In addition to its information gathering and assessment functions, the Team is an advisory body that makes recommendations to the respective University official² to take specific actions regarding a person-of-concern. If the respective University official(s) chooses not to follow the Team's recommendation in cases where there is an immediate and/or significant concern for safety, the Team may further communicate its recommendation to University's President (or designee) as necessary.

Confidentiality

The Family Educational Rights and Privacy Act (FERPA) protects the privacy of students' education records. FERPA does not prohibit the Team or in any way restrict a University employee from sharing what they personally observe. In other words, a University employee would not violate FERPA by advising the Team of what he or she saw or heard when directly interacting with a student, when observing a student interact with others, or when otherwise observing a student's behavior or demeanor. Reports of threatening behavior made to the Team will be handled as discreetly as possible, with facts made available only to those who need to know to investigate and properly intervene in the matter. However, that disclosure of threatening behavior may be necessary to protect the health and safety of the Franciscan community. Accordingly, information may be provided to emergency response personnel, police, parents and family members, third party forensic assessment organizations, or in extreme circumstances, the entire Franciscan community, among others.

In addition, if a University faculty member notices disturbing content in a student's writing or artwork, the faculty member should refer this to the Team. Although the student's writing or artwork would likely be an education record protected by FERPA, FERPA authorizes school officials such as faculty to disclose education records to other school officials who have a legitimate educational interest in those records, without the student's consent. Since the Team is responsible for identifying, responding to, and supporting at risk University students while simultaneously attending to the needs of the university community, in these circumstances, the members of the Team would have a legitimate educational interest in examining the student's writing or artwork.

Protecting student privacy is a high priority of the Team. Records and proceedings of the Team are maintained and kept confidential by the Director of Campus Safety and Compliance (or designee) and shared only on a "need to know" basis in a manner that is consistent with University policies and the University's obligations under applicable law, including FERPA.

² If the person-of-concern is a current student, then the determining University official is the Vice President of Student Life (or designee). If the person-of-concern is a current staff member, then the determining University official is the Vice President of Human Resources (or designee). If the person-of-concern is a current faculty member, then the determining University official is the Chief Academic Officer (or designee). If the person-of-concern is a third-party/visitor, then the determining University official is the Director of Campus Safety and Compliance (or designee).

PROCEDURES TO REPORT A THREAT OR ACT OF VIOLENCE, INVESTIGATION AND RECOMMENDATION

Reporting a Threat or Act of Violence

All University students, employees and visitors may report threats or acts of violence by or against members of the University community at any time. The first official point of contact will be the Director of Campus Safety and Compliance (or designee). In emergencies, the report should immediately be made to the Office of Campus Security (740-283-6911) or call 911. In all other situations, reports should be made by contacting the Director of Campus Safety and Compliance (Phone: 740-283-6238; Email: jpizzuti@franciscan.edu) or if unavailable, to any member of the Team

Reports may be made on the [Incident Report Form](#) and submitted to the Director of Campus Safety and Compliance unless it is an emergency. In such cases, the reporting party can file a completed Team Reporting Form soon thereafter.

NOTE: All University employees are obligated to promptly report threats or acts of violence to the Director of Campus Safety and Compliance or other member of the Team as soon as a threat or act of violence is identified. Notably, determining University officials have a special responsibility to refer to the Team any case that raises reasonable concern that a person-of-concern has communicated a threat, engaged in threatening behavior or committed an act of violence.

Interim Measures

The Director of Campus Safety and Compliance (or designee) and a determining University official shall have the authority to take summary action against a person-of-concern (i.e., issue a “no contact” order; immediate removal from campus; interim suspension; denying access to campus housing, facilities, events and/or activities; and any other measure that can be used to achieve the goals of this policy) and not assemble the Team in the event of imminent danger to the person-of-concern or others.

Notification

The Director of Campus Safety and Compliance (or designee) or other member of the Team will make a reasonable effort to contact or notify a person-of-concern and a victim (as defined below) as soon as practicable of the allegation(s). Notification may be delivered orally and/or in writing.

Effect on Victims

In assessing whether a person-of-concern presents a direct threat, and recommending any intervention and/or referral plan, the Team may consider the actual effect the person-of-concern’s conduct has had, if any, on the health, welfare, and safety of other persons.

To the extent a person-of-concern’s conduct violates other University policies, such as the Student Code of Conduct, and results in disciplinary action, the determining University official responsible for

administering discipline will/shall receive and consider written impact statements from the victim(s) of the misconduct. The purpose of the victim impact statement is to:

- give information to the determining University official about how the behavior has affected the victim;
- provide information about any physical injury or emotional harm the victim has suffered as a result of the behavior and the impact on the victim's lifestyle;
- provide information about any loss of, or damage to, property as a result of the offense;
- help the determining University official understand the victim's views on potential disciplinary consequences; and
- make the perpetrator of the misconduct aware of how the misconduct has affected the victim.

