

Brian Van Brunt: So one of the distinctions I make with counseling is if we have say academic advisors working really well with students they might even have a license, but they're not hired by the school to do clinical work. We really need to have a clinical person on the team as well as them. And for residential life schools, we want to have representative from that space. Disability services or ADA 504 is another big person that I like on the team mostly because almost all of the cases that come in are going to have some kind of disability or a combinatable need.

Courtney: My guest for this episode, Brian Van Brunt, is widely known in the education space as a recognized expert in behavioral intervention, threat assessment and mental illness. Dr. Van Brunt has helped keep schools and organizations safe and helped at risk individuals assess the care they need for a long time. As you hear me say the end our conversation, he is the OG in behavioral intervention teams and conducting assessments, trainings, and helping institutions create those teams in order to create a safer and healthier campus environment.

He does consulting on issues of behavioral intervention, threat assessment, suicide prevention, diversity, equity, and inclusion, side assessments, climate surveys, and more. Having presented workshops, trainings, and keynote addresses worldwide, Brian can speak to your group on a wide range of topics and tailors his work to address the needs of the organization and that he partners with. Currently, as you will hear him explain, Brian is the assistant deputy director of training for Secure Community Network SCN, the official Homeland Security and Safety Initiative of the organized Jewish community in North America.

He oversees their training program and is involved in the assessment and instructional design of programs to keep the Jewish community safe from threat and violence. He continues to research and train on the concepts of threat, mental illness, care/BIT teams and suicide. Brian is also the lead content expert for InterACTT, the International Alliance for Care and Threat Assessment Teams. InterACTT is a collaborative group of like-minded professionals working to make your everyday work easier and more efficient.

Their goal is to support day-to-day work and counseling, disability services, student conduct, law enforcement, care and threat teams and diversity, equity and inclusion. He has so much knowledge to impart in this space and I hope you enjoy our conversation. Hey, Brian, and welcome to the podcast. Thank you so much for being a guest on one of our episodes.

Brian Van Brunt: Hi, thanks. I'm really glad to be here today.

Courtney: Listen we schedules and we are recording this around the holidays and I do have children running a muck. So one never knows what will happen, but I'm just so thankful. This is one of the ones I've been really excited to record and I know you have a lot of information that's going to be helpful to our listeners. So thank

you for making the time. So I always start with sort of the beginning and your story. So if you don't mind starting there, that would be fantastic.

Brian Van Brunt: You bet. So I was born in New Jersey in 1972 and then I-

Courtney: I love it. And you're a Virgo and-

Brian Van Brunt: A Virgo, oh my God, no. Aries.

Courtney: I'm a Virgo FYI.

Brian Van Brunt: Oh, I love Virgos. My wife is a triple Virgo so I very much get into Virgos. The work product of Virgos is untempered.

Courtney: Thanks. We'll take that.

Brian Van Brunt: It's true. And I also will try to do well with sound reduction. We currently have three dogs, six cats, and I believe at last count two or three rats.

Courtney: Oh, my goodness.

Brian Van Brunt: Our COVID pet situation got out of control.

Courtney: You have a zoo.

Brian Van Brunt: We do. In fact, I feel often like Noah. So I started, gosh, of all things wanting to be a Marine biologist in college and that I realized that was not for me after a little bit. And I got into computers and physics for some. So I liked that process. And then I ran in to math and really didn't care much for that. So that's where I realized there was a whole field of study that let you talk to people about their feelings and subjectively just have conversations and I realized I was really good at that.

So that's where I jumped over to psychology. My early career was working in psych with kids and families and couples, doing work in couples counseling, doing trauma work with young kids. And during that time to supplement some of my income I did emergency services. And that's really what got me into the threat assessment space, which was essentially assessing people to see if they're a danger to themselves or others and if they needed to be in the hospital.

We have four kids. So at some point in my career, there was just too much PlayTo in my life. And that board games and my UNO skills were on point as a child therapist, but I felt maybe something new and the college in town opened up a position for a director of counseling at [inaudible] New Hampshire. And that's where I started off my role working with college students as a director of

counseling there. I grew their program and from there I wanted to do something a little bigger.

I think I hit that ceiling a bit. It was a small school, about 1,000 students and we really grew the program to where it could exist well and didn't need a lot more growth. So then I went down to Western Kentucky University and started to do some work with them in Bowling Green. And that's where I really got into more of the threat assessment space in the college population. So working with them in that area. I did some private practice as well. And currently I'm the assistant deputy director of training and exercises for a company called Secure Community Network.

And we do protective work and we're the liaison group with Homeland Security doing work to protect the Jewish population. So we work with different federations across the North American landscape to ensure that we're tracking things like White supremacist violence, issues related to these things. I kind of moved a little out of the college space. I still do some consulting in that space with some different colleges that I have had preexisting relationships with. That's kind of where I am now. So I've been privileged enough to write a couple books on the topic and very much excited-

Courtney: Yeah. Just a few. When I was looking on the site today I was like, oh, I mean, he's just pumping him out. That's impressive. I love it.

Brian Van Brunt: I found the secret was finding really good people to co-author with. So once I got the process down it was pretty easy to find some great friends too. We took all these kind of coffee table conversations and really kind of blended them into some books and topics. So that's been pretty enjoyable as we go.

I have two in the works now, one on White supremacist violence and the other on holding difficult conversations in higher ed, all the challenges around everything that's been going on for the past two years related to race, and ethnicity, and diversity equity and inclusion work, and all the tensions that have been existing with the college students, how to really try to get out ahead of that. If I had to rename that book a different title it probably would be how to have civil conversation, which I think is a bit of a lost art these days.

