

Overcoming Challenges and Silos with Title IX, Clery Act, FERPA, OSHA, State Laws and More

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Quick Background

- 30+ years helping and coaching clients on strategies for preventing incidents and liabilities
- 30+ years performing assessments (security, compliance, cyber security, risk, threat, prevention, etc.)
- 15+ years researching post-event reports
- Return on Prevention started in 6th Grade (long time ago)



Take-A-Ways Today

- Understand how conventional approaches lead to disconnected silos with lots of gaps for compliance failures and expensive liabilities
- Learn how to tap into and collect important information from the community, including organizations [employees, HR, legal, etc.], local community, friends & family, and social media communities where most of your vital information resides
- Understand and harness community-wide strategies to meet compliance obligations and prevent more incidents and tragedies from happening and to avoid compliance, reputational, and bottom-line nightmares

Lots of Challenges...

- | | |
|------------------------------|-------------------------------------|
| • Workplace Violence | • Performance Reviews/Firings |
| • Active Shooter | • Community Violence/Gangs |
| • Domestic Violence | • Suicidal Ideation/Threats to Harm |
| • Sexual Assault/#MeToo | • Stress/Anxiety |
| • Terrorism | • Social Media Harassment |
| • Worker/Family Abuse | • Weapons |
| • Harassment/Bullying | • Drugs/Alcohol |
| • Intimidation/Rudeness | • Family/Spouse/Restraining Orders |
| • Diversity/Racial/Inclusion | • Numerous Other Conduct Violations |

Lots of Regulations and Guidelines...

- Title IX
- Clery Act
- VAWA
- FERPA
- HIPAA
- OSHA
- State Laws
- ANSI
- ISO
- IAHSS
- JCAHO
- ASIS
- SHRM
- And others...

Questions to Get Started

- How are you staying aware of Challenges?
- How are you staying aware of Incidents?
- How are you staying aware of Assessments/Investigations?
- How are you staying aware of Regulations/Standards?
- How are you maintaining Compliance?
- How are you maintaining Legal Due Diligence?
- How are you maintaining Records? (Protected?)

Conventional Approaches

- Are you using paper forms or paper files?
- Are you using emails?
- Are you using spreadsheets?
- Are you using scheduled meetings? (weekly, bi-weekly, etc.)
- Are you using case management systems?
- Are you using SRS, ERS, Security Systems, others?
- Are you using Department-based Systems?

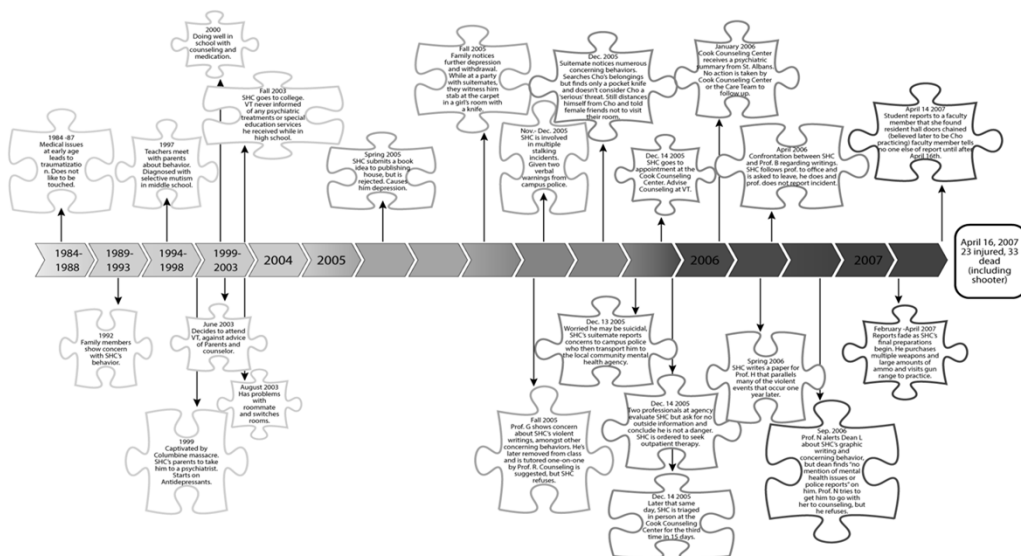
How Do You Collect Incident Reports?

