



## UNIVERSITY POLICY

<b>SUBJECT:</b>	STUDENT AFFAIRS	<b>TITLE:</b>	STUDENT INVOLUNTARY LEAVE OF ABSENCE AND INVOLUNTARY WITHDRAWAL		
<b>CATEGORY: Check One</b>	<b>Board of Trustees</b> <input type="checkbox"/>	<b>Presidential</b> <input checked="" type="checkbox"/>	<b>Functional</b> <input type="checkbox"/>	<b>School/Unit</b> <input type="checkbox"/>	
<b>Responsible Executive:</b>	Vice President for Academic Affairs		<b>Responsible Office:</b>	Academic Affairs	
<b>CODING:</b>	00-01-25-36:00	<b>ADOPTED:</b>	09/16/08	<b>AMENDED:</b>	08/16/11

**LAST REVIEWED: 08/16/11**

**I. PURPOSE**

To establish a policy and procedure for requiring students to take an involuntary leave of absence or for imposing an involuntary withdrawal from UMDNJ.

**II. ACCOUNTABILITY**

Under the direction of the Executive Vice President for Academic and Clinical Affairs, the Vice President for Academic Affairs and the Deans shall ensure compliance with this policy.

**III. APPLICABILITY**

This policy shall apply to all UMDNJ students.

**IV. REFERENCES**

- A. Disabilities and UMDNJ Students/Applicants [00-01-20-91:00](#)
- B. Student Essential Functions [00-01-20-96:00](#)
- C. Students with Impairments [00-01-25-35:00](#)
- D. Student Intervention Coordination [00-01-25-35:05](#)
- E. Student Rights, Responsibilities and Disciplinary Procedures [00-01-25-50:00](#)
- F. Individuals with Handicaps/Disabilities [00-01-35-40:00](#)

**V. POLICY**

- A. When School officials become aware of a student who is interfering with the University's education, research or service mission, or who is jeopardizing his or her own safety or welfare or that of other members of the University community, or who represents a threat to property, or who causes concern about any of the above, the Dean may consider whether the student should take a voluntary or involuntary leave of absence or withdraw voluntarily or involuntarily from the School. Such circumstances include, but are not limited to conduct or statements that:
  - 1. harm or reasonably appear to threaten harm to the health or safety of the student or others, or

2. cause or threaten to cause damage to property, or
  3. disrupt or impede the educational or other activities of the University or School, or
  4. deviate from a course of action established for the student by the Student Affairs Committee or Student Assistance Facilitator, or
  5. deviate from any conditions attached to the student's return from a Leave of Absence or to conditions attached to disciplinary actions, or conditions established for the student's continuation in the School following evaluation for fitness to participate in the program.
- B. When the Dean determines that circumstances warrant, the Dean may recommend that the student voluntarily take a leave of absence or voluntarily withdraw from the School or take other prescribed steps to resolve the cause for concern.
- C. If the student does not comply with the Dean's recommendations, or if the situation worsens or requires immediate action prior to making recommendations to the student, the Dean may place the student on an involuntary leave of absence or involuntarily withdraw the student from the School pursuant to the procedures set forth below.
- D. Involuntary Leave of Absence or Involuntary Withdrawal shall be imposed only when the student's conduct or statements cause reasonable belief that there is a probability that one or more circumstance described in Section V.A exist. Such belief must be based on an objective assessment of the student's observed conduct and statements, as well as the nature, likely duration and severity of the risk of harm.

## VI. PROCEDURES

- A. When the Dean becomes aware of a student's conduct and/or statements that cause concern about one or more circumstance described in Section V.A, and if, in the judgment of the Dean, the continued presence of the student poses a substantial and/or immediate danger to the welfare or safety of any person or property, the Dean may take immediate action to place the student on an involuntary leave of absence from the School or restrict the student's participation in a specific educational component, such as clinical activity, prior to taking any steps pursuant to this or other University policies and prior to gathering all information bearing on the student's conduct, statements and/or condition. If such immediate action is taken, the Dean shall immediately notify the Office of Public Safety, and, when reasonable to do so, undertake further actions required by this policy. The Dean shall notify the Executive Vice President for Academic and Clinical Affairs, the Vice President for Academic Affairs, the Director of Public Safety, and any other UMDNJ or School official with a legitimate interest in the matter, and consult with and/or advise these individuals concerning any action taken and other actions planned pursuant to this policy.
- B. When the Dean becomes aware of a student's conduct and/or statements that cause concern, and, in the judgment of the Dean, the continued presence of the student does not pose a substantial and/or immediate danger, the Dean shall notify the Executive Vice President for Academic and Clinical Affairs, the Vice President for Academic Affairs, the Director of Public Safety, and any other UMDNJ or School official with a legitimate interest in the matter, and advise these individuals of any actions taken or planned to be taken pursuant to this policy.
- C. If the Dean considers it safe and appropriate, the Dean or his/her designee shall attempt to meet with the student to allow the student to explain the conduct or statements of concern. Upon hearing the student's explanation, the Dean may:
1. consider the matter resolved, or
  2. reach agreement with the student to request a voluntary leave of absence or voluntary withdrawal from School, or
  3. reach agreement that the student shall take other steps required to resolve the cause for concern. Such steps may include, but are not limited to, referral to the Student Wellness

Program, to the Student Assistance Facilitator, to the campus Student Health Service, withdrawal from a course or clinical activity, or other appropriate actions.