Discretionary Review

Upon receiving a report, the Director of Campus Safety and Compliance (or designee) will immediately notify the determining University's official and conduct a preliminary investigation to determine if the report needs to be reviewed by the Team. A preliminary investigation will include but is not limited to contacting faculty and staff who may know the person-of-concern, and, if deemed appropriate and necessary, meet with the person-of-concern. Should the person-of-concern refuse to meet, the person-of-concern may be immediately removed from campus pending further investigation. The Director of Campus Safety and Compliance (or designee) has the discretion to call for a Team review if necessary.

Mandatory Review

The Director of Campus Safety and Compliance (or designee) and/or the determining University official must convene the Team any time a person-of-concern is immediately removed from campus, or, when the person-of-concern engages in behavior that violates the prohibition of threats or acts of violence as described hereinabove.

Recommendations

Once the Team has concluded their assessment and review, the Team will issue a written recommendation report to the determining University official (or if time is of the essence, the Team's verbal recommendations shall be reduced to writing as soon as practicable).

These recommendations may include:

- An opinion as to whether or not the person-of-concern may constitute a direct threat to the health, safety, or welfare to himself/herself or others, and whether to notify law enforcement.
- A suggested Action Plan for the person-of-concern, if any. An Action Plan may include, but is not limited to one or more of the following:
 - Warning
 - Specialized treatment;
 - Mandatory assessments;
 - Mandatory counseling;
 - Restrictions on participation in University programs or activities;
 - Scheduled meetings with University personnel;

- Suspension from campus pending assessment and clearance from a medical professional; and/or
- Other measures deemed appropriate under the circumstances.

The determining University official reserves the right to disagree with the recommendations of the Team and implement other action, including disciplinary action, consistent with the Student Handbook, Employee Handbook, Faculty Handbook or other University policies and/or in the best interest of campus safety, as appropriate. In such a case, a revised recommendation report will be prepared by the Team. A copy of this recommendation report shall be included in a student's school records or an employee's employment records.

Decision

The Director of Campus Safety and Compliance (or designee) or the determining University official (or designee) will provide written notification to the person-of-concern and the victim (if applicable) after a final decision has been determined.

Appeal

A person-of-concern may file a written appeal of any interventions, plans, or other measures imposed under this Policy with the Director of Campus Safety and Compliance (or designee) within five (5) business days from the date of a final decision. If the appeal request is not timely filed with the Director of Campus Safety and Compliance (or designee), the appeal will be dismissed and the final decision and imposed sanctions (if applicable) will stand.

If an appeal is timely filed, the President (or designee) will review the case. The decision of the President (or designee) will be final. The President (or designee) will generally decide an appeal within five (5) calendar days from when the appeal was received; if the decision will take longer, the President (or designee) will let the appealing person know. The President (or designee) will provide written notification to the person-of-concern after a decision has been determined.

Any discipline imposed under other University policies, such as the Student Handbook, Employee Handbook, and Faculty Handbook may be appealed only as specified in those relevant policies. (Note: If the University decides to permit a victim to appeal the disciplinary decision, the relevant handbook appeal provisions will need to be revised).

AVAILABLE RESOURCES

The following resources are available to the University community:

Behavioral Assessment Team Members:

John J. Pizzuti, J.D.

Director of Campus Safety and Compliance

Email: jpizzuti@franciscan.edu

Phone: (740) 283-6238

Address: 1235 University Boulevard, Steubenville, OH 43952

Office Location: Room 113, Starvaggi Hall

Mike Conn
Director of Campus Security
Email: mconn@franciscan.edu
Phone: (740) 283-6319
Address: 1235 University Boulevard, Steubenville, OH 43952
Office Location: Assisi Heights

Catherine Heck
Assistant Vice President of Student Life
Email: check@franciscan.edu
Phone: (740) 283-6498
Address: 1235 University Boulevard, Steubenville, Ohio 43952
Office Location: J.C. Williams Center

Matt Burriss
Director of Wellness Center
Email: mburriss@franciscan.edu
Phone: (740) 284-7217
Address: 1235 University Boulevard, Steubenville, OH 43952
Office Location: Finnegan Fieldhouse, Wellness Center

Ann Dulany
Director of Advising & Academic Operations
Email: adulany@franciscan.edu
Phone: (740) 284-5254
Address: 1235 University Boulevard, Steubenville, OH 43952
Office Location: Egan Hall

Brian Kissinger
Director of Student Life (Gaming, Austria)
Email: bkissinger@franciscan.edu
Phone: +43 7485 98678 15
Address: 1 Kartause Maria Thron, Gaming 3292 Austria
Office Location: Administrative Wing of Kartause Maria-Thron

Law Enforcement:

Office of Campus Security
Phone: (740) 283-6333

Steubenville Police Department
123 South 3rd Street
Steubenville, OH 43952
Tel. 740-283-6090

Jefferson County Sheriff's Department
16001 Ohio Route 7
Steubenville, OH 43952
Tel. 740-283-8600

Polizeiinspektion (for Gaming, Austria Campus)
Im Markt #3
3292 Gaming
Tel. 05 9133 3151

Medical Care and Counseling:

Franciscan University Health Center
Lower Level of Finnegan Fieldhouse
1235 University Boulevard
Steubenville, OH 43952
Tel. 740-284-7223