- Are you using paper reports?
- Are you using verbal reports to managers/trusted adults?
- Are you using email forms?
- Are you using a phone hotline?
- Are you using web-based forms?
- Are you using apps?
- Are you using multiple options?

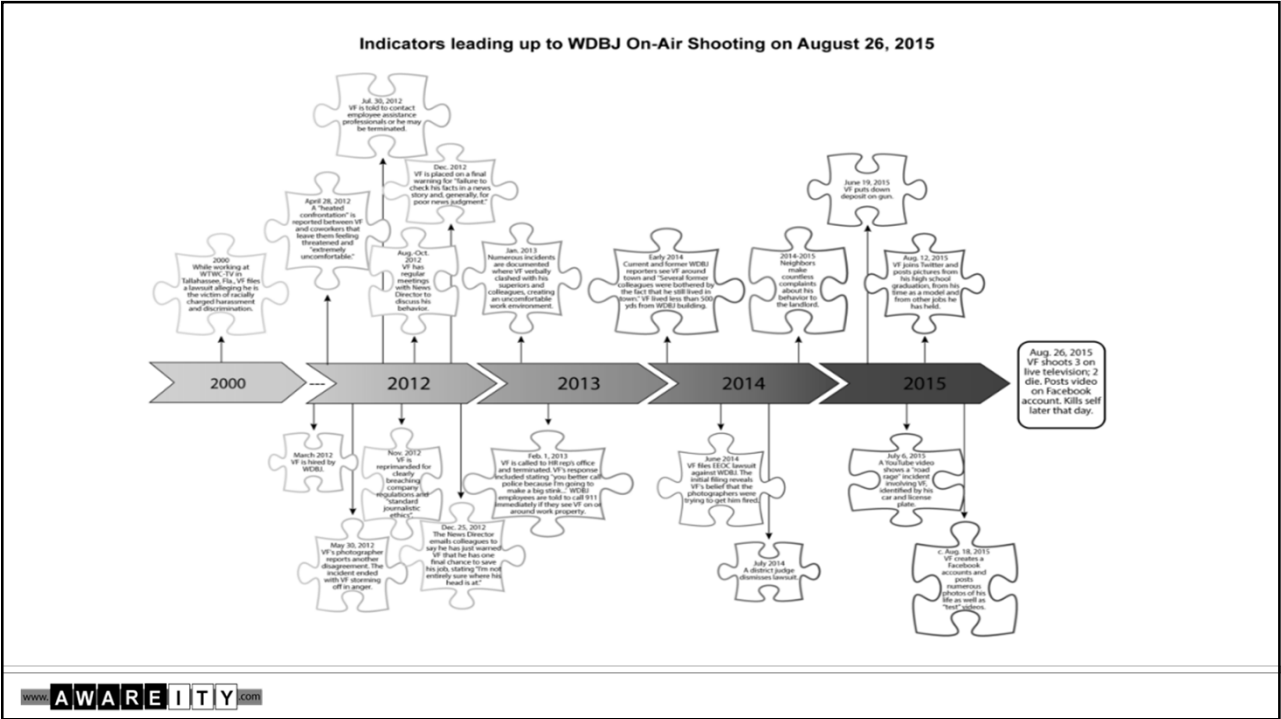
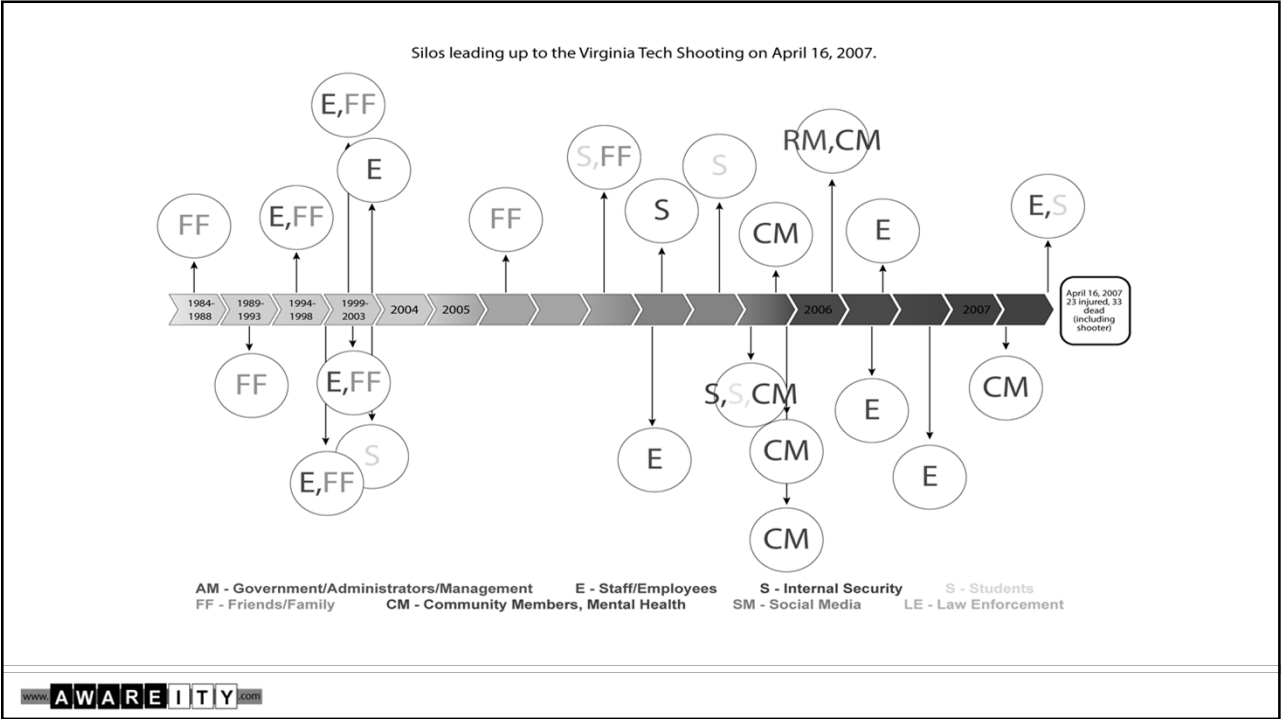
How did conventional approaches lead to disconnected silos with lots of gaps for compliance failures and expensive liabilities?

