

## PLACING A STUDENT ON INVOLUNTARY LEAVE

Capitalized terms used herein are defined in the [Student Involuntary Leave of Absence](#) policy.

Faculty, academic leaders, advisors, residence hall staff, coaches, administrators, or any other person should transmit information regarding a Student who may meet the criteria outlined in Section I(A)(1) of the *Student Involuntary Leave of Absence* policy for being placed on involuntary leave to the Dean of Students (hereinafter, the “Dean”). When the Dean determines that doing so is appropriate, the Dean will initiate the process to assess whether a Student should be recommended for involuntary leave.

1. When the Dean determines that placing a Student on involuntary leave may be appropriate, the Dean will issue a written notice to the Student that involuntary leave is under consideration. In the notice, the Dean will encourage the Student to respond before a decision regarding involuntary leave is made and will provide the specified time period within which to do so. The Dean’s notice will also include:
  - a. The reason(s) why the Student is being considered for involuntary leave;
  - b. An invitation for the Student to provide relevant information and to meet with the Dean regarding the concerns;
  - c. Contact information for Disability Resources, which can provide information regarding reasonable accommodations that may be available;
  - d. The option to take voluntary leave from the University at any time prior to a decision to impose an involuntary leave of absence;
  - e. A copy of the *Student Involuntary Leave of Absence* policy and these procedures; and
  - f. A description of the role of and contact information for the Process Facilitator.
2. The Dean will concurrently transmit the consideration of involuntary leave notice to the Student and all members of the Involuntary Leave Review Committee (hereinafter, the “Committee”). This action will serve to initiate the Committee’s review and consideration of all germane information, to include any information provided by the Student within the allowable time frame established by the Dean. The Committee will convene at the Dean’s direction to conduct its individualized assessment of the matter.
3. In consultation with Disability Resources, the Committee will first consider potential accommodations that could obviate the need for an involuntary leave of absence, such as academic or housing and dining accommodations, or reasonable modifications or exceptions to University policies, rules, or regulations.
4. The Committee may choose to ask the Student to execute an *Exchange of Confidential Information Consent Form* to provide appropriate University personnel temporary authority to obtain information from the Student’s treatment provider(s) regarding issues relevant to the involuntary leave of absence decision. The Committee may only make such a request when there is a need for the University to have access to such information as part of its individualized assessment of the matter which, to the extent practicable, should consist of an interactive process with the Student and the Student’s care providers.
5. If a Student declines to execute an *Exchange of Confidential Information Consent Form* or to respond within the timeframe established by the Dean, the Committee may proceed with the assessment based on the information that is reasonably available at the time.