Courtney: Yes, that's fantastic. I can't wait to read it.

Brian Van Brunt: You get it.

Courtney: But books it's a lot of work and something that is on my bucket list, but I don't even know where to begin some days. So that's incredible. So you are really a huge thought leader in this field. And I remember back in the day when I was in house council, I helped stand up what was first a behavioral intervention team really early on I think it was not long after Virginia Tech, but probably a little bit after. And then helped stand up a care team, but I was just a lawyer. I was like,

look, I went to these conferences and we need to be doing this. And so this is what I think we need to put together on the campus to kind of start this process.

And then the BIT team would meet every Wednesday. And it was some of the greatest times as crazy as that sounds for me personally with that group of folks and also the hardest. I mean, tears, hard conversations, tough stuff. And so I just want to start with the basics if you don't mind, and I don't really I think this is the basics, but you were mentioning earlier trying to figure out if someone is a harm to themselves or others. That is such a hard to me, I mean, I'm just a lawyer that's why, analysis. And so start off with just kind of the evolution of BIT teams and what their purpose is, and then let's kind of just go from there, if that works for you.

Brian Van Brunt:

Yeah. For sure. So I think it's fair to say that prior, I think Virginia Tech was this kind of bell weather change for us all. That's where I think a lot of lawyers got involved. It was some of the foundations of the National Behavioral and Intervention Team Association, NABITA. Some of [inaudible] work started around that time. So prior to that what we had were a lot of informal teams meeting really just as you said kind of gathering on my meetings was back at New England College called Networks. And we met on Friday morning around coffee and we had a very informal list.

It was on a yellow legal pad and we just would write down names and talk about the students and then cross them out when we didn't have to talk about them anymore. I remember Beth was our scribe, if you will, and way back then this must have been probably 2005, 2006. She will draw little pictures. So little high requests next to the students to indicate what kind of concern there were like an [inaudible]. And it was in some ways when things started in the beginning, it was not bad that we really wrestled with some of the same topics that you did.

It sounds really shed our tears and really tried to wrestle with the challenges in front of us. With Virginia Tech and the advent of lawyers, what ended up happening was a formalization of the process and where we are now is just probably Version 2 or 3, Generation 2 or 3 of where the teams are. So to kind of suppose move forward on the history lesson and just skip over to kind of what best practices are now. We're in a spot where we have these teams that meet weekly and I think that's real critical.

So I'll make maybe three points here. The frequency of the meeting is huge. And if you're [inaudible] K-12 space, one of the challenges for them is they meet according to policy and dictates and they basically meet in reaction to a problem more often than not a VIS team, if you will. What ends up happening I think is the shift for a lot of the K-12 is understanding that these are regular ongoing meetings.

So it's kind of something new for them that you're meeting. Even if there's not a case you're meeting almost in a zone defense way that you're training and having conversations. Team size is important as well. So we really want to have a team size somewhere between I'd say heard numbers anywhere from five to 10. So usually it's six to eight or so is the ideal team size. And we did some research on that to look at actually drawing from anthropological models, best group size to have conversations much lower than five.

What we run into is there it often not enough to have a quorum and a discussion a whole lot higher than that. We have so many people in the room it's hard to have a really good conversation where everyone feels like they can say something, there's just a time pressure. And then having a list, writing names down, having a database system, there's several in the field that have risen to the top like Maxient, Symplicity, Advocate, Pave, and those are the major core things.

And then we get into these other side issues, which certainly we can talk about, about marketing and advertising the team so that people can share concerns forward with it that we don't want to have a team that's operating where no one knows about it. That it's operating like some kind of starch chamber in the basement of a student services building on Tuesday at 4:00 in the morning. That's not going to work. We want to make sure that the team is getting information because it becomes a bit of a garbage in garbage out. You got it process. So I'll pause there until I can get off on a quick summary of the history of bid would be like an hour and a half later and I'll come out of my trance.

Courtney: No. I know, I love it. And it's interesting because I was experiencing it from one lens, of course, as legal council. And of course at a college campus now we advise so many school districts and it's different. I mean, it just is. So just hearing all that it's really interesting and I love the three core points that you've pointed out. So at their core, what do these teams do?

Brian Van Brunt: Yeah. Having a good, solid mission statement is another thing that I teach frequently that we want to have a clear and settled mission statement about what we do. Generally, what I suggest is a caring group of professionals that come together to discuss potential at risk students and develop action plans moving forward to basically mitigate the risk. And to your point earlier, I actually find it problematic if teams set the bar, so to speak, at danger to sell for others. That bar is so high.

It's so way up there that we're doing no preventative work and all the alphabet soup of agencies, DHS, and FBI, and Homeland Security and everybody else, department of ed, justice, secret service, all of them and they very rarely say the same things. One of the things they say very consistently is start early, identify these problems before they grow into a bad person with a gun showing up at the school. And then the other piece that they really stress is the idea of multidisciplinary collaborative team.

So having a diverse membership. So in some ways the worst thing you could do as a team is have all psychologists, all cops, all lawyers at the core of the team is coming from different positions. So I keep saying core, at the real center of what the work that we're doing is we're identifying problems before they escalate to violence or before they get to a point where a student might have even some retention issues.

So there's this interesting overlap that the big part of the BIT work I'd say 80% of it actually overlaps pretty strongly in the college space with retention work that we're trying to identify problems like not coming to class, not leaving the residence halls, having a bad breakup, things that might not be dangerous at this stage. And then because we're dealing with all of those things, we have a bit of an insight when things get worse. Because very rarely does someone just wake up one morning and like, you know what I'm going to do is kill myself or you know what I'm going to do is I'm going to go yell at this professor, burn down the science lab.