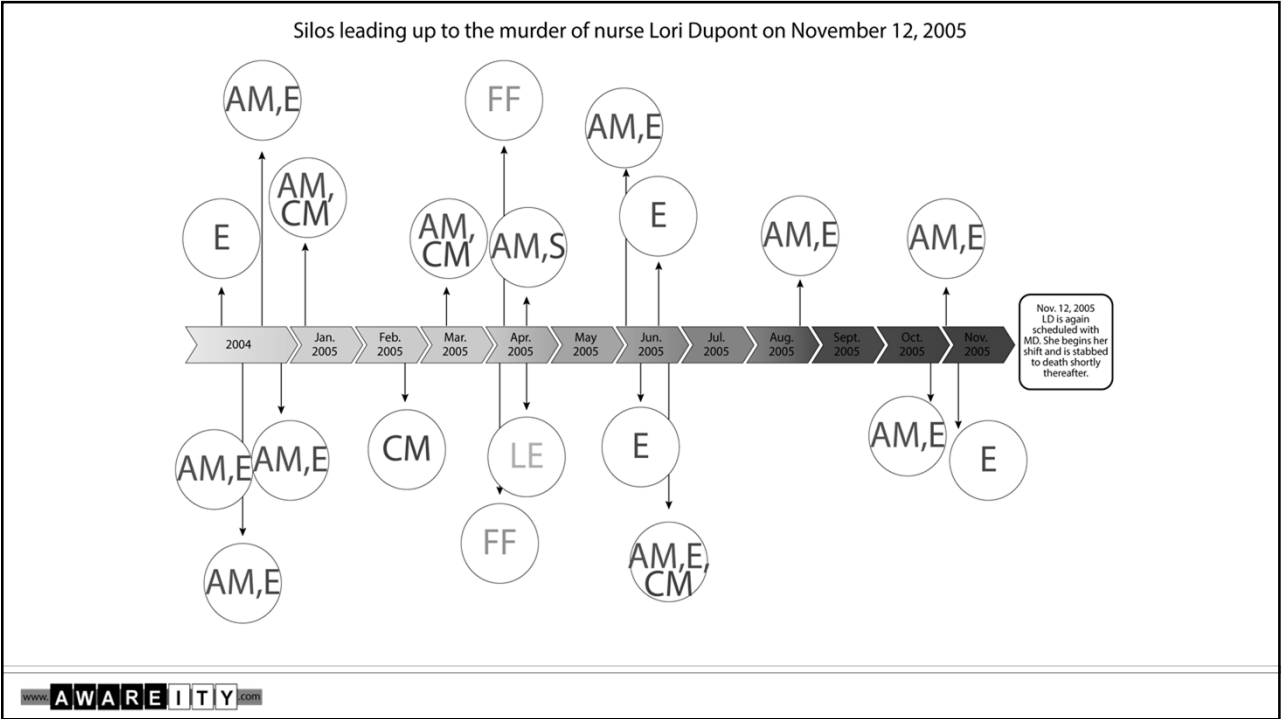
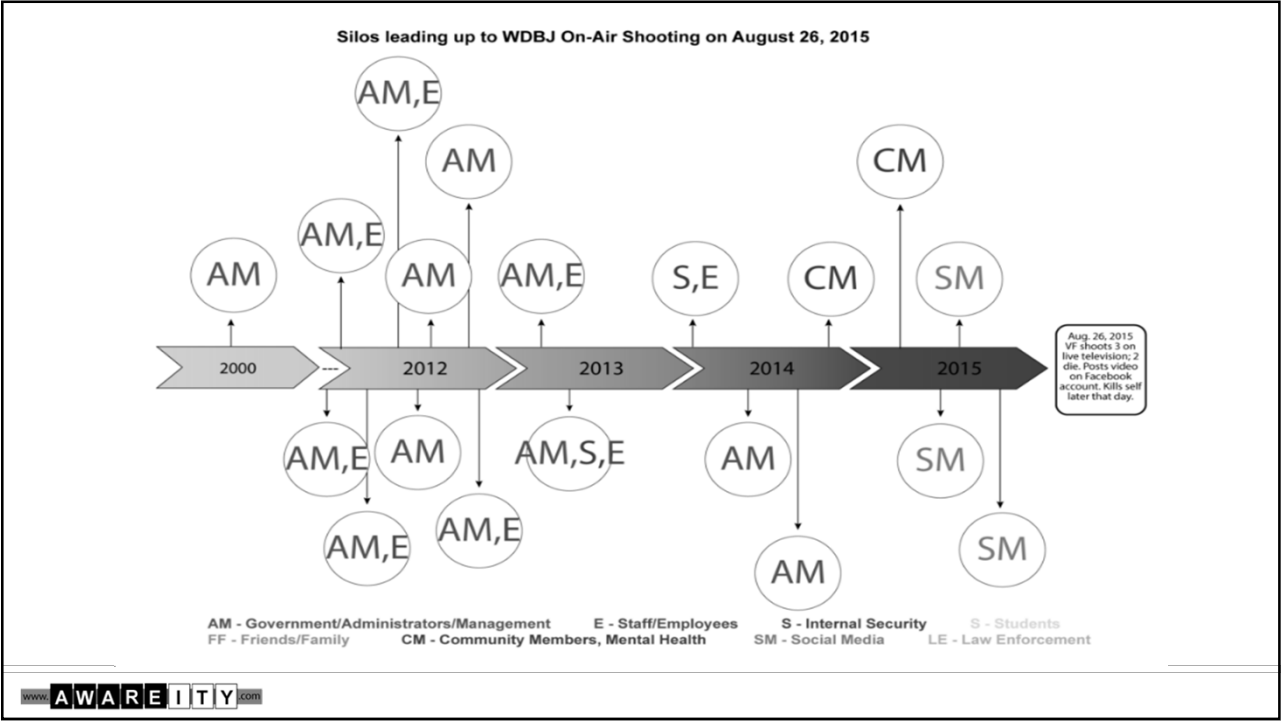
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