Steering Committee meeting on September 8

The UCFA Recommendations for Addressing Student-on-Faculty Assault at MSU was returned to UCFA for further development. The Committee was asked to investigate the magnitude of the issue using data from MSU and any national information available. The target date for returning committee reports on the issue is the November 3 meeting of the Steering Committee. If you have questions, please contact me.

Best regards,

John

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UCFA Recommendations for Addressing Student on-Faculty Assault at MSU
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To be added to Faculty Handbook in Section V

The UCFA has recently reviewed resources, policies, and procedures that come to bear when a faculty member is assaulted by a student while performing regular University-related duties. This document outlines several recommendations that stem from our investigation.

Background

In 2010, a joint report released by the Federal Bureau of Investigation (FBI), United States Secret Service, and the United States Department of Education, documented that violent assaults committed at institutions of higher learning have increased dramatically in both prevalence and severity over the last 20 years, and Michigan is among the top 5 states for incidents of such violence. The majority of the violent incidents took place at 4-year institutions and were perpetrated by students. Although media outlets have reported student threats and attacks against individual faculty (see Notes for links to 3 recent stories), there are likely to be many more individual cases that go unreported or are less newsworthy. Moreover, there does not appear to be an effort to capture such data at colleges and universities. The Clery Act, which requires that all federally funded colleges and universities publicly disclose information about violent crimes on or near campus, does not record demographic information about the victim and perpetrator.

Given the lack of documentation and research on student-faculty violence on college campuses, review of data from educators more generally is warranted. Within the K-12 context, the APA Classroom Violence Directed Against Teachers Task Force, in collaboration with the National Education Association, surveyed over 2,000 teachers and found that over 15.8% reported being physically attacked at work in the past year, over 90% of which were perpetrated by students (Espelage et al., 2013; McMahon et al., 2014). The more conservative, 2007-2008 Indicators of School Crime and Safety Report, indicated that 7% of teachers nationally had been threatened and/or assaulted by students (Dinkes, Cataldi, Lin-Kelly, & Synder, 2008).

Also within the K-12 context, the APA Task Force Report (2010) and the National Educational Association (Walker, 2013) suggest that educator victimization warrants urgent attention as an “overlooked crisis.” The costs associated with educator victimization are high, spanning individual costs to the faculty member (psychological distress, trauma, and/or physical injury, lost wages, early exiting of the profession), costs to students in the classroom (negative student behavioral and academic outcomes), and costs to the institution (increased workman’s compensation payments, litigation costs, negative publicity for the school), making it wise and cost-effective for institutions to invest in prevention and appropriate responses to such events (APA,
Michigan State University

Michigan State University is not immune to these challenges, nor to the negative outcomes associated with violence against its faculty. At the beginning of Fall 2014, the UCFA’s Personnel Subcommittee learned of a recent case in which a student assaulted a faculty member during class. This assault resulted from actions taken by the faculty member during class in the process of fulfilling regular instructional responsibilities. This case brought to light a number of issues related to the way assaults are handled at MSU. In an attempt to understand how the University responds when faculty become victims of student assault, the UCFA invited a number of guests to address the Committee, including Kristine Zayko (Deputy General Counsel, MSU), Detective Sergeant Maureen Kennedy (Behavioral Threat Assessment Team), Associate Director of Student Life Rick Shafer (Student Conduct) and others.

In exploring this issue, it became clear that faculty members who are victims of assault face a wide range of complex decisions involving a number of processes and units both on and off campus. Depending on the nature of the case, faculty will need to make decisions related to personal safety, medical care, legal action, and University hearing boards.

Currently, there is no single unit, individual, or set of informational materials designed to help faculty make informed decisions in the event that they become victim of an assault. Responsibilities and information are dispersed across different units, websites, individuals, etc. Moreover, faculty do not have access to an advocate who is knowledgeable about all of the different facets associated with an effective response to an assault. In short, faculty victims of student assault will have a difficult time formulating an effective response, given the current state of affairs at MSU. Victims may need to deal with psychological trauma, medical complications, and increased workload related to taking appropriate action. Therefore, it is essential that effective support mechanisms be “at the ready” when victims need assistance.

Recommendations

Executive Summary: The following recommendations are organized by time related to an instance of student-on-faculty assault: immediate response, intermediate response, and prevention/preparation.

Within this structure, we want to highlight our highest priority recommendations:

1) Create the role of “Faculty Advocate/Navigator” (II.A.)
2) Foster improved communication and coordination of units related to assault cases (II.B.)
3) Communicate this policy and relevant resources broadly (III.A.)

Detailed Recommendations:

I. Immediate Response to a Student-on-Faculty Assault
   A. Post key emergency information near building phones and in all classrooms
      Include official building address and appropriate numbers to call (both via campus phone and via cell phone) for urgent issues.

      Rationale: It is not obvious whether calling 911 via cell phone or on campus phone will work as expected. Street addresses are also not known by everyone. Without this information, critical time will likely be wasted during the most urgent situations.

   B. Ensure appropriate training for first responders regarding student-on-faculty assault
      Provide information about evidence-based best practices for (1) addressing perceived threats, (2) responding to an assault in progress, and (3) taking action after an assault has occurred.

      Rationale: Actions taken by first responders can have significant implications for possible remedies sought by faculty after the initial event of a student-on-faculty assault.

