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<b>STUDENT INVOLUNTARY ADMINISTRATIVE WITHDRAWAL</b>				

## UNIVERSITY POLICY STATEMENT

It is the policy of Eastern Michigan University to establish a Student Involuntary Administrative Withdrawal Policy for the purpose of maintaining a campus environment that is conducive to learning, protects the University's educational purposes, maintains reasonable order on campus, and protects the rights and safety of all members of the University community. The University may order the involuntary withdrawal of a student from the University or from University Housing in accordance with University policy, as described below.

## UNIVERSITY PRACTICE

The Student Involuntary Administrative Withdrawal Policy, below, outlines the procedures to be utilized in seeking the involuntary withdrawal of a student.

### Section I: Scope of Policy

The policy will cover behaviors described in Section II: Standards for Withdrawal, Items "a" through "e", that occur on University premises and/or at University-sponsored activities but may also address off-campus behavior if the University determines that the behavior, or the continued presence of the student, impairs, obstructs, interferes with or adversely affects the mission, processes or functions of the University.

For purposes of this policy a student is defined as follows:

Any person enrolled for courses through or at EMU, both full-time and part-time, and those who attend educational institutions other than EMU but who reside in EMU residence halls."

Any person who is not officially enrolled for a particular term but whose EMU record indicates a continuing relationship with the University, or

Any person who has been accepted into EMU but have not yet enrolled for courses.

### Section II: Standards for Withdrawal

In accordance with University policy, and applicable federal and state laws prohibiting discrimination based on disability, a student may be involuntarily withdrawn from the University and/or University Housing, either temporarily or permanently, if it is determined that a student suffers from a mental disorder as defined by the current American Psychiatric Association Diagnostic and Statistical Manual, and as a result of the disorder:

- a. Engages, or threatens to engage, in behavior which poses a danger of causing physical harm to self or others, and/or

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- b. Engages, or threatens to engage, in behavior which would cause significant property damage, which directly and substantially impedes the lawful activities of other members of the University, and/or
- c. Demonstrates an inability to satisfy personal needs (e.g., nourishment, shelter) such that there is a reasonable possibility that serious physical harm or death might occur within a short period of time, and/or
- d. Commits a violation of the University's Student Conduct Code and lacks the capacity to comprehend and participate in the University's disciplinary process, and/or
- e. Commits a violation of the University's Student Conduct Code and did not understand the nature or wrongfulness of the conduct at the time of the offense.

### **Section III: Premises Underlying This Policy**

An involuntary administrative withdrawal:

- a. Is not a substitute for appropriate disciplinary action under the Student Conduct Code.
- b. Should not be used to dismiss socially or emotionally "eccentric" students who do not otherwise meet the standards for withdrawal specified in this section.
- c. Should only be initiated after reasonable attempts to secure voluntary cooperation for a psychological evaluation or withdrawal have been exhausted or if the student refuses to agree to or doesn't adhere to reasonable conditions established for his/her continued presence on campus and/or in University Housing.

### **Section IV: Procedures Under this Policy**

#### ***Commencement of the Process***

This process may be initiated by the Director of Student Judicial Services when:

- a. Any member of the University community who reasonably believes that a student may meet one of the involuntary withdrawal standards in Section II contacts the Director of Student Judicial Services with his/her concerns about the student; and/or
- b. The student is referred to Student Judicial Services for a possible conduct code violation and the conduct is such that it may meet one or more of the involuntary withdrawal standards.

#### ***Informal Review by Student Judicial Services***

The Director of Student Judicial Services will conduct a preliminary, informal review and will schedule a meeting with the student. At the end of this informal review, the Director may do one or more of the following:

- a. Determine that the student does not meet the standard for involuntary withdrawal and terminate this process. If warranted, the student's conduct will be handled by Student Judicial Services under the regular disciplinary process.
- b. Require the student to schedule an evaluation by a qualified, licensed mental health professional outside the University within five calendar days. The student will be responsible for any costs associated with the evaluation.
- c. Refer the student to the Behavioral Evaluation Team for an assessment and recommendation under this policy. Any pending disciplinary action against the student will be postponed until the Behavioral Evaluation Team completes this process.
- d. Allow a student who meets the conditions for an involuntary withdrawal to voluntarily withdraw from the University and waive the right to further procedures under this policy. If future

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reenrollment at the University is an option, the Director will provide the conditions necessary for consideration of reenrollment to the student in writing (see “Conditions for Reenrollment” section of this policy).

