



Involuntary Student Withdrawal Policy

Effective Date: April 25, 2016

Approval: April 25, 2016

Maintenance of Policy: Vice
President for Student Development

PURPOSE: The University of Dayton is committed to protecting its community members from risk of physical harm and preserving the integrity of its learning environment. Separation of a student from the University and its facilities may be necessary if there is sufficient evidence that the student is engaging in, or is likely to engage in, behavior that either poses a danger or disrupts the learning or living environment of others. This policy sets forth the expectations in making determinations regarding a student's involuntary withdrawal and conditions for return.

SCOPE: This policy applies to all students.

POLICY:

A. Principles

The University of Dayton is a caring community where the well-being of each member is sensitively supported and where the creation of a safe and peaceful environment is essential to fulfilling the mission and values of the University. The University strives to balance the concerns for the health and safety of the individual student with those of the larger campus community.

This policy and related procedures do not take the place of any disciplinary actions that are in response to a violation of the Code of Conduct, nor do they preclude the removal or dismissal of students from the University or University-owned facilities as a result of violations of other university policy, unit regulations or applicable law.

Determination / Assessment Principles

1. Any withdrawal determinations should be based on an assessment of current, available documentation, including medical if needed, or any information provided about the student, and/or observable conduct that affects the health, safety, or welfare of the campus community

REFERENCE DOCUMENTS:

1. Appendix A: Involuntary Withdrawal Procedure
2. Refunds for Student Withdrawals Policy

POLICY HISTORY:

Approved in original form
April 25, 2016

POLICY [continued]

2. Any assessments of risks should be individualized and conducted in a team environment
3. In the absence of an emergency or direct threat, voluntary withdrawal or restrictions shall be encouraged prior to any determination of involuntary withdrawal
4. Any imposed conditions, including reenrollment conditions (if any), should be reasonable and individualized for a particular student's situation
5. Any conduct code or other policies relevant to a withdrawal shall be applied equally to all similarly-situated students, *i.e.*, without regard to known or perceived medical or mental health conditions and without regard to any protected class status under applicable local, state or federal law, ordinance, or regulation

Procedural / Timing Principles

1. Students shall be provided notice of any withdrawal determinations and shall be afforded the opportunity to appeal such determinations
2. Withdrawal determinations should proceed as quickly as possible to allow a student experiencing difficulties to receive the support he or she needs
3. The date of withdrawal for tuition refund purposes is the last date of class attendance. Charges for other services provided by the University are incurred as they are used or as otherwise required or assessed by contract or policy
4. The Office of the Dean of Students will maintain all documentation related to involuntary withdrawal determinations but may share such documentation with others within the University with whom the office consults, on a need-to-know basis and consistent with applicable privacy laws
5. A partial and/or temporary withdrawal may be appropriate, depending on a student's specific circumstances

B. Involuntary Withdrawal

This policy is meant to be invoked in cases where students experience needs that exceed the University's services or resources. In such circumstances, the student will be advised to consider a voluntary withdrawal. If the student declines to voluntarily withdraw from the University, the University may involuntarily withdraw the student in situations where: (1) the student is unable or unwilling to carry out substantial self-care obligations; (2) the student has health needs requiring a level of care that exceeds what the University can appropriately provide; (3) the student presents a substantial risk of seriously affecting the health or well-being of any student or other member of the University community; (4) safety is seriously threatened by the student; (5) the student consumes an inordinate amount of University staff time and/or resources, or his/her situation cannot be resolved by the University in a reasonable amount of time or with reasonable effort; or (6) the student creates any other conditions disruptive to the University community.

In these rare cases the University Threat Assessment Team, coordinated by the Dean of Students, will oversee the assessment of the student, in consultation with: the Office of Learning Resources, the Dean's Office for the school in which the student is then enrolled, the University Health Center, the University Counseling Center, and/or the International Student Support Services, as appropriate. An individualized assessment of the student will be conducted and tailored reenrollment conditions will be established (if any reenrollment is contemplated and appropriate), consistent with the overarching principles in Section A of this policy. The University Threat Assessment Team will make a determination regarding withdrawal. The Dean of Students will provide written notice to the student of the decision. A student may appeal these decisions in writing to the Vice President for Student Development.