That there's a history of this behavior. And by looking at things early and looking at these, if you will retention problems, we can get out ahead of some of the more serious violence problems. So similar with K-12, we're just not looking at retention as much as we're looking at behavioral problems that get in the way of academic performance. So similar to SCL stuff, the social emotional learning that we teach a lot in K-12, how do we engage with those problems early on to actually see better academic progress? So a little bit of that.

Courtney:

Yeah. And I love that you made that point because back in the day I remember talking to a colleague who was not in a university setting generally about the BIT team concept and in their minds it was all these people who are wanting to blow something up, or kill somebody, or kill someone, or kill themselves and that's what you talk about every day. But that's not at all what it really was. It really was that retention work when you really looked at it and students who were popping up as people of concern, but really trying to lend care and support to those students so that, like you said, it wouldn't escalate.

So I'm glad you brought that up. And the multidisciplinary team that you stated, I feel good that I at least did it right at the beginning. I was like I don't know who needs to be on this team. I mean, I've listened to what these people say, but a cross section. So some ideas would be, you mentioned police and counseling and maybe 're someone from the dean of students office, someone from faculty. Who are some other people to consider on that team at least in the higher ed space?

Brian Van Brunt:

Yeah. And higher ed it's some ways a little easier and well understood from a research metric because we've had so much training and outlining with it. But the trifecta always going to be police, conduct, counseling. That's going to be your big three. As you know in higher ed that we get folks who have multiple hats. So sometimes the person in conduct especially also has a dean of students

role or a secondary role. So wherever we can try to keep the role separate that's ideal. So we often see a VP/SA or vice president in the student affairs kind of running the team whereas the conduct person will be on the team.

Then we might have, as we mentioned, counseling someone from that space. This opens up Pandora's box because counseling across the [inaudible] isn't always what we might think it. That some schools describe counseling as kind of FERPA based nonclinical counseling, but they're not doing mental health treatment. They're doing really helpful, great things, but they're not a clinical counselor hired by the university to provide mental health treatment. So one of the distinctions I make with counseling is if we have say academic advisors working really well with students. They might even have a license, but they're not hired by the school to do clinical work.

We really need to have a clinical person on the team as well as them. And for residential life schools, we want to have representative from that space. Disability services or ADA 504 is another big person that I like on the team mostly because almost all of the cases that come in are going to have some kind of disability or a combinatable need. So those are the big ones. Depending on the school, we had a school out in New Mexico that had 75% of the school population was Indigenous people. So we had a representative from the tribe. So you get this whole here's the global advice about who you want to have a on the team, but you do have some kind of trading options that are there for your local space.

For example, if you had a big fraternity and sorority population, if 70% of your student were in frats or sororities, having representative from Greek council might make some sense, same with student activities. So as long as we keep to that, five to eight or so, or six to eight number because what I don't want to have is we had the story once where we had the school I was training, Brian, we have 26 people on the team and you can't see this on a podcast, but I just kind of put my head down and I shake my head and then they're like, no, no, no, no, no. It's okay. It's not a problem. They all don't show up for every meeting. Oh, my God.

Courtney: Yeah. I've been there. It wasn't 26. It was like 18, but I was like-

Brian Van Brunt: I didn't know you could make it worse. Let me tell you a phrase that lawyers hate. It's called capricious and arbitrary. So you have too many people and they're not all showing up. There's no consistency in training. So you really want to kind of hit these notes over and over again. Five to eight I think is a great number. Maybe six to eight, good balance throughout the group. The people who aren't ever on the team, maybe I'm going to anticipate your next question. We don't really have parents or students on the team and there's a couple reasons for this.

They tend to move in and out of the space more quickly. I like the transparency and I like almost having a secondary advisory council to the team to address issues that might be relevant to parents or to students in particular. I like the old saying nothing about us without us. That makes a lot of sense to me. But the other core piece here is that we start to get into FERPA and information sharing and I just would rather have staff and employees on the team and a better way to do it. And then the big, I don't want to say elephant in the room, but lawyers come up quite frequently. People ask and just as a history lesson, lawyers used to be part of the process. What we found were some teams and bless their hearts, that's a Kentuckyism-

Courtney: No, the Tennesseeism too.

Brian Van Brunt: [crosstalk]. They bless their hearts. They would say things like, oh, well the lawyer is here so everything the team is talking about is privileged. There you go. I don't think that's how it works. So if you have a lawyer on the team I love and having spent a lot of time with lawyers do process the way their minds work, the way they process cases, they think about, well, I had one conversation with a lawyer who will go unnamed, who we had this massive argument for an hour. And then at the end he says, well, I don't agree with this. This isn't my point. I'm just arguing with you for the sake of argument. So after I hit him then we're not kidding.

Courtney: Yeah. We're not all that I promise. But yes, we can be a pain.

Brian Van Brunt: Yeah. But that's good. There's an entire field in psychology of assessment called adversarial modeling of program evaluation based on you basically looking at what's going on there and being the 13th person in the law enforcement. We talk about this around penetration testing or red teaming. We set up someone who takes a counterpoint. So it was just nice to know that beforehand as we're having this really impact and debate.

So nothing wrong with lawyers being on the team as long as they know what the rules are, which is the first is that they're not going to run the team. It's privileged that we're under FERPA generally. And the second is it does create a tension with team members who say for general counsel, I'm not going to disagree on a team with the person who is going to defend me in court if everything goes sideways. So there's going to be an aura that the lawyer brings with them.