II. Intermediate Response to a Student-on-Faculty Assault
   A. Create the role of “Faculty Advocate/Navigator”
      This role would provide a support specifically for the concerns of faculty members in situations such as student-on-faculty assault. In addition to this important function, the Faculty Advocate / Navigator could also provide guidance to faculty on many other concerns by directing them to appropriate offices, committees, rules, and policies on a broad range of other issues, including (but not limited to) salary, tenure and reappointment, as well as ethical and legal issues.

      In cases involving student-on-faculty assault, key issues requiring a dedicated faculty advocate / navigator include, but are not limited to, the following:
i. Differences in protocols, procedures and potential legally-binding conflicts between Academic Affairs, Student Conduct and Conflict Resolution, MSU Police and the legal prosecution of criminal cases.

ii. Determining which documents and information are subject to FERPA and how this relates to discussions with campus and off-campus organizations.

iii. Advocating for needed information, such as student contact information, when a faculty member feels it is necessary to serve the student perpetrator with legal documents, or assisting in having the student served.

Rationale: While University General Counsel and BTAT officer can be helpful, those individuals have a responsibility to the University as a whole, not to faculty. Further, the University has a single Ombudsperson, responsible for advocating for both students and faculty. When students and faculty are at odds with one another, it is best for there to be separate representatives/advisors dedicated to their needs. In serious cases, such as assault, faculty victims need to make a number of decisions that require the candid advice of a trained expert who is knowledgeable about relevant faculty policies and limitations and has the faculty member’s best interests in mind.

B. Foster improved communication and coordination of units related to assault cases
Greater communication and coordination would enable more effective and efficient response to assault cases.

Rationale: Student-on-faculty assault cases may involve multiple units. For example, handling an assault cause related to accusation of cheating would be significantly hampered without communication and coordination between Student Conduct and Conflict Resolution and Academic Affairs. (Note that FERPA permits the free sharing of student information across units within the university.)

III. Prevention/Preparation

A. Communicate this policy and relevant resources broadly
These recommendations will only be effective to the degree that they are known by the appropriate people in this community. These people include all faculty (especially regarding the existence of the range of resources available as well as the ‘faculty navigator’) and administrators (especially key people in each department who can then inform and guide individual faculty). This information may facilitate early intervention when a student shows initial signs of a potential problem or better equip faculty for diffusing a situation prior to escalation.
Included in this strategy should be the creation of a single comprehensive web-based guide to all of the relevant resources available for these types of situations, including a description of when each resource is most relevant.

B. Report and track data about assaults by students
Rationale: Violence is increasing on college campuses (FBI, 2010) and educational institutions more generally (APA, 2010). The FBI, American Psychological Association (APA), National Education Association (NEA) and national researchers on campus violence (e.g., Espelage et al, 2013; McMahon et al., 2014, Reddy et al., 2014) note that a critical limitation in the understanding of campus violence is poor documentation of these incidents, particularly student violence against faculty. As indicated, the Clery Act requires that all federally funded colleges and universities publicly disclose information about violent crimes on or near campus; however, demographic information about the victim and perpetrator is not recorded. This information should be tracked longitudinally to enable MSU to identify changes in the nature, incidence, and severity of such events in order to inform future assessment of trends over time and potential interventions.

C. Modify graduation requirements to require students to be in good standing with no pending disciplinary actions or investigations
Rationale: Currently, if a student commits an offense warranting a student conduct hearing and s/he graduates prior to the conclusion of the investigation, hearing, or appeal, the student is allowed to graduate without sanctions being imposed. The decision of the Hearing Board should be retroactive to the date of the offense or the date the offense was reported. Furthermore, students should only be allowed to graduate if they are in good standing and they are not subject to any active disciplinary actions or investigations. This change will reduce frivolous filings of appeals, ensure the integrity of the judicial process, and uphold the authority of the Hearing Board.

D. Encourage programs to include professional standards of conduct in graduation requirements
Rationale: Inclusion of profession standards of conduct in graduation requirements is both appropriate and helpful in ensuring that graduates of MSU reflect well on the University and meet the standards of the field. Standards could include: a) appropriate behavior according to the MSU Student Code of Conduct, b) professional behavior consistent with the
respective field, and c) a clause about ongoing disciplinary hearings/ actions.

For example, MSU’s Teacher Preparation Program explicitly states that students demonstrating a variety of inappropriate professional behaviors or violations of student conduct codes could be removed from the program regardless of academic standing [http://education.msu.edu/academics/undergraduate/professional-conduct.asp]. Without such a requirement, departments are compelled to allow a student to graduate, regardless of gross misconduct unbecoming of the profession or the institution. As such, it is highly recommended that all undergraduate and graduate programs add a graduation requirement that provides for the review of code of conduct violations with the possibility of remediation or dismissal if deemed appropriate.

E. Encourage programs to request additional behavioral information at application
Graduate programs, particularly those whose students will be put in a position of public trust or unsupervised interaction with members of vulnerable populations, should require applicants to consent to the release of their entire student record, including disciplinary records, not just an academic record.

Rationale: Transcripts from many institutions, including MSU, do not indicate if the student has been cited for violations of academic integrity or subject to judicial sanctions. To ensure full disclosure of relevant information of this nature, programs must require applicants give permission for these additional case files to be disclosed. However, few graduate programs have such precautions in place and many believe this information is provided on transcripts--thus, their absence on transcripts is assumed to be an indication that such events did not occur.

NOTES:


March 21, 2012 FAU student threatens to kill professor and classmates.  

REFERENCES:


MSU Clery Crime and Fire Log:  


http://neatoday.org/2013/02/19/violence-against-teachers-an-overlooked-crisis-2/