

## Team Membership

The CARE Team consists of university personnel with expertise in human resources/employee assistance, law enforcement/threat assessment/tactical applications, university operations, medical and mental health, and student affairs. Membership is based on the position and not the individual. The members selected here have regular contact with campus community members in some manner, which will aid in the assessment of individual, and/or the authority to take the appropriate action, as needed. A collaborative process to assess concerning behavior will be used. Depending on the situation, additional personnel with specific areas of specialization or responsibility may be called upon to assist the team. The team may also consult other individuals as needed, such as a faculty member who has a concern about a student, a roommate, family member, local law enforcement, and/or a manager who has information concerning an employee. The CARE Team Chair will keep senior university officials advised of situations.

Team members are critical to the functioning of the team. They are responsible for completing ongoing training, attending meetings, and assisting with follow-up and intervention as designated by their categories. The Care Team has four levels of membership. These are core, inner circle, middle circle, and outer circle.

***The positions and titles on your campus may vary slightly, but best practice, along with the NaBITA survey, indicates that members with the types of roles described below are most effective for the CARE Team.***

### CORE MEMBERS

**Core Members** attend every meeting and have full access to the team's electronic records database. If certain core members are unable to attend a meeting, they have designee backups who attend. The departments they represent are crucial to the CARE Team's function. Many core members keep records in their own departments and can share this information with the team through the Family Educational Rights and Privacy Act's emergency exception clause<sup>1</sup> or when a school official has legitimate educational interest<sup>2</sup>. Core and inner circle members sign an annual confidentiality and training agreement, which addresses their responsibility to record privacy (see Appendix K). The counseling department operates under state confidentiality laws for their records, while health services operates under the Health Insurance Portability and

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<sup>1</sup> In some situations, school administrators may determine that it is necessary to disclose personal identifying information (PII) from a student's education records to appropriate parties to address a health or safety emergency. FERPA's health or safety emergency provision permits such disclosures when the disclosure is necessary to protect the health or safety of a student or other individuals. See 34 CFR § 99.31(a)(10) and 99.36, <http://familypolicy.ed.gov/content/when-it-permissible-utilize-ferpa's-health-or-safety-emergency-exception-disclosures>.

<sup>2</sup> In some instances, the CARE Team Chair may share personal identifying information (PII) with a faculty or staff member when this knowledge may be beneficial to the student in academic and social settings, which is educational in nature. See 34 CFR § 99.31(a)(1). It may, however, be necessary for this shared record to be a disciplinary record. See <https://ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Accountability Act of 1996 (HIPAA)<sup>3</sup>, as it conducts insurance billing electronically and is thus a HIPAA entity.

**Dean of Students:** The Dean chairs the team and attends all meetings. If the Dean is unable to attend, the Associate Dean attends the meeting. The Dean organizes the agenda, performs a cursory rating with the NaBITA Threat Assessment Tool, ensures team members' attendance, ensures that a risk level is assigned to each case during meetings, and coordinates the selection and implementation of interventions and follow-up for cases. The Dean maintains case data through an electronic reporting database called Maxient.

**Director of Student Conduct:** The Director of Student Conduct attends the team meetings and sends the Assistant Director of Student Conduct when unable to attend. The Director consults on cases involving on- and off-campus conduct violations, criminal charges, and academic disruptions. Conduct data is kept in the Maxient database and is accessible to the Director during the meeting. This data is partitioned from the CARE Team. Conduct records are protected under FERPA and shared with the CARE Team by the Director of Student Conduct under the legitimate educational interest clause of FERPA.

**Faculty/Academic Affairs:** This individual also often serves as the primary contact in working with faculty, Department Chairs, and Provosts. As most institutions are concerned with shared governance, working closely with the faculty senate to select a team member is advisable. The contact could be a Dean, Department Chair, or other academic affairs administrator who carries enough positional leadership and influence to assist the team with gaining community buy-in for training and reporting. Additionally, it is best if this person has a good understanding and appreciation for student affairs structure and theory.

**Chief of Police:** Our campus has a sworn police department and the Chief attends each meeting. If the Chief is unable to attend, the Lieutenant attends the meeting. The Chief provides liaison communications with local and federal law enforcement agencies, consults on CARE Team cases that have court or law enforcement elements, and assists with interventions on campus requiring a police presence. Police records are kept in CLERYSoft, separate from student conduct and CARE Team records. These records are protected by FERPA and shared with the CARE Team by the Chief under the emergency exception clause of the law.

**Director of Counseling:** The Director of Counseling attends the meetings, and sends the Assistant Director of Counseling if unable to attend. The Director of Counseling receives

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<sup>3</sup> The HIPAA Privacy Rule permits a covered entity to disclose personal health information (PHI), including psychotherapy notes, when the covered entity has a good-faith belief that the disclosure: 1) is necessary to prevent or lessen a serious and imminent threat to the health or safety of the patient or others; and 2) is to a person(s) reasonably able to prevent or lessen the threat. This may include, depending on the circumstances, disclosure to law enforcement, family members, the target of the threat, or others who the covered entity has a good-faith belief can mitigate the threat. See 45 CFR § 164.512(j)(1)(i), [www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf](http://www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf).

information from the team to ensure collaborative communication and consults on issues of mental health, crisis, and disruptive/dangerous behavior. The Director of Counseling keeps privileged medical treatment records in Titanium. These records are protected by state confidentiality law, and information is only shared with the CARE Team when a student gives permission through a specific release of information or the expanded informed consent document (Appendix A). Exceptions to confidentiality law include danger to self and others on a need-to-know basis.

**Director of Residential Life:** The Director of Residential Life attends the meetings, and the Associate Director of Residential Life attends if the Director is unable to attend. They offer insight into residential life students, after-hours emergencies, and targeted intervention with Resident Advisors (RAs) and Resident Directors (RDs). The Residence Life Director keeps housing records in HousingTRAC, and these records are covered under FERPA. Information is shared with the CARE Team under the legitimate educational interest clause of FERPA.

**Human Resources:** The Director of Human Resources (HR) speaks to issues related to reports concerning faculty or staff members, as well as student-employee situations. Depending on the need for privacy, the HR Director may work with a subset of the CARE Team to assess and develop intervention strategies for the faculty or staff in distress. Records for faculty and staff cases that come to the CARE Team are kept within the human resources database.

**Case Manager:** The Case Manager is assigned to the student life department and manages a caseload assigned by the Chair of the CARE Team. The Case Manager takes notes during the CARE Team meetings and enters those into Maxient. The Case Manager may also assist with the assessment of individuals by using the SIVRA-35 or other tools as needed. The Case Manager keeps records within Maxient under the CARE Team, and these records are considered to be FERPA protected. These are visible to all members of the core and inner circle.