Courtney: Like an imbalance of power. It's not, but it is.

Brian Van Brunt: Exactly. Perfect. Yes.

Courtney: No, that's a great point. I stood it up and then I was like, here you go. But I would be invited. Well, I was there a lot at the beginning and then before I left it was like I was a special guest. There was a complex issue or something like

that. And I'm assuming you've seen that or advise on that with teams where certainly you're bringing people in as you need them. They're just not on the main team that's meeting regularly.

Brian Van Brunt: Yeah. And an easy way to look at this and I've watched a lot of different models being created and I've created some myself, the real tipping point for me is do they have access to your database? So it's an interesting way to look at it that if they have access to say your Maxient, your Symplicity, whatever database you're keeping, in that database core team members are the ones that are going to be your core, are going to be the ones that have full access.

So if you're bringing a consultant, say the police chief in town, or you want to bring in someone from IT to answer an IT question, if they're not going to have access to the database, I would see them as kind of a secondary member to the team or a consultant to this. And that's I think an interesting way to parse that difference if you're not sure you have these 12 people and who's on the core and who's not. One of the things you can do is say, well, should they have access to our database? And that's usually where we can create that dividing line.

Courtney: That makes a lot of sense.

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Courtney: So I want to speak to school districts for a minute because in my mind, and I don't know what your experience is, but for me by and large most institutions have at least set up a BIT team of some sort, some are putting 28 on it. It's not all perfect, but they're kind of moving along. They've been to training and things like that for the most part, not all, but for the most part. But school districts in my experience are still struggling in some ways with this concept. And I don't know if you're having the same experience. So does this look different for school districts. Is it the same concept? What has been your experience?

Brian Van Brunt: Yeah. And this is like the K-12 education for sure because we also have satellite districts and colleges that complicate matters too. There's a group in Colorado that has 15 campuses spread across the whole state, so youngins.

Courtney: The youngins. It's hard.

Brian Van Brunt: Right. I mean, it's kind of where we used to be in college. And I think we have a horrible time. In college we had for better or worse a lot of consultants, a lot of researchers who looked at this issue, created modeling and whether you work with NABITA or you work with any of the other major players in the field, I'm kind of losing track of all the name, but Dessinger did some work out of Virginia Tech and the Cornell model. And the similarities with the models right now are way more prevalent than any of the differences. With the younger group I think some of the big hurdles are shifting.

Like I mentioned, the meeting idea that they're used to meetings being driven by regulation, like IEP meetings, for example, that there's certain dates and things and the parents are there and they run for a period of time and then they're finished. And I think the idea of creating, am so bad at sports ball metaphors, but it's hard to not use the zone defense one. It is.

It's this existing team that's there whether there's a problem or not that processes these cases as they come in and they keep the institutional knowledge. And I think that's what we're seeing as a big problem, to look at the recent shooting. And I don't want to date the podcast, so I'm sure you can just pick any other shooting that's occurred since we've recorded this one.

Courtney: I know. I hope there isn't, but you're right. I mean, it's just-

Brian Van Brunt: Of course, there will be. It's hard. It's horrible. And I look at this one that's going on and a lot of signs were happening beforehand just like Parkland.s So that's good that we're seeing them. A lot of the teachers pressing forward and sharing those concerns just like Parkland, good, that's important. And then we start hitting the same problems and I would argue and maybe I'm stealing some thunder here, but the biggest challenge I think both for K-12 and colleges is the combining or the misunderstanding of what a psychological assessment is and what a threat assessment is.

And it's a huge problem. Like in this case everyone is saying, well, we told the parents, they had to take the kid to a counselor because he is drawing a picture of killing a bunch of people and then crossing it out. Well, a counselor like myself, unless I've been trained up in this 5% group, because most counselors aren't trained this way. When we look at danger to self and others, we're looking at immanency. We're looking at right now are they going to kill someone? They're not looking at are they building an attack plan at some point in the future where they're going to hurt somebody.

And that's the myth that I see. There's a case out in Spokane, Washington, and I try not to use the names, but for the listeners you can Google the name. It's easier. It's Caleb Sharp. And you look at that case and the same thing occurred has just occurred in this recent case with Michigan. It centers on this problem of they identified the student, they identified the problem, there's lots of warning signs, lot of red flags, they sent the kid to a counselor, the counselor is like, we're going to get you on meds, we'll put you into treatment, we're worried about you, we'll work with the parents, but they weren't doing a threat assessment.

What they were doing was a level of care assessment for, are you a danger to yourself or others? Do you need to be locked up in the hospital right now? And the problem is a lot of these attackers or people on the pathway to violence aren't committable and then they fall into this in between space. So the counselor is not asking things like, do you have unfettered access to a handgun in the house? Are there catalyst events? Is there a fixation and focus on a particular target? They're just asking, are you so out of control right now that you might hurt someone and need to be locked up?

So it is a bit of a soapbox for me, but I think it's one of the most pressing issues of our time that I keep hearing in these cases that we do. We are identifying, we're paying attention, we're training people about all these threat things to watch for, but when it comes time to make this decision with a lack of a good team that's trained, they defer to what we used to do, which is send them to the school psychologist. And they do just what they're supposed to do. They do assessment diagnoses and level of care. So that's the big problem. I don't know what we do with it. I just guess-

Courtney: I know. I was about to say it. So what is the answer? I mean, I guess hypothetically speaking a team would come in and make that determination. You have access to all these things. How do we get that information? How do we bridge the gap that you're-

Brian Van Brunt: Yeah. I mean, I think it's a team. The team would come together immediately upon this case review as all this was going on we'd have four or five people around the corner sitting down a school resource officer, an SRO, school psychologist, the principal, assistant principal, maybe someone from special ed counseling guidance. And we'd look at the case, he's drawing all these pictures threatening to kill people. What do we do? And that's where we would lean into a threat assessment. And we train, I train people up how to do these. It's not a difficult task.