POLICY:**C. Reenrollment Following an Involuntary Withdrawal**

Students wishing to reenroll following an involuntary withdrawal must satisfy the reenrollment conditions, if any, established at the time of the withdrawal. If medical documentation was established as a condition for reenrollment, the University will give significant weight to the opinion of the student's treatment providers regarding the student's readiness to return to the academic environment at the University, with or without accommodations. In extraordinary circumstances, the University may require the student to undergo an additional individualized assessment to make a determination regarding the student's readiness for return. The University may also impose ongoing conditions on the student as part of his or her return, based on the particular student's individual situation.

If the University denies a student's request to reenroll, the University may include recommendations that will enhance the student's ability to successfully reenroll in the future. However, certain situations of involuntary withdrawal may not be appropriate for reenrollment under any conditions.

A student may appeal any decision concerning reenrollment to the Vice President for Student Development.

If a student is permitted to reenroll following an involuntary withdrawal, the student is responsible for coordinating the return to the University community with his or her Dean's Office, the Office of Financial Aid, the Office of Learning Resources, Registration, Housing, and Dining Services. A student must also resolve any outstanding Code of Conduct issues with the Office of Community Standards and Civility prior to his or her return.

APPENDIX A

Procedures for Involuntary Student Withdrawal

Students may experience needs or present issues that exceed the University's services and resources. If it becomes evident (through observed behavior or by report(s) from faculty, staff, or students, or other means) that a withdrawal from the University is in the best interest of a student and the University, and the student does not voluntarily withdraw, then a student may be subject to involuntary withdrawal.

The University will first encourage a student to pursue a voluntary withdrawal. However, a student who: (1) is unable or unwilling to carry out substantial self-care obligations; (2) has health needs requiring a level of care that exceeds what the University can appropriately provide; (3) presents a substantial risk of seriously affecting the health or well-being of any student or other member of the University community; (4) is a serious safety threat; (5) consumes an inordinate amount of University staff time or resources, or whose situation cannot be resolved by the University in a reasonable amount of time or with reasonable effort; or (6) creates any other conditions disruptive to the University community, will be involuntarily withdrawn from the University.

The University body responsible for an involuntary withdrawal determination is the Threat Assessment Team (TAT), coordinated by the Dean of Students Office. This procedure is not intended to be disciplinary or punitive in any manner and will be applied equally and consistently to all students. In making an involuntary withdrawal determination, the Dean's Office and TAT will follow the procedure set forth below.

I. Involuntary Withdrawal

An involuntary withdrawal determination is made in consultation with the academic Dean's Office and on an individual, case-by-case basis, in accordance with the procedures set forth below.

- a. The TAT will collect all available information obtained from incident reports, conversations with students, faculty, staff, dean's offices, the expert opinions of appropriate professionals, including medical if needed, and anyone else considered to have relevant information.
- b. An appointee of the TAT will meet with the student within a reasonable period of time. The TAT will provide written notice to the student regarding the time and place of the meeting, the nature and reasons for the proposed action, and the right to challenge the proposed decision by appeal. The notice will also afford the student an opportunity at the meeting to provide evidence to rebut an involuntary withdrawal. Failure of a student to take the opportunity to attend this meeting shall not affect the validity of or delay any decision made under this procedure.
- c. If the student is unable to meet with the appointee of TAT, the student may submit a written response and/or provide medical documentation in lieu thereof. Failure of a student to take the opportunity to

submit a written response or provide medical documentation shall not affect the validity of or delay any decision made under this procedure.