Trinity West Medical Center
4000 Johnson Rd.
Steubenville, OH 43952
Tel. 740-264-8000

Weirton Medical Center
601 Colliers Way
Weirton, WV 26062
Tel. 304-797-6000

Landesklinikum Scheibbs Hospital (for Gaming, Austria Campus)
Eisenwurzenstraße 26 3270 Scheibbs
Tel. +43 (0)7482 9004-0

Dr. Claudia Reiter (for Gaming, Austria Campus)
Im Markt 7
3292, Gaming, Austria
+43 (0)7485 98400

University Wellness Center
Phone: (740) 284-7036
Address: 1235 University Boulevard, Steubenville, OH 43952
Office Location: Finnegan Fieldhouse

Dr. Mark Shats, Licensed Clinical Psychologist (for Gaming, Austria Campus)
Im Markt 7
3292 Gaming, Austria
Tel. +43 (0)660 575 3062

Legal Assistance:

Jefferson County Prosecuting Attorney
Jefferson County Justice Center
16001 State Route 7
Steubenville, Ohio 43952
Tel. 740-283-1966

Southeastern Ohio Legal Services
100 North Third Street
Steubenville, Ohio 43952
Tel. 740-283-4781

U.S. Consulate Vienna: KONSULARABTEILUNG (CONSULAR SECTION)
Parkring 12A-1010 Wien
Fax: (+43-1) 512 58 35
Email: ConsulateVienna@state.gov

US Embassy Vienna: BOTSCHAFT DER VEREINIGTEN STAATEN
Boltzmanngasse 16A-1090 Wien
Tel.: (+43-1) 31339-0 Fax: (+43-1) 310 06 82
Email: embassy@usembassy.at

APPENDIX A

Threat Assessment Inquiry: Fact-Based Considerations

The following non-exclusive fact-based considerations guide threat assessment inquiries of persons of concern for harmful or violent behavior. These considerations will help the Team members determine whether a person of concern is on the path toward or away from harmful or violent behavior, the level of risk that currently exists for harm or violent behavior, or if the person does not pose a threat of harm or violence, the need for managed assistance or intervention.

The following guiding principles of a fact-based threat assessment approach should be considered by Team members when conducting an inquiry:

- Targeted violence is neither random nor spontaneous. Target violence, rather, is seen because of an understandable, and often discernible, pattern of thinking and behavior.
- There is no profile or single “type” of a perpetrator of targeted violence. The threat assessment process is about behaviors, not profiling.
- Unusual or aberrant behaviors or interests are not necessarily the hallmarks of a person destined to become violent.
- There is a distinction between making a threat (expressing intent to harm) and posing a threat (engaging in behaviors that further a plan to harm).
- Many persons who pose a serious risk of harm will not issue direct threats prior to an attack.

Potential Imminent Warning Signs and Violence-Related Behaviors

- Threat is present.
- Seriously disruptive or intimidating behavior.
- Suicide threats, gestures or statements.
- Detailed plausible threats of violence (time, place, target, method).
- Indications the person has undertaken planning or rehearsals to carry out an act of harm or violence.
- Acts of rage, harm, violence, or destruction of property.
- Recent weapon-seeking behavior [would this include simply purchasing a firearm?] linked to ideas or interests in harm or violence.
- Communications indicating the person has a worrisome interest in violence or is considering violence.
- Surveillance of sites or persons linked to ideas or interests in harm or violence.

Potential Early Warning Signs and Risk Factors

- Disruptive, intimidating or concerning behavior.
- Social withdrawal or isolation.
- Threat is made but is vague or indirect. Threat lacks realism.
- Desire to kill, die or be killed.
- Does the person see violence as the acceptable, desirable, or only way to solve problems?
- Excessive feelings of rejection, desperation or despair
- Excessive feelings of victimization.
- Expressions of harm or violence.
- Uncontrolled anger.
- Prejudicial attitudes.
- History of discipline problems or poor work/academic performance.
- Drug or alcohol abuse.
- Obsession with perceived injustices.

APPENDIX B

PRIORITY LEVELS OF PERSONS-OF-CONCERN

Priority 1 (Imminent Risk)

The person/situation appears to pose a clear and immediate threat of serious violence toward self or others and requires containment. The Team should immediately notify law enforcement to pursue containment options, and/or take actions to protect identified target(s). Once such emergency actions have been taken, the Team may continue monitoring situation.

Priority 2 (High Risk)

The person/situation appears to pose a threat of self-harm or physical violence, usually to an identifiable target, but currently lacks immediacy and/or a specific plan – or a specific plan of violence does exist but currently lacks a specific target.

Priority 3 (Moderate Risk)

The person/situation does not appear to pose a threat of violence to self or others at this time but does exhibit behaviors/circumstances that are or are likely to be disruptive to the community.

Priority 4 (Low Risk)

The person/situation does not appear to pose a threat of violence or self-harm at this time, nor is there evidence of significant disruption to the community.

Priority 5 (No Identified Risk)

The person/situation does not appear to pose a threat of violence or self-harm at this time, nor is there evidence of significant disruption to the community. The Team can close the case without a management or monitoring plan, following appropriate documentation.