That's the odd part of it. People think it's this amazingly difficult, complicated task. It's really like any other structured interview. You're asking people some very critical questions about, are they planning to hurt people? Are they getting closer to this moment of action? And it's just a different assessment process

than do they need to be in the hospital? So it breaks my heart when I see cases like these because it really is a failure, Not of the teachers, they identified this.

I mean, thank God, they saw this kid drawing things and they were like, well that's not good. And it doesn't take a detective to look at something like that and be like, oh, he's drawing a picture of someone with a gun saying please help me and I'm going to die. All right. We need to get him some help. And then it just fails at that level of should the parents take them home? That doesn't really solve the problem. And law enforcement throws up their hands and says, well, there hasn't been a legal threat to the point where we can make criminal charges or maybe there has, but that might take a day or two.

And then the hospital people are like, are you a danger to yourself or others? And he is like, not right now and then he doesn't fall into the psych piece. So there needs to be someone in that in between. And that's really the team that can look at this threat assessment process and determine what is that level of risk and then put some planning and some interventions attached to that level of risk that if he's up here, access to a gun, clear plan to hurt other people, life in a bit of a disarray, moving towards this violence, then we put a higher level of case management intervention in place.

And that's where a lot of legal cases play out in K-12 and higher ed where they don't match the intervention to the assessment. So there's a high level of risk in the threat assessment, but then the intervention is rather low. Let's have the parents take them to counseling. So probably more than you wanted to hear on it.

Courtney: No, it's all so fascinating and it's such a tragic situation in general for our country, but when I'm listening to you my gut is, and I have no idea if this is right, it's just for my own experience, threat assessment may not be hard as you were saying. There's there's a rubric and you can train folks on that. It's actually doing it though as a human seems hard for people to have to be like, yes, done or no. They struggle for various reasons. They're afraid to get it wrong or something. I don't know.

Brian Van Brunt: No, you're exactly right. And when I say that it's easy. I mean, it's not like doing neurosurgery. You have to go to medical school for eight after it. It is a set of questions that you're looking to answer, but you're right. The devil is in the details. When they finish it they don't document it well for sure. That's a huge problem. Was one in Florida after the Parkland attack, they had all these laws and regulations. People were doing the threat assessments, but no one was writing anything down. The other problem you run into is SROs or law enforcement.

Again, bless their hearts. I work with law enforcement, love those folks. However, they're trained in the academy to take control of a scene and to give an opinion. So they don't tend to be overly, oh, what do I want to say? You're

detailed in terms of the assessment. I had even a psychologist once was doing an assessment on a kid and they said to the kid, "Do you have guns?" And the kid was like, "No." He was like, "Okay." And then I got a hold of the assessment and I'm like, "What were the follow up questions?" And he was like, "What do you mean?" And I'm like, "Well, have you ever shot a gun? Do you play video games with guns? What's your gun knowledge? Does someone in the house have a gun? Does a friend have a gun? There's eight questions that you'd follow up."

Courtney: Yeah. The deeper dive

Brian Van Brunt: Yeah. It's the face value. They just take the basic kind of answer. So it's not easy and you get into issues of, are they lying? Are they engaging in impression manage? How do you detect deception in interviewing? So it's certainly a little more challenging in terms of learning some of those skills. But my hope is the people that we're teaching typically are conduct or disciplinarians, lawyers, psychologists, counselors, law enforcement, people who already have rapport building skills and interviewing skills. It's just retasking that skillset to this question, do they have a certain number of these risk factors for targeted violence?

This violence of picking up the gun and engaging in a mass shooting and what are their protective factors look like that push it back. And what I mean by that is in this recent case he had a lot of risk factors, which we're all seeing on the news. The thing is we also look at is he in a supportive family? Does he have access to easy medical care? Do they have the ability to take him out of school for a while and work with him? Is there an extended family? Are there friends?

Is he involved in a club or sport? So when we do a good threat assessment we're always looking at the things that make it worse, the risk factors and the things that make it better, those anchor factors or protective factors around them. So certainly something that's teachable, but your larger point is, yes, it doesn't happen overnight. And even when people are trained to do it, there is that hesitancy to put it into practice because it does feel like and there is a bit of a legal weight on top of it.

Courtney: Yeah. It's just heavy stuff.

Brian Van Brunt: It is. I mean, what helps a little bit, Courtney, is this feeling of a good threat assessment the end result is not ever this person is fine and they'll never kill anybody. If you're writing that in a record of problems, but it's saying these are the things that are going to make it worse. If he continues on this path and I say he intentionally because it's almost totally a male phenomenon that if he can continue on this path this is what we should be aware of that are going to make it worse and here are the things that can make it better.

And most counselors when they see what that report looks like they're, oh, this is what a threat assessment report looks like? And I'm like, yes. We help people at play do their work better. Here's some factors that you want to take into account. Here's some things that you want to scaffold them like a building and repair around them to keep them safe.

Courtney: Yeah. So important. And the way you phrase it makes a lot of sense, which is why you're so good at what you do. Sidebar, you mentioned that this phenomenon is largely male students. Interestingly, we had a school district last week and it was a female student and now I was like, oh, that's interesting, that was making some threats because in my very limited experience you have much more experience in this and that's not what we do as a specialty. But I was like, huh, made me scratch my head because I had not really seen that before.