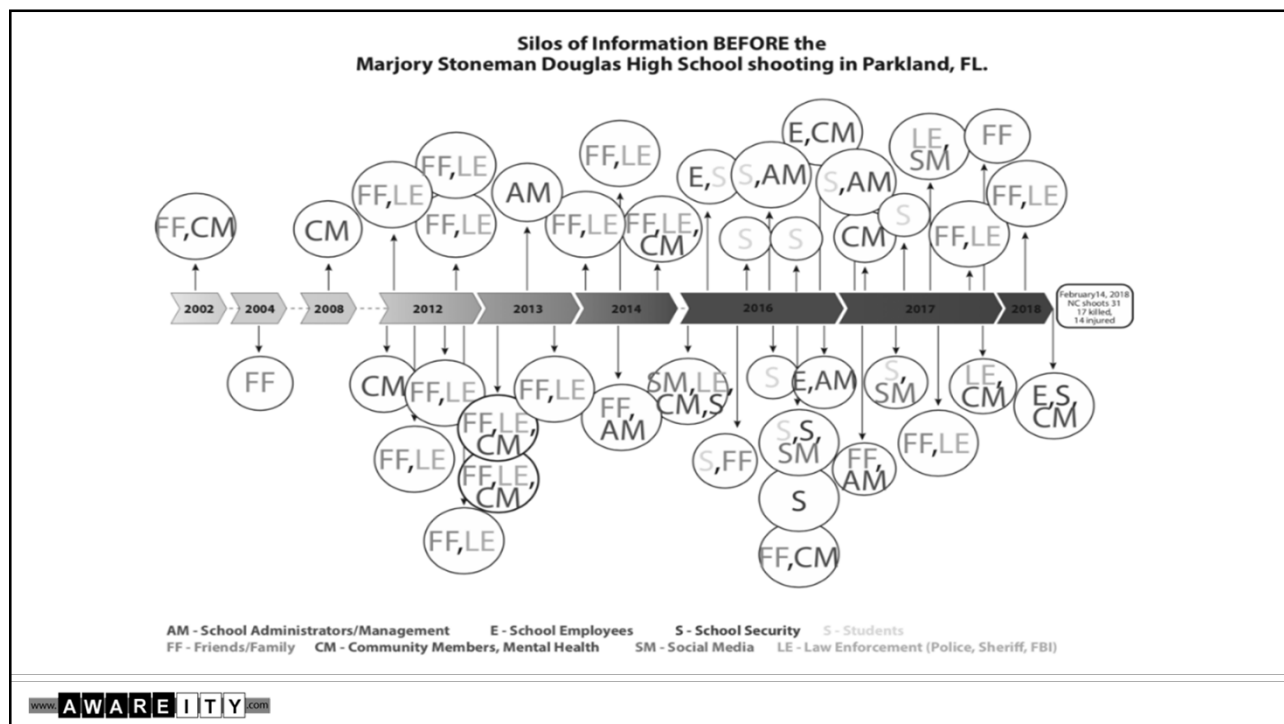
Indicators leading up to the Virginia Tech Shooting on April 16, 2007.



