

## MANDATED WITHDRAWAL FOR PSYCHOLOGICAL REASONS

### Criteria

While most infractions of the University's Student Conduct Code are addressed via the institutional disciplinary system administered by the Office of Judicial Affairs, the University reserves the right to initiate the mandatory withdrawal of students who:

1. Engage in, or threaten to engage in, behavior which poses a danger of causing physical harm to self or others such that there is a reasonable possibility that serious physical harm or death might occur within a short period of time; and/or
2. Demonstrate an inability, without adequate care, to satisfy personal needs (e.g., nourishment, shelter, *etc.*) such that there is a reasonable possibility that serious physical harm or death might occur within a short period of time..

These procedures do not preclude a student's removal from the University, or any unit, class, or program, for disciplinary reasons in the accordance with the provisions of the Student Conduct Code. The Vice President for Student Affairs (VPSA), the Office of Judicial Affairs, the Counseling Center, the Health Service, the Office of University Housing & Dining Services, the University Police Department, and other appropriate University staff may consult to determine whether a student accused of violating the Student Conduct Code should be diverted from the judicial process and be considered for involuntary withdrawal in accordance with these procedures.

### Authorized Voluntary Withdrawal

If the student voluntarily withdraws from the University, further procedures under this policy are waived. A "W" will appear on the transcript for all courses in which the student is currently enrolled. The University shall advise the student in writing of any conditions necessary to re-enroll. If requested by the student, reasonable efforts will be made to refer him/her for appropriate mental health services.

### Evaluation for Mandated Withdrawal

Should the student not voluntarily withdraw under the provisions of this policy, the VPSA<sup>[1]</sup> may refer the student for a mandatory evaluation by a licensed psychologist, psychiatrist, medical provider, and/or treatment facility chosen by the University. The student shall be informed of this involuntary referral for evaluation in writing and will also be provided with a copy of these procedures. At the discretion of the VPSA, any pending disciplinary action may be withheld until the evaluation is completed and the appropriateness of a mandatory withdrawal is determined.

The evaluation must be completed within ten University business days from the date of receipt of the referral letter, unless an extension is granted, in writing, by the VPSA. The student may not be accompanied by anyone during the evaluation. The student shall sign a release permitting all relevant information to be provided to the University representatives who are involved in the decision-making and review process. The student may bring documentation from other recent mental health providers to the evaluation. If the student is a client of the Counseling Center, authorization for the release of information will be necessary.

Should the evaluation result in a determination that there is no apparent threat to the safety of self or others, no inability to satisfy personal needs that might lead to serious physical circumstances or death within a short period of time, and no apparent threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the University, further procedures under this policy will cease.

Should the evaluation result in a determination that it is in the best interest of the student and/or the University community that the student be involuntarily withdrawn from the University for psychological reasons, the student shall be informed in writing of this decision and of the student's right to an appeal. The University may permit the student to voluntarily withdraw for psychological reasons any time prior to the involuntary withdrawal process being concluded.

If the student refuses to cooperate in the mandatory evaluation process, the University shall make its decision based on the best available information.

### Appeal

A student for whom an involuntary withdrawal has been recommended may request a hearing before the VPSA or designee (hereafter referred to as the "hearing officer") to appeal the decision. The following provisions will apply:

The student will submit a written request to the VPSA within three University business days from the date of receipt of the decision letter. The hearing date will normally be set within seven University business days following request. Pending completion of the hearing, the student is subject to interim involuntary suspension, but shall be allowed to be on the campus to attend the hearing or for other necessary purposes, as authorized in writing in advance by the VPSA.

The student will be requested to authorize the VPSA and other hearing participants to have access to relevant materials deemed necessary for the hearing process. If the student refuses to grant access to the records for the parties involved, the hearing will proceed without the requested information.

Upon the request of any involved party, the mental health professional who conducted and prepared the psychological evaluation may be requested to appear at the hearing and respond to relevant questions, but only if the hearing officer determines that such participation is essential to the fair resolution of the case.

Hearing procedures will be in accordance with those conducted under the provisions of the Student Conduct Code, and notice to the student will include those procedures.

The student shall be informed in writing of the hearing officer's determination, and reasons for that decision, as soon as practical following the hearing. The decision of the hearing officer is effective upon being conveyed to the student and is not subject to further appeal.

If the decision for involuntary withdrawal for psychological reasons is upheld, the University may provide conditions and requirements necessary for reinstatement. A grade of "W" will be entered for all courses in which the student is currently enrolled. Upon request of the student, reasonable efforts will be made to refer the student for appropriate mental health services.

#### Interim Involuntary Suspension for Psychological Reasons

An interim involuntary suspension may be imposed immediately by the VPSA where a student threatens or appears to pose an imminent danger of causing serious physical harm to self or others; or demonstrates an inability, without adequate care, to satisfy personal needs (*e.g.*, nourishment, shelter, *etc.*) such that there is a reasonable probability that serious physical harm or death might occur within a short period of time; and/or refuses or fails to complete an evaluation in accordance with the procedures outlined above.

A student subject to an interim involuntary suspension shall be provided written notice, which will include a copy of these procedures.

The student shall be given the opportunity, at his or her request, to appear personally before the VPSA within two days of the effective date of the interim involuntary suspension in order to review only (1) the reliability of the information on the student's behavior and (2) whether one or more of the four criteria for interim involuntary withdrawal have been met. During this meeting, the student may be accompanied by a family member or other advisor. Legal counsel may also accompany the student, although the role of counsel will be limited to providing legal advice to the student. The student will be expected to speak for herself/himself.

If the interim suspension is deemed appropriate by the VPSA, the student will remain suspended on an interim basis pending completion of the required evaluation (if needed) and subsequent due process procedures. The student will be allowed to enter the campus to attend hearings, or for other necessary purposes, as authorized in writing in advance by the Vice President of Student Affairs (or her/his designee).

#### Exceptions to Established Procedures

The VPSA may make such reasonable exceptions to these policies and procedures as circumstances may require for the welfare of the institution and/or the student, provided that fundamental elements of fairness and due process are observed.

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<sup>[1]</sup> The Vice President for Student Affairs (VPSA) may appoint a designee to carry out all or part of the VPSA's responsibilities under this policy. Any reference to the VPSA should be understood to include such a designee.

Approved:  
President  
June 20, 2007

Monitor: Vice President for Student Affairs