- D. If concern about the student's conduct and/or statements is not resolved through meeting with the student or by any other means, the Dean shall gather any additional pertinent information available regarding the student's conduct, statements and/or condition. The Dean may request information from School or University officials, faculty, staff, other students, law enforcement units or any other appropriate source. The Dean may require the student to submit to one or more evaluations by health care providers or other evaluators, including, but not limited to physical examination, psychiatric examination, and/or drug testing, as approved by the Dean. The Dean may require the student to authorize health care providers, other evaluators and any other appropriate source to provide records and reports or confer with the Dean. Based on the information gathered, the Dean may decide to place a student on Involuntary Leave of Absence or Involuntary Withdrawal, or to restrict the student's participation in educational activities. The Dean may take any of the aforementioned actions, notwithstanding a failure or delay in conducting a meeting with the student, when circumstances warrant immediate action to protect the safety or welfare of any person or property. The student shall be notified by the Dean of this action, its effective date, and any conditions which must be fulfilled to permit the student's return to full participation in the program. Such conditions may include counseling, treatment, monitoring, re-evaluation, education, training, recommendation by the Student Affairs Committee or Student Assistance Facilitator or such other requirements as the Dean considers appropriate. Such notification shall be sent certified mail, return receipt requested, or by another method producing confirmation of delivery, and such receipts or confirmations shall be retained by the School.
- E. A student wishing to appeal an Involuntary Leave of Absence or Involuntary Withdrawal may respond in writing to the official sending the notification within ten working days from the date of mailing or delivery of the notification. The written appeal must include the basis for the appeal and any supporting facts and documentation. If no response is received within that time period, the action will be final.
- F. If the student responds in writing within ten working days, such response shall immediately be forwarded to a University committee which will evaluate the appeal. The committee shall be composed of the Vice President for Academic Affairs, who shall act as Chair, the Medical Director of the University Behavioral Healthcare and the Dean or designee of another UMDNJ School. The committee shall appoint alternate members to serve in case of unavailability of any named member and shall adopt procedures to promote rapid consideration of appeals. The committee shall invite the student to be heard as to any objections to the action. The committee may consult with School officials, Legal Management, the student's health care provider or other evaluator of the student's conduct or condition, and with any other resource with information or expertise relevant to the matter. When the committee has made a determination the student will be promptly sent notification of the committee's determination by certified mail, return receipt requested, or by another method providing confirmation of delivery, and such receipts or confirmations shall be retained by the School.
- G. A student may appeal the committee's decision by submitting a written request, within five working days of the date of the committee's decision, to the Executive Vice President for Academic and Clinical Affairs. The Executive Vice President for Academic and Clinical Affairs may meet with the student, may consult with officials of the School, the student's health care provider or other evaluator of the student's conduct or condition, and with any other resource with information or expertise relevant to the matter. The decision of the Executive Vice President for Academic and Clinical Affairs is final.
- H. Return from Involuntary Leave of Absence
- A student wishing to return from an Involuntary Leave of Absence shall submit a written request to the Dean, with a copy to the Vice President for Academic Affairs, no less than thirty working days prior to the requested date of return. The request shall include evidence that the student has complied with any conditions imposed for the student's return and that the student is otherwise qualified to participate safely and effectively in the educational program. The Vice President for Academic Affairs shall consult with the Dean and may convene the UMDNJ committee authorized in Section VI.F to consider Involuntary Leaves of Absence. The committee may

require additional information and/or consult with the student's health care provider or other evaluator and any other resource with information or expertise relevant to the matter. The Vice President for Academic Affairs shall notify the student and the Dean in writing of the committee's decision. The student may appeal the decision in accordance with the same procedures provided in this policy for appeal of Involuntary Leaves of Absence or Involuntary Withdrawals provided in section VI.G of this policy.

I. Additional Procedures

In addition to Involuntary Leave of Absence or Involuntary Withdrawal actions, the School may take action pursuant to any or all applicable procedures of the University or the School, including disciplinary procedures, academic procedures or research misconduct procedures.

With the exception of medical/dental appointments, students on an Involuntary Leave of Absence or Involuntary Withdrawal are not permitted to be present on any UMDNJ campus or other University property without the permission of the Dean or the Dean's designee.

J. Permitted Communications and Confidentiality

To promote the safety and/or welfare of a student and/or of others, and to the extent permitted by FERPA and other applicable laws, the School or University officials may, when appropriate, report incidents of disruptive behavior, or other conduct of serious concern, to the student's next of kin and/or to other appropriate officials of the University, the UMDNJ Schools or other units, or to health care or counseling providers, or to law enforcement agencies.

Except for such reports and communications made pursuant to this policy, and to the extent permitted by FERPA and other applicable laws, all proceedings and deliberations conducted pursuant to this policy and procedure will be considered confidential and may not be released or disclosed by any participant without permission from all of the involved parties or without valid subpoena or court order.

By Direction of the President:

**SIGNATURE ON FILE**

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Vice President for Academic Affairs