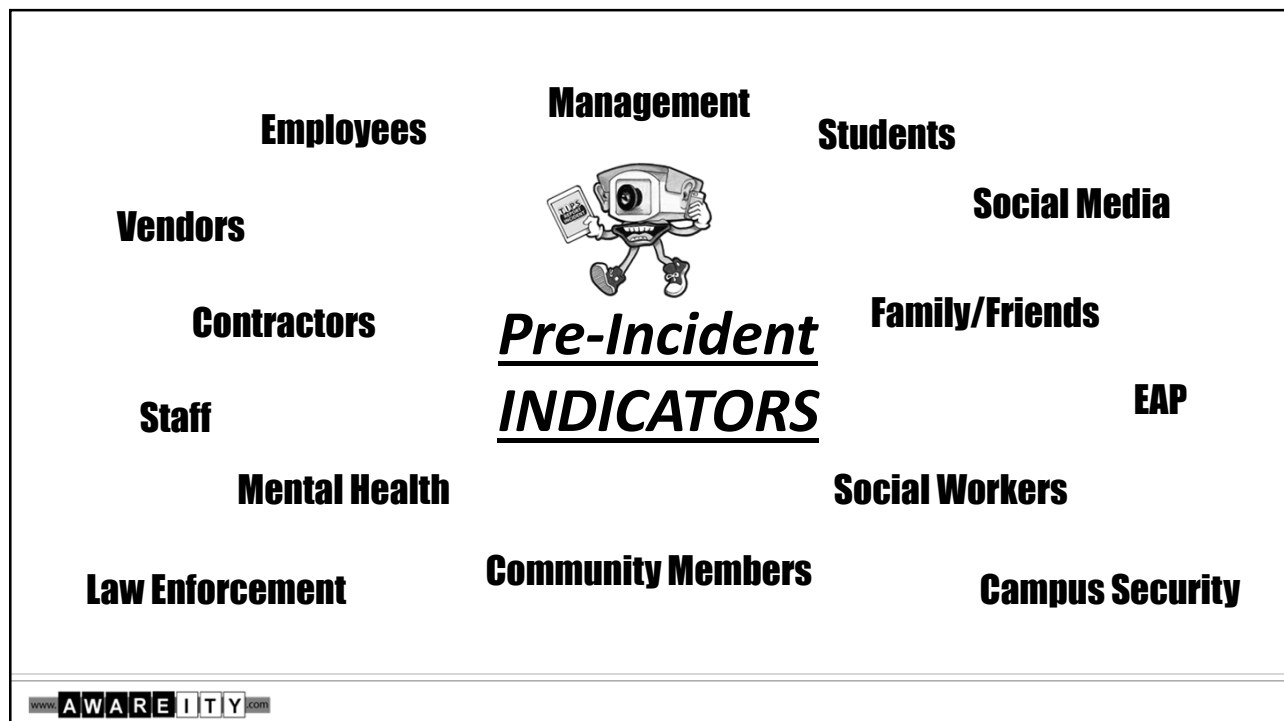
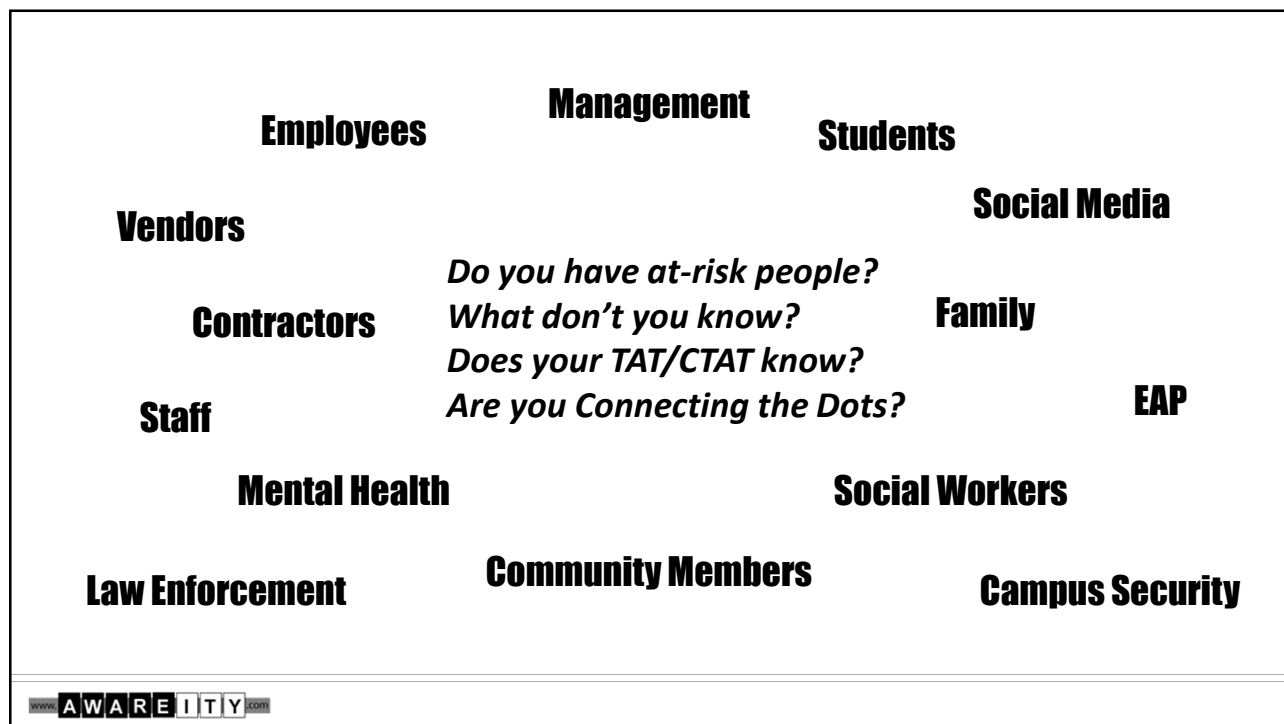
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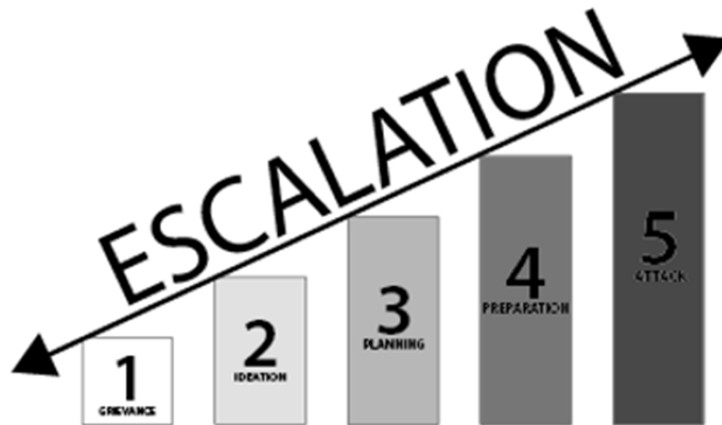






