

 <p>Category: Student Affairs</p> <p>Policy applicable for: Faculty/Staff & Students</p>	<p><i>Policy Title:</i></p> <p>Involuntary Withdrawal</p> <p>Effective Date: 04/05/2021</p>	<p><i>Policy Number:</i></p> <p>4.1.5</p> <p>Policy Owner: VP for Student Affairs</p> <p>Responsible Office(s): AVP/Dean of Students Office</p>
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PURPOSE

The University is committed to creating a safe environment for its students and University community. When a student can no longer remain on campus, with or without reasonable accommodations, because the student is a safety risk, the student may be involuntarily withdrawn from the University. The purpose of this policy is to set forth the procedures and guidelines for involuntarily withdrawing a student.

INVOLUNTARY WITHDRAWAL

A. Individualized Assessment

If a student cannot safely remain at the University, even with reasonable accommodations, the University may decide to involuntarily withdraw the student. The decision whether to impose an involuntary withdrawal will be made by a committee that includes the CARE Team and others as appropriate (the "Committee"). Before determining whether to impose an involuntary withdrawal, the Committee should make reasonable efforts to discuss the possibility of a medical leave of absence with the student.

Before the Committee makes its decision, the Committee will notify the student that the Committee is considering involuntarily withdrawing the student and the basis for the consideration. The Committee will schedule a meeting with the student to provide an opportunity to be heard and permit the student to submit any relevant information and documentation. An advisor may appear with the student, but may not speak for the student. If a student chooses to use an advisor, the student must notify the Committee at least two (1) University business day prior to the meeting if the advisor is an attorney or healthcare provider.

When the University seeks to involuntarily withdraw a student on the basis that the student cannot safely remain on campus, the Committee will make an individualized assessment based on current medical evidence, or on the best available objective evidence, and not based on mere speculation, stereotypes, or generalizations about individuals with medical conditions or disabilities. The Committee's assessment will include:

- The nature, duration, and severity of the risk;
- The probability or likelihood that potential injury or harm will occur; and
- Whether reasonable accommodations will sufficiently mitigate the risk.

Only if the Committee finds a significant risk, not one that is speculative or remote, that the student will cause harm to self or another, and that the risk cannot be eliminated or reduced to an acceptable level through reasonable accommodations, then the Committee may choose to involuntarily withdraw the student from the University.

In cases of emergency, where safety is of immediate concern, the Committee may set interim conditions on the student while completing the assessment. The Committee will give the student notice of the

Committee's actions and will provide steps for promptly moving forward with the appropriate procedure and process.

Should the Committee determine that it is in the best interest of the student and/or the University community that the student be involuntarily withdrawn, the student will be informed in writing of this determination, appeal rights, and requirements for reinstatement.

B. Appeal Procedures

To appeal, the student must submit a written request to the Vice President of Student Affairs ("VPSA") within two (2) University business days from the date of receipt of the Committee's determination letter. A meeting between the VPSA (or designee) and student to discuss the appeal should be scheduled as soon as possible following the request. The student may bring an advisor to the meeting, but the advisor may not speak for the student. The student must notify the VPSA (or designee) one (1) University business day prior to the meeting if the student plans to bring an advisor who is an attorney. The student must authorize the VPSA (or designee) to access relevant materials deemed necessary to consider the appeal. If the student refuses to grant access to the records, the meeting will proceed without the requested information.

The VPSA (or designee) will inform the student in writing of its decision and reasons for the decision, as soon as practical following the meeting. The decision of the VPSA (or designee) is effective upon being issued to the student and is final.

C. Post Final Determination Imposing Involuntary Withdrawal

The University will make reasonable efforts to refer the student to appropriate mental health services. The University will also take reasonable steps to minimize financial and academic loss through such means as prorated refund of housing and academic fees. Specific academic departmental issues regarding reinstatement to a program and scholarship maintenance will be addressed on an individual basis and facilitated by the Dean of Students (or designee). UC International Services will also consult with students who are present on F-1 or J-1 visa. Finally, students who have purchased the University's Student Health Insurance should be aware that their coverage will end the following semester if they are not re-enrolled in classes by then.

D. Reinstatement

A student who has been involuntarily withdrawn may request to return to the University as a student upon receiving new information supporting the student's return. The student's healthcare provider should complete the Treatment Provider Reinstatement Form, which can be obtained by contacting the Office of Student Affairs at (513) 556-4119. The student should send a written request seeking reinstatement, along with the Treatment Provider Reinstatement Form and any other information relevant to the student's request for reinstatement, to the VPSA.

Upon receiving a request with appropriate documentation, the VPSA (or designee) will schedule a meeting between the Committee and the Student to provide the student with an opportunity to be heard. The Committee will review the student's reinstatement request and Treatment Provider Reinstatement Form and determine whether the student can safely return to campus. An advisor may appear with the student, but may not speak for the student. If a student chooses to use an advisor, the student must notify the VPSA (or designee) at least two (2) University business days prior to the meeting if the advisor is an attorney or healthcare provider.

The Committee will make an individualized assessment regarding reinstatement based on current medical evidence, or on the best available objective evidence. The assessment will include:

- The nature, duration, and severity of the risk;

- The probability or likelihood that the potential injury or harm will occur; and
- Whether reasonable accommodations will sufficiently mitigate the risk.

The Committee will only deny reinstatement if it finds the student cannot safely return to school, even with reasonable accommodations. The Committee will not base its reinstatement decision on speculation, stereotypes, or generalizations about individuals with medical conditions or disabilities.

If the Committee grants the student's request for reinstatement, the Committee will notify the student's college. The Committee may only reinstate a student to the *University*; the Committee does not control the reinstatement status of the student to the student's college or program. While the student was away, their college or program may have adopted new curriculum requirements or guidelines that the student must adhere to upon return. Certain colleges and programs may also require the student to re-audition or re-apply. Students should work with their academic advisor to facilitate their return to their college or program.

E. Appeal of Reinstatement Decision

If the Committee denies the student's request for reinstatement, the student may appeal. To appeal, the student must submit a written request to the VPSA within five (5) University business days from the date of receipt of the Committee's determination letter. A meeting between the VPSA (or designee) and student to discuss the appeal will normally be set within seven (7) University business days following the request. The student may bring an advisor to the meeting, but the advisor may not speak for the student. The student must notify the VPSA (or designee) two (2) University business days prior to the meeting if the student plans to bring an advisor who is an attorney or healthcare provider. The student must authorize the VPSA (or designee) to access relevant materials deemed necessary to consider the appeal. If the student refuses to grant access to the records, the meeting will proceed without the requested information.

The VPSA (or designee) will inform the student in writing of its decision and reasons for the decision, as soon as practical following the meeting. The decision of the VPSA (or designee) is effective upon being issued to the student and is final.

If the VPSA (or designee) affirms the Committee's denial of reinstatement, the student may only make a new reinstatement request upon receiving new relevant information demonstrating the student can safely return to school. For example, new Treatment Provider Reinstatement Form evidencing the student can safely return to school. The University will not consider requests for reinstatement based on previously submitted information.