

Information for Faculty and Staff Regarding Concerns about Student Behavior



- If you believe someone is in imminent danger of harm to self or others, call the UNO Campus Police ***immediately***.
 - If you are concerned about a student but it is not an imminent danger situation, call the Office of the Dean of Students.
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INTRODUCTION

As a faculty or staff member at the University of New Orleans, you are part of unique and caring community that provides comfort and understanding on a daily basis. At the same time and as a result, faculty and staff members may be in a unique position to be aware of students who may be struggling with one or more aspects of their lives. What follows below is an attempt to identify what issues arise and the resources that exist to help students be as safe and successful as they can be.

In this document, you will find information about:

- **Basic Issues of Civil Rights**
- **Being an Adult (Student) at a University**
- **How the University Can Act With a Distressed Student or Student of Concern**
- **Frequently Asked Questions About Responding to Students of Concern**

BASIC ISSUES OF CIVIL RIGHTS

Before we discuss particular issues, it is critically important that you understand that the basic underlying issue in many cases is what the law tells us about basic rights. In this country, everyone has the right to “life, liberty, and the pursuit of happiness”, which means that individual rights are held in high regard. This also means that the restraint of individual rights is taken very seriously and will only occur under extraordinary circumstances. To put it bluntly, everyone has the right to be as odd or different as they like, until they cross a point at which they may be considered by the law to be in imminent danger of harm to themselves or others. Imminent danger is seen as a transitory state – that is, it may come and go depending on circumstances.

BEING AN ADULT (STUDENT) AT A UNIVERSITY

The laws of the United States confer the status of “adult” on all people on their 18th birthday. By law, that means that anyone 18 or older is entitled to all rights of citizenship (unless otherwise amended). This includes the ability to make contracts and to confidentiality of various services (medical, dental, mental health, etc.) or events (grades in college). Faculty and staff in a variety of areas are bound to maintain the confidentiality of information about college students by a variety of federal and state laws. In particular, the [Family Educational Rights and Privacy Act \(FERPA\)](#), restricts the university’s ability to give information about students to anyone outside the university without the student’s written consent. You are encouraged to read and keep a copy of FERPA for your information. You are encouraged to read the entire act. In addition to federal law, state laws ([La. R.S. 13:3734](#)) regarding confidentiality of records also limit the ability of licensed professionals in certain occupations from disclosing information without written consent by the client receiving services (both outside and within the university).

HOW THE UNIVERSITY CAN ACT WITH A DISTRESSED STUDENT OR A STUDENT OF CONCERN

While it might seem that the information provided above suggests there is little that can be done, the university provides procedures for dealing with distressed students or students who become of concern to faculty, staff, or other students. In most cases, a student will become a concern because of some behavior they exhibit – an assignment the student completes that causes concern, acting out or acting inappropriately in a public situation, making threats to harm self or others, etc. Unfortunately, faculty, staff, and students do not normally report these disruptions, hoping that events will take care of themselves. In most cases they do. However, it is important to understand that you may see a behavior which, when added to others' information about which you may not know, may help university officials understand a situation with more clarity.

When a member of the UNO community becomes concerned by the behavior of a student the procedure requires that community member (faculty, staff, or student) to report their concern to the Office of the Dean of Students (504-280-6222). The Office of the Dean of Students will determine what steps may be necessary following the report. These might include calling the student in to discuss concerns and referring the student to other campus and/or community services. It may also lead to a judicial procedure where the student will have the right to due process in the determination of any consequences of their behavior.

FREQUENTLY ASKED QUESTIONS

What if I believe the student is in imminent danger?

The laws of the State of Louisiana are absolutely clear about this. If you believe that anyone is in imminent danger of harm to self or others, you should immediately call the local police department where you know the student to be. If they are on campus, you should call the UNO Campus Police on your campus. If they are in another location, you can dial 911 and tell the operator which jurisdiction you are seeking – they will connect you. You must call a police agency because, in Louisiana, only police officers have the authority to detain someone, regardless of the reason for the detention. Mental health providers, health providers, and student life staff are not equipped or trained to take someone into protective custody. Failing to call the UNO Campus Police may mean that the help a student needs is delayed. If a student is in imminent danger because of a medical condition (bleeding, ingestion of pills or other substances, seizure, etc.), even if you believe it is a suicide gesture or attempt, you must call UNO Campus Police on campus or 911 off-campus and ask for medical assistance. Medical issues take priority over any other issues. If you have time after calling emergency services, contacting the Office of the Dean of Students would also be helpful.