How do you tap into and collect important
 information from the community,
 including organizations [employees, HR, legal, etc.],
 local community, friends & family, and
 social media communities where most of
 your vital information resides?





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Co-workers say Venetian employee wanted for shooting 'not surprising'

"Tony was the person, we were reflecting on it, he's just like, what everyone was saying about the Parkland shooter, we all knew he was crazy. It wasn't a matter of if he would, it was when," the employee said.

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Myths and Status Quo and Liabilities

- If you know you are more liable? – NO!
 - If you don't know can you prevent? – NO!
 - It Won't Happen Here / Everything is Under Control
 - We have Incident Reporting (See Something Say Something)
 - Unaware of ANSI WVPI "Gold" Standard (ASIS-SHRM)
 - Believe Adding More Security Will Prevent (Reactive)
-
- Incident or No Incident... which has more liability and costs?

How do community-wide strategies help you meet compliance obligations and prevent more incidents and tragedies from happening and to avoid compliance, reputational, and bottom-line nightmares?

Published Directives

- ANSI's Workplace Violence Prevention and Intervention Standard (ASIS/SHRM WPVI.1-2011)



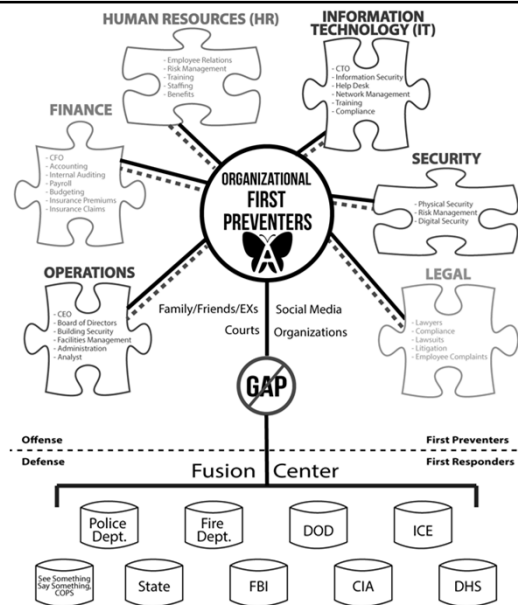
- OSHA's Guidelines for Preventing Workplace Violence for Healthcare and Social Service Workers (OSHA 3148-04R 2015)



Is having the best chocolate cake recipe enough to “make the cake”?



15+ years of researching post-incident reports, evidence, and lessons learned suggest the following...





Six Stages to Preventing – Individual Awareness

Ensure and Measure Individual Awareness & Accountability of:



- ✓ What are “Pre-Incident Indicators”
- ✓ How to Report Indicators, Concerning Behaviors, Suspicious Activities, Incidents, Social Media Leakage, etc.
- ✓ Organization Specific Policies, Procedures, Roles, etc.
- ✓ Lessons Learned from Incidents and Tragedies in the headlines
- ✓ Preventing Plans – Organization Specific
- ✓ Crisis Response Plans – Organization Specific
- ✓ Recovery Plans – Organization Specific
- ✓ Regulatory Awareness – FERPA, HIPAA, State, ANSI, etc.
- ✓ Ongoing Awareness – New Threats, Viral Risks, etc.