Brian Van Brunt: Yeah. It definitely happens for sure. So you're right. The Slenderman phenomena, I can pull out cases, Brenda Spencer back in the '70, the I hate Mondays lady. The big, real famous one was Amy Bishop from Huntsville, Alabama, the professor who pulled the number. We have female examples, but you're talking about it's not even, I mean, it's two or three people.

Courtney: Super rare.

Brian Van Brunt: Yeah. And it's not a surprise. It's part of the male, female dynamic that women tend to internalize and you lean towards the suicide actions, at least the attempts more frequently, whereas men tend to be more aggressive and outward facing. It's also why there's an in cell movement that's male and there's not a female in cell move. That I think overlaps as well.

Courtney: So interesting. We could talk about so many things. I'm trying to keep myself focused, but I'm like, I want to learn more. So while we're talking about adults, we talked about BIT teams and we've talked a lot about students. And I don't know if all schools have a BIT team and a care team or BIT handles faculty, staff and students. But I did want to hear from you on just what your recommendation is. Is a BIT team only student focused? Do you have a different team to evaluate any issues that arise with faculty or staff? How does that work?

Brian Van Brunt: Yeah. We did some research at NABITA while I was the president there and we did about 10 years of research looking at things in as survey every other year. So about five major surveys that we conducted about half the schools, colleges across the nation had teams that dealt with both faculty and staff issues as well as student issues. So the issue for me is, I guess, twofold. So on one hand what I don't want to have is the legal risk of having a really well-trained and focus team that's state of the art.

But when it comes to faculty issues we just refer to HR and an EAP plan and just kind of ignore everything we know about transient and substantive threat,

hunting and hauling. So we just kind of regress to 1980s HR policy of, well, you got to stop doing this or we'll have to fire you. That we have to look at in the same way this maybe this is clear that a behavioral intervention team, a care team, a threat team for students is not just about conduct. A team looking at faculty and staff, faculty, staff facing team is not just about HR misconduct.

That it has to be more about their behaviors, things around mental health, how they're... So it's not a performance evaluation and that's a big stretch for folks to understand because, well, we don't want to have one for faculty and staff because we have a union and we'll get into performance issues. And we're not really looking at performance issues per se. What we're looking at is behavior related to how they're functioning and not related to performance, but mental health as well as threats, and anger, and these kind of things. So long story short, you can combine them.

And what I find here is that the thing that picks up on this is that then the records change a bit. So when I say earlier that all the records on a BIT team student facing are typically FERPA, now once we have faculty and staff added that some of the records are really going to be kept within HR and won't be under FERPA. So it'll be a different HR policy that the records are stored. So that's one thing they have to take into account. There's also this big issue of folks who say, well, what if people on the team know the faculty member in question?

So you can recuse yourself. I'm not a big fan of that. I find most professionals can be professional on these teams. So if we're training them well and maintaining them and meeting frequently, they can handle that. If they need to step out, we can have a smaller team meeting with just key folks on faculty issues, but they don't occur as frequently. That's the other thing that when people have reached a level of employment after college, they tend to stabilize a bit more. So that issue just doesn't happen as frequently, but you want to have some process in place cause I don't want to defend the lawsuit.

You can tell I was a partner with a law firm for at least a hot second. And the thing I picked up is I don't want to be the person defending the lawsuit saying, well, we didn't. We had this great team for student facing things where we have a rubric, and we have threat assessment processes, and we have all this stuff here. What if a faculty member does the exact same thing and you're like, oh, well, we just refer them to HR. That's where we get that inconsistency of process that I think is problematic for sure.

Courtney:

Well, and I found it challenging on the ground. They stood up the BIT team then was like, we need to... They stood up a separate team, a care team for faculty and staff. But like you said, there's not nearly as many referrals or incidents or need. And so the meetings got canceled, they wouldn't meet as regularly. You have a different set of people on the team who sometimes everyone's schedule is busy, but they maybe, I don't want to say took it less seriously, but they were

canceling it a lot. So when something did arise everyone is just kind of during the headlights. They weren't practiced, so to speak, on going through the rubric and the analysis and all of that.

Brian Van Brunt: That's such an important point. If I can just pause for a half second, I know we're near the end, bu-

Courtney: No, you're fine. We've got more to talk about. So go ahead.

Brian Van Brunt: It's so important because what ends up happening is it's almost the same as threat teams. And we were just talking about around all these names. Let me clarify. Behavioral intervention and care teams are the most common names of these teams at least in higher ed. We also have threat teams and the threat teams tend to just focus on when a threat occurs and I'm not opposed to a threat team per se. But if that's all you have, you're creating, again, a really high bar. I worry about the faculty is I'm worried, Brian, but he hasn't threatened anybody so I'm not going to report it to the threat team.

So when I do my training, we actually spend some time saying, don't name your team something silly. And in higher ed we do that all the time. I literally, Courtney, had a woman who named their team the student health intervention team. I'll let the listeners take a moment, student health intervention team. And I called her out and I'm like, you know that spells shit? And she's like, we just deal with a lot of shit. And I'm like, that's funny-

Courtney: Oh my goodness.

Brian Van Brunt: ... on basic level. But let me tell you where it's not going to be funny, on CNN when something bad happens to your school and there's a poop emoji next to your school. That's not funny.

Courtney: Okay. That's crazy.