Why not just call UNO Counseling Services?

The UNO Counseling Services (UNOCS) staff is able to provide consultations about concerns you may have about a student's behavior and to advise you about next steps you may take. However, state laws and professional ethical standards prohibit licensed mental health professionals from "soliciting" clients, even when a third party may be making a credible report of concern. In most cases, in addition to consulting with faculty and staff about their concerns, the UNOCS staff will refer callers to the Office of the Dean of Students to report their concerns there as well. The Office of the Dean of Students is the office designated on campus to investigate concerns about students and has much latitude in its ability to approach and follow up with students.

I think a student has a mental health problem. Why call the Office of the Dean of Students?

This will take some explaining, so please bear with us. By law, an adult is responsible for his or her behavior until a court determines they are not responsible. When a student acts out, for whatever reason, the university and the student are best served when behavior, rather than what may appear to be underlying issues, is the focus of any intervention or consequences a student must face. The Office of the Dean of Students can and will sort out what issues may be mitigating circumstances that impacted the acting out and may impact any consequences

imposed upon the student. That is a basic responsibility of the Office of the Dean of Students and no other office or individual on campus. If a student is believed to have some underlying mental or physical health problems which are exacerbating or are being exacerbated by the situation, the Office of the Dean of Students will refer students to appropriate campus and/or community resources in addition to any other recommendations. However, at the most basic level, the student is responsible for being able to maintain appropriate behavior. Those who cannot or will not maintain appropriate behavior, for whatever reason, cannot be allowed to continue as members of the community.

As a community, we must balance our response to mental health issues. We can see that the extremes of both positions do not work. On one extreme, allowing these issues to excuse inappropriate behavior without consequences creates a disruptive and unproductive learning environment. On the other extreme, attempting to immediately label and remove any student from the university because of a “mental health issue” (for which they may be seeking treatment) violates basic human rights and should give all of us pause for concern about who is making decisions about our own behavior.

What can I do to help?

You will find information about [how to help a distressed student](#) elsewhere on this website. As you will see, you can also refer a student to UNOCS or even a student to UNOCS during office hours and we will be happy to speak with her or him.

Am I creating situations that make things more difficult?

Most of us assume that the college experience should include some kind of personal as well as academic growth. Almost all of us feel that this was an essential and rewarding part of our college experience and we want our students to have that same experience. In most cases, we were what are now called “traditionally-aged” students. That is, we attended college in our late teens or early 20s. Many of our UNO students don’t fit that profile. The average age of our undergraduates is about 25 or 26 and many students come with significantly more life experience than traditionally-aged students. Also, and unfortunately, many of our students come with a history of some type of abuse – mental, physical, or sexual. As a result, some of the assignments we might give, which may seem benign or important for personal growth, serve to bring up painful memories of the past which only may disorient students and make it harder for students to deal with the normal demands of college.

Many professional organizations have added sections to their ethical standards which encourage instructors to think carefully about including assignments which force students to self-disclose personal information about themselves. Those standards may also require that, in addition to being noted in a syllabus, any course curricula that require self-disclosure be identified in the university catalogue so that potential students can have knowledge of that requirement before they enroll at the university. All academic disciplines are encouraged strongly to examine their curricula for required self-disclosures and discuss the nature and purpose of the requirements. Those that are not absolutely essential to the learning process should be considered for replacement.

CONCLUSIONS

We hope you have found this information helpful. If you have any questions, please feel free to contact the Director of UNO Counseling Services (Dr. Barbara Mitchell) at 504-280-6683.

We also hope that you take a few moments to browse the [UNOCS Website](#) to see the types of materials and information we make available to the community including self-help materials, on-line screenings, and on-line workshops.