- d. The TAT will engage in an individualized, case-by-case assessment, considering factors, including but not limited to:
 - i. The student's relevant medical information;
 - ii. Reasonable medical judgment relying on the most current medical knowledge, or the best available objective evidence (such as the student's conduct, actions, and statements);
 - iii. The nature, duration and severity of the direct threat to others;
 - iv. The probability that the threatening injury will actually occur;
 - v. Whether there are reasonable alternatives to sufficiently mitigate the threat to others and the need for involuntary leave;
 - vi. Whether the student is unable or unwilling to carry out substantial self-care obligations; and/or
 - vii. The amount of University staff time or resources required and whether the student's situation can be resolved by the University in a reasonable amount of time or effort
- e. Within a reasonable time period, TAT will render a decision and the Dean's Office will present that decision to the student in writing. If TAT's determination is based on medical factors, it will be documented accordingly and the withdrawal labeled as an involuntary withdrawal. Should the decision be an involuntary withdraw, appropriate conditions and procedures for appeal and return will be contained within the letter. Such conditions will be tailored to the student's individual situation and needs.
- f. A student who is involuntarily withdrawn shall have a Dean's Hold placed on his or her student account until a determination is made that the student is fit to return, using the student return/re-enrollment procedure set forth below. During the involuntary withdrawal, the student shall be denied access to University housing, University facilities, and/or campus (including classes) and all other University activities or privileges for which the student might otherwise be eligible, as TAT may determine appropriate. The student will only be allowed to enter the campus to attend a meeting with the TAT or designee.

II. Appeal

A student may appeal the TAT decision by providing a written request to the Vice President for Student Development within 5 business days of the TAT decision. The decision of the Vice President for Student Development will be final.

III. Tuition Credit

A student who has been placed on involuntary withdraw is subject to a possible refund credit, as determined by the Office of Student Accounts (Bursar Office).

IV. Returning from Involuntary Withdrawal

A student who is involuntarily withdrawn may not re-enroll, be admitted, return to campus, or have their Dean's Hold lifted, without the approval of the TAT. If the student wishes to re-enroll, the following procedures are to be followed.

- a. The student should notify the Dean of Students of his or her intent to re-enroll. The student must submit a written plan that identifies how the student will resume his or her status at the University. The plan must respond to the condition that gave rise to the need for the student's involuntary withdrawal and the conditions for return. If the student will reside in the University housing, the plan must also state how the student will transition back into the residence life community.
- b. Following the student's notification of intent to return, the TAT will review the initial medical withdrawal documentation and any re-enrollment conditions established at the time of the withdrawal. The TAT will consult with the Dean's Office for the school in which the student was enrolled at the time of the withdrawal and also with other campus units as appropriate. The TAT may request any information, documentation or evaluation it deems necessary.
- c. The TAT will determine on an individualized, case-by-case basis whether the student's request to re-enroll at that time shall be granted. The Dean's Office may only grant approval of re-enrollment if the TAT determines that, in its judgment, the issues that caused the resulting involuntary withdrawal or restriction are no longer present or that they have been or can be safely mitigated or managed.
- d. If the student's request for re-enrollment is granted, the student should notify the Office of Financial Aid, Registration, Housing, the Office of Learning Resources, and Dining Services of their return. The student is encouraged to contact the Counseling Center, Office of Learning Resources, the Health Center, and/or the Dean's Office as appropriate to discuss possible accommodations and support.
- e. If the student's request for re-enrollment is denied, the student can appeal the decision to the Vice President for Student Development. The decision of the Vice President for Student Development is final.

V. Deviations from Established Procedures

Reasonable deviations from this procedure will not invalidate a decision or proceeding unless significant prejudice to a student occurs.

VI. Other Student Obligations

The involuntary withdrawal process does not dismiss nor waive any legal, disciplinary, housing, meal plan, or other student responsibilities to the University. The student should notify and settle all outstanding accounts with the Office of Student Accounts, Financial Aid, Housing, and Dining Services.

VII. Responsibilities of the Dean's Office of the Student's School

The Dean's Office of the student's school will facilitate the withdrawal process after receiving TAT's determination.

The date of withdrawal should truly and accurately reflect the student's last date of attendance in any of his or her classes.