6. In a manner that complies with all applicable legal and policy requirements and protections, the Committee will confer as feasible and appropriate given the particulars of the matter, with other University community members regarding the need to place the Student on an involuntary leave of absence, including but not limited to, the following persons:
  - Academic leaders
  - Faculty members
  - Academic advisors
  - Conduct officials
  - Residence hall staff
  - Student peers
  - Law enforcement officials
  - Campus Health Services staff (with appropriate authorization only)
  - The Student's health care providers (with appropriate authorization only)
  - Any other persons as may be appropriate given the individual circumstances
7. The Committee will pay particular attention to the criteria for imposing an involuntary leave of absence, specifically whether:
  - a. Current knowledge about the Student's medical condition and/or the best available objective evidence indicates that the Student's continued in-person presence at the University poses a serious risk to the physical safety of the Student or any other person or property;
  - b. The Student has engaged, or threatened to engage, in conduct that has caused, or is likely to cause, serious disruption to the University environment or its customary functions, including by impeding the rightful activities of others;
  - c. The Student is unable or unwilling to carry out substantial or effective self-care obligations;
  - d. Any reasonable accommodations can adequately reduce any risks, threats, or disruption; or
  - e. The Student is unable to function as a Student.
8. The individualized assessment as to each factor outlined above must be based on reasonable judgment that relies on current medical knowledge or the best available objective evidence. In drawing its conclusions and making its recommendation, the Committee should ascertain: i) the nature, duration, and severity of the risk or disruption; ii) the probability that the risk or disruption will actually occur; and iii) whether reasonable modifications of policies, practices, or procedures will adequately mitigate the risk or disruption so as to eliminate the need for an involuntary leave of absence. The Committee's conclusions may not be based on mere speculation, stereotypes, or generalizations regarding the Student's medical condition or disability.
9. The Committee will give significant weight to the opinion of the Student's treatment provider(s), including those identified by the Student, regarding the Student's ability to function academically and safely at the University with or without reasonable accommodations. If the Committee determines that the information provided by the treatment provider(s) is incomplete, requires further explanation or clarification, or is inconsistent with other information in the Student's record, the Dean, with proper authorization, should contact the treatment provider(s) to obtain additional information. In certain circumstances, the University may require the Student to undergo additional evaluation by an independent and objective professional designated by University, if the Committee believes that doing so will facilitate a more informed decision.
10. Following these consultations and based on a review of the relevant documentation and information available, the Committee will articulate its recommendation and the reasons for it in writing for review and consideration by the Vice President for Student Affairs (hereinafter, the "Vice President"). The three possible recommendations are whether the Student i) should be allowed to remain at the University without conditions; or ii) should be allowed to remain at the University with conditions to be described in writing, the violation of which would cause the Committee to re-evaluate the Student's status; or iii) should be immediately placed on and involuntary leave of absence if the Student does not elect to take a voluntary leave of absence.

11. Upon receiving the Committee's recommendation, the Vice President will using reasoned judgement decide whether the Student i) may remain at the University without conditions; ii) may remain at the University with conditions to be described in writing, which if violated would cause a re-evaluation of the Student's status; or iii) will be required to take an involuntary leave of absence if the Student does not elect to take a voluntary leave of absence. If an involuntary leave of absence is not mandated, the University may impose conditions and/or requirements under which the Student can remain at the University.
12. The Vice President will transmit a final decision to the Student as soon as practicable while concurrently notifying the Dean and other University officials as may be appropriate. The notice will include information regarding the Student's right to request a review of the decision as outlined below.
13. If an involuntary leave of absence is imposed, the written notice of decision to the Student will set forth i) the basis for the decision; ii) a time-frame for when the Student must leave the University and when the Student may be eligible to return; and iii) any conditions and/or requirements the Student will need to satisfy to become eligible for return. The written notice will also inform the Student of their right to reasonable accommodations in the return process and will provide contact information for Disability Resources and the Process Facilitator. The minimum length of involuntary leave and any return conditions will be determined on an individual basis.
14. Request for Review
  - a. A Student placed on involuntary leave may request, within five (5) business days of the date of being notified of the decision, a review of the decision by the Executive Vice President and Chief of Staff. The Student must submit the request for a review and any supporting materials in writing. The involuntary leave will remain in effect during the performance of the review.
  - b. A review is not an appeal to reconsider the matter. Instead, it is solely an opportunity for the Student to make the Executive Vice President and Chief of Staff aware of any irregularities or illegalities in the proceedings or of significant new information that could not have been provided earlier for consideration.
  - c. Instead of general dissatisfaction with the decision of the Vice President, the request for review must be based on substantive and/or procedural grounds that are limited to the following considerations:
    - i. Were the proper facts and criteria brought to bear when making the decision?
    - ii. Is there new information not previously available to the Student that may change the outcome of the decision-making process?
    - iii. Did any procedural irregularities materially affect the outcome of the matter to the Student's detriment?
    - iv. Given the facts and proper application of the prevailing criteria and procedures, was the decision a reasonable one?
  - d. The Executive Vice President and Chief of Staff will first determine whether the Student's request sets forth proper grounds for requesting a review. If such grounds are determined to exist, the Executive Vice President and Chief of Staff will undertake and direct whatever additional consideration is determined to be necessary to resolve any identified issue(s) and will upon their completion then issue a final written decision. No additional appeal or grievance procedure is available.