### ***Referral to the Behavioral Evaluation Team***

After completing the informal review as described in the above section, the Director of Student Judicial Services may refer a student to a hearing with the University’s Behavioral Evaluation Team for assessment and recommendations. The team will include:

- One member at large appointed for a two-year term by the Vice President for Student Affairs
- Director of Counseling Services, or his/her designee
- Director of Housing, or his/her designee

The chair of the Behavioral Evaluation Team will be appointed to a two year term by the Vice President for Student Affairs.

The role of the Behavioral Evaluation Team is to evaluate the student and make a determination as to whether the student should be involuntarily withdrawn from the University and/or University Housing or whether the student can remain in school and/or continue to live in University Housing under specified conditions. The recommendation by the Behavioral Evaluation Team will require the concurrence of any two of the three team members.

The Director of Student Judicial Services will arrange for the Behavioral Evaluation Team to meet with the student and will notify the student in writing of his/her referral to a hearing and inform the student of the time, date and location of the hearing. If the Director of Student Judicial Services has ordered a psychological assessment, the Behavioral Evaluation Team will not be convened until the evaluation has been completed and the written psychological assessment has been submitted to the University.

Notice of the hearing will be considered adequate if it is sent to the student's last known address registered with the University or is hand delivered to the student at least three business days in advance of the meeting time.

### ***Behavioral Evaluation Team Hearing***

The Behavioral Evaluation Team will conduct a hearing with the student in order to determine an appropriate course of action under this policy. The following guidelines will govern the hearing:

- a. The student will have the right to be present throughout the entire hearing, unless the student becomes disruptive.
- b. The hearing will be conducted even if the student fails to attend the hearing or if the student is removed during the hearing for disruptive behavior.
- c. A family member and/or a qualified mental health professional may accompany the student to the hearing. Legal counsel will not be permitted at this hearing. The student will be expected to speak on his/her own behalf whenever possible.
- d. The student will have the right to review all case information before the hearing with the exception of personal or confidential notes of University officials regarding the case. The information will be made available to the student in the Student Judicial Services office during normal business hours at least 2 days before the scheduled hearing.
- e. The hearing shall be conversational and non-adversarial, whenever possible. Formal rules of evidence will not apply, except that the Chair may exclude evidence that is not relevant or is cumulative.

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- f. The student has the right to question all witnesses at the hearing and comment on all documents presented.
- g. The hearing will be closed to the public, and all testimony and evidence will be considered confidential.
- h. The hearing will be tape recorded by the University. Tapes will remain the property of the University and will serve as the official record of the proceedings. The University will retain the tape recording for a period of two years after a final determination has been issued and all appeals have been exhausted under this policy. After the expiration of this two year period, the University may erase or discard the tape recording.

### ***Disposition of the Case***

Upon completion of the Behavioral Evaluation Team hearing, the Team will submit its written findings to the Director of Student Judicial Services within three business days. This document will include the recommendation of the Team, the reason(s) for the recommendation, and:

1. If the team recommends an involuntary withdrawal, whether the student is eligible to be reconsidered for reenrollment, including the conditions the student must meet to be considered and any length of time that must pass before the student can apply for reenrollment, OR
2. If the team does not order an involuntary withdrawal, any conditions that the student must meet in order to remain enrolled in school and/or remain in University Housing.

The Director of Student Judicial Services will notify the student in writing within three business days after receiving the Team's written findings and will inform the student of his/her right to appeal the Team's recommendation. If the student chooses not to appeal or if, after the appeal, the recommendation is