Brian Van Brunt: So don't make it silly, don't make it scary. And that's where the police get and they want to be the Batman tactical response unit. The team name is for the students and the faculty to feel comfortable reporting in. It's not for us. When we have these teams, we want to make sure that they're training and meetings. So that's a big problem with threat assessment only teams. Anytime a school is like, well, we have a threat team I ask these critical questions. I'm like, how often do you meet? Well, kind of as needed. I'm like, let me tell you a story about lawyers.

They're going to equate as needed to you're not training your team. Do you want a fire department that meets as needed? Oh, I met you at the fire Bob the other day, in July. No, you want fire and SWAT training all the of time. So these are the problems that come up when people are like, well, here's a great system, but if they're not meeting regularly there's no team cohesion, there's no

looking at how the team makes decisions, no improvement modeling. So that's why I think having the one team makes the most sense because then you're doing that singular process.

Courtney: Yeah. I totally agree. And I will say that workplace violence is real. I mean, in the school setting we think school shootings because that's what we've been hearing about very unfortunately recently in the news, but workplace violence is absolutely happening.

Brian Van Brunt: It's where it all started. I mean, this was post office stuff. It was going postal back in the '70s. All of the great research started before the school shooting. This was before [inaudible]. So you're absolutely right. It's very much started in the workplace. A lot of the core research we have around effective and targeted violence around transient and substantive threat came directly from the post office. It's actually listed in many of my books as a core citation because that's where it started. They started listing off risk factors of really concerned employees who are acting a certain way and how the supervisor could intervene. This was even before teams.

Courtney: Fascinating. Well, and so I guess the big takeaway for those listening is don't forget about faculty and staff. There's all this focus on students and there should be. And like you said, they typically represent the greatest need, but don't forget about your faculty and staff. So I want to drill down since I know we're getting to the end of our allotted time, but I want to drill down into Title IX and sort of the overlap that occurs because certainly BIT teams are covering things well outside of Title IX.

But we now have these new regulations that require safety and risk analysis in order to do an emergency removal of a student. And I am so excited because you are doing a specialty course for us in this area and our community partners are going to learn so much from that. But talk to me a little bit about that overlap and any words of wisdom you have on best practices, thoughts, that kind of thing.

Brian Van Brunt: Yeah. I mean, I think the best thing I've seen coming out of this is it's pushed and I don't think we were against the idea, but it's pushed Title IX and BITs to work a little more closely together, which is great. Because so much of the Title IX work as you know and your listeners know overlaps with BIT work in terms of remediation, in terms of dealing with community impact, heck in terms of where Title IX cases come from, in terms of education, in terms of it's happening at this athletic event, this Greek event.

And this is what we know during these orientation events. So if the BIT is getting these reports about groups or concerns that it does overlap with Title IX I think pretty clearly. And then after an event happens, or an accusation is brought forward, both the reporting and responding party are in that space of needing

care and support. So I think Bit and Title IX have always interacted well. This has forced the issue of some. And you'll have to correct me here, Courtney.

So I'll give you my layman's non-lawyer approach to this, but my cutting to the chase feels like this. That what it's doing is it took away that arbitrary decision that often deans and Title IX folks would make saying there's enough of a concern in this case that we feel like this person might retaliate or harm this other person or having them both on campus right now isn't a good idea. So we're going to ban this person from campus until the process is done. And what I think Title IX did with the regulations, at least in this one area, was to say we really need to be a little more consistent on that.

And we need to violence risk assessment to say, is this your opinion? Is this fact based? What evidence is there that there might be harm to the person? And that's really what a good VRA does, a violence risk assessment is it looks I think for either the reporting or the responding party, wherever the threat might be to say what's the likelihood of this escalating? What's the likelihood of... In the language here we really didn't define. So we have effective violence, which is violence that's driven by emotions and immediate and reactive.

And then there's targeted or predatory violence, which is more pre-considered beforehand, pre-Motivated kind of violence. That's the violence that I'm going to hurt this person eventually. So in Title IX cases we have both occurring. We have the person interacting with the other person in the heat of the moment they're upset and pissed and they act badly or they're stalking the person trying to find them and acting out. And in both cases we have that potential risk of violence.

So that's to me for the VRA process we want to have oftentimes it's the responding party sitting down with someone from the threat team to do an assessment to say, is there a potential risk of this person acting out to the person who made the report? And that's generally what we're looking for, which I think the BIT team if you're following this whole com should already have someone who can do that work.

Courtney: Yes. And the language in the regs is this safety and risk analysis. And I think a lot of it's individualized, it can't just be a blanket. You've been accused of sexual assault, you get removed, period. End of story. And so I think that's a big takeaway and you already mentioned this before, but just documentation and doing it for each person and really looking at everything versus kind of a blanket assessment is critical. At least what we've seen as far as court cases since then where school districts have done an emergency removal and it's held up because they did do that individualized assessment at the time.

Brian Van Brunt: Yeah. I mean, it's very similar to the four part direct threat test that we've been using forever to determine someone because reason of a mental illness presents a risk at the campus and we're going to do a forced medical withdrawal

that it needs to be individualized. There needs to be no other interim measure that we can put in place best medical or psychological practice. It's a good due process informed I would argue process that they would go through where you'd sit down, meet with the person and say, here's the risk.

And I think it's certainly much more rare, but I also think the Title IX folks should look at this both from the responding and reporting. And I don't know your preference, Courtney. I use those terms. I don't know if you have a different language you use with your training.

Courtney: Yeah. Well, as a result of the regs we just say complainant and respondent and then you could still have a reporting party, but that's all post regulations.