Six Stages to Preventing – Collecting the Dots



Must have the right tools to collect all the right dots:

- ✓ Central, Secure Prevention Platform separate from SRS, SCS, ERS, etc. due to FERPA, ANSI, State Laws, etc.
- ✓ Confidential and/or Anonymous web-based Incident Reporting to access anytime and upload social media screenshots, videos, pictures, documents, etc.
- ✓ Community-wide Incident Reporting – Employees, Family, Contractors, Community-members, Social Media, etc.
- ✓ Hotlines should automatically feed into Prevention Platform
- ✓ Must automatically route right info to the right people
- ✓ Surveys – You don't know what you don't now until you ask
- ✓ Wouldn't waste money on Apps for Incident Reporting <20%

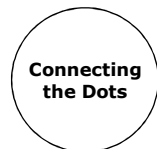
Six Stages to Preventing – Assessing the Dots



Threat Assessment Team needs the right tools for Assessing:

- ✓ Recent Incidents and Behavior Indicators
- ✓ Social Media Comments and Communications
- ✓ Behavior/Conduct History
- ✓ Environment/Stressors – School, Family, Home, etc.
- ✓ Behavioral/Mental Assessment (tools, experts, etc.)
- ✓ Assess Level of Threat, Risk, Aggression, Violence, etc.
- ✓ Interviews, Investigations, Public Records, etc.
- ✓ Family, Friends, Ex-Relationships, Neighbors, etc.

Six Stages to Preventing – Connecting the Dots



Connecting the Dots is Like Putting Together the Puzzle...

- ✓ Related Incident Reports/Assessments
- ✓ Related Social Media Communications
- ✓ Internal Resources, Management, Employees, etc.
- ✓ External Resources, Family, Friends, Community Members, etc.
- ✓ External Resources, Security, Law Enforcement, FBI, etc.
- ✓ External Resources, Social Workers, EAP, etc.
- ✓ Identify Behavior Escalations, Patterns, Trends, etc.
- ✓ Coordinate With Legal, Compliance, Administration, etc.
- ✓ Coordinate if At-Risk Individual is No Longer Part of Org
- ✓ Coordinate Intervention and Prevention Using “Dots”

Six Stages to Preventing – Connecting the Dots



The “EX” Factors of Preventing and Connecting the Dots:

- ✓ EX-Employees
- ✓ EX-Students
- ✓ EX-Spouses
- ✓ EX-Significant Others
- ✓ EX-ternal Indicators
- ✓ EX-ternal Resources
- ✓ A Community-wide Prevention Platform is required to equip the right people/resources to collect, assess and connect the dots in a secure, confidential, coordinated, real-time and ongoing effort to successfully intervene and prevent

Six Stages to Preventing – Intervention & Monitoring



Intervention & Monitoring

Ensuring Intervening and Monitoring Do Not Fall Through Cracks

- ✓ Documenting Intervening Actions/Results
- ✓ Secure and Confidential Information Sharing
- ✓ Collaborating with Intervention/Monitoring Resources
- ✓ Monitoring Intervention Effectiveness, Escalation, De-Escalation
- ✓ Monitoring Intervention with External Resources
- ✓ Documenting “Duty of Care” Actions
- ✓ Documenting “Duty to Warn” Actions
- ✓ Review Intervention Actions with Appropriate Personnel
- ✓ Review Ongoing Feedback from Appropriate Personnel

Six Stages to Preventing – Prevention



PREVENTION!

Proactive and Effective Preventing is POSSIBLE!

- ✓ Review and document how Prevention efforts are working with different At-Risk Individuals.
- ✓ Review and document how Prevention efforts are working across TAT, Personnel, Departments, Locations, etc.
- ✓ Review New Prevention Strategies and how they worked in previous cases and how they work with new risks and threats.
- ✓ Review and UPDATE guidelines, policies, procedures and roles to ensure all personnel are aware of latest data and trends.
- ✓ Continue to establish connections with Internal Resources and Community Resources and Lessons Learned to ensure your Org can achieve ALL 6 Steps of Preventing

“Insanity: doing the same thing over and over again
and expecting different results.”

“We cannot solve our problems with the
same thinking we used when we created them.”

-- Albert Einstein

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Butterfly Effect

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in changing the world forever?

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