Brian Van Brunt: Yeah. So the person making the complaint or the complainant, I think there also needs to be an awareness. Do they then get so upset or frustrated? There's a, I'm going to take matters into my own hands. I'm going to punish this person. I think with anything we don't want to become narrowly defined like this is the only person we're just going to always assess, the person who's being accused, that we want to make sure that we're bringing the VRA in whenever needed.

When we get to a certain bar where there's a concern here because maybe it's, to take a hypothetical, let's say a female is assaulted by a male. The report comes in and we come to assess both with a VRA process and we find out it's the female's father who's going to show up on campus who's made multiple threats to kill this guy, which I have two daughters, I understand. Then we identify the threat there, not from the actual person making the complaint, but from a family member attached to them or someone who dated them before.

So that's why I like the idea of, and this is going to sound hokey I think for the non-lawyer, but for me this is why the justice process works. It's slow and consistent, but it's also fair and equitable. So that we're looking at bringing in a VRA process for any case where there's that potential of risk so that we can look at that, conduct the interview and move forward.

And if your school is operating well, you should already be doing this process when the student threatens to burn down the school library, or yells at the professor, or whatever other problem happens that the BIT team is dealing with. So it really should be a plug in play for Title IX say, hey, BIT, can you do a VRA on this scenario and give us some input? They should be good at that.

Courtney: I cannot tell you, so literally almost every day when our schools are analyzing whether to do an emergency removal. We're constantly saying Title IX coordinator, you don't make this call by yourself. Utilize the systems you already have in place with the BIT team and they are the ones that you work with to make this decision. It doesn't all fall on you. If you have a good system in place then exactly like you said, it's a plug and play and you do that analysis with them and then however that plays out, you move forward.

Brian Van Brunt: I love that. I often talk about supervision this way it's something when it's good, when you have good supervision, when you can talk to someone when you're in a workplace who is your supervisor, good supervision is something you get to do, not something that you have to do. You're excited about it. And that's how I think, again, a little hokey, but that's how Title IX folks should look at this. That we get to lean into the BIT or the threat team and say, we're concerned about this case.

It's not because you can't do it. There's nothing lacking in you, but you get to discharge some of your risk and uncertainty through this other entity. And if the BIT is like, I don't think there's anything here, you're good, then that sits with them in terms of that at risk. And I don't know if your Title IX folks are like the ones I've trained, but anytime they can put a piece of risk somewhere else, they have so much risk they're dealing with.

Courtney: Goodness, yes. Their jobs are hard enough as it is. They're like, please take this.

Brian Van Brunt: Exactly.

Courtney: Yeah. Absolutely. Well, all this has been really helpful. I'm not just saying this. I could talk to you for hours about little things you've said that I wrote down. I'm like, I want to know more about what he meant by this. So super helpful. And like I told you at the beginning of this I have no doubt I'll want to have you back on. I was going to ask you what you're working on that you're excited about, but I know it sounds you've got two books in the pipeline. Anything else? I mean, you've got some big things going on.

Brian Van Brunt: Yeah. I mean, I think the two books right now are eating up a lot of my focus in time. Honestly, being at a new company I think being able to jump over to work with law enforcement a little more closely with an SCN has been a real amazing opportunity for me. I've missed my friends in higher ed, but anytime you can embed, if you will, with another group and kind of learn some or language and approaches, it's funny to have the counseling person sit through a hostage negotiation class.

And my takeaway was, oh, this is the stuff we teach counselors how to build rapport. And they're teaching SWAT team members and negotiators how to build rapport with people in a barricade situation. So I'm a learner by nature. So I love those opportunities to learn more. And it's kind of why I'm drawn to Title IX as well. I've done some writing and prevention work. I've always been a strong victim advocate because of my early trauma work with kids.

I'd be a horrible Title IX coordinator, I'll tell you that right off the back, because I'm not unbiased. I have very strong feelings about things, which is not what Title IX coordinators get to have, but I like living in the Title IX space a bit because it stretches me some and helps me kind of think about how I can be helpful to those doing that work. So I'm excited with our partnership. I'm super

excited about. I think that work would be really fun to look at how to bring a reasonable, easy VRA process to Title IX or if it's going to be within the BIT, what questions do they need to ask and how do they need to approach this?

Courtney: It will be invaluable to our community partners. I'm just telling you right now because if I could rank the frequently asked questions right now and it's right up there with this whole emergency removal and some Title IX coordinators who want to do it, everyone out. And others who never want to do it and everything in between and they're all valid reasons why they feel the way they feel, but having some better guidance I think they would just benefit from so much. So I'm really excited about you helping with that for our community partners. And I appreciate you just sharing your knowledge because you have so much. You're one of the OGs in this space.

Brian Van Brunt: Thank you.

Courtney: As my children would say.

Brian Van Brunt: I love it.

Courtney: And you are. I'm so glad we've connected and just started this collaboration and I look forward to much, much more. And we are recording this right before the holiday season and this will be launched probably right after the new year. So I hope you have a great holiday season and get some rest.

Brian Van Brunt: Thank you. You as well. I appreciate it.

Courtney: Thanks, Brian. As you heard Brian and I discuss conducting safety and risk assessments or violence risk assessments is imperative to the safety of your campus or school district's community. And there is obviously an overlap with Title IX given the language of the new regulations for emergency removals. I hope that the information that he shared helps you as you think through establishing a BIT, or a care team, or a process for conducting violence and risk assessments or safety and risk assessments under Title IX depending on the circumstances that you're facing.

This is a crucial area. Contact information for Brian is going to be in our show notes if you want to utilize his services. As always, please connect with us at ICS on social media, continue to listen to the podcast, and rate and review and share these episodes and I look forward to seeing you in future episodes of the Law and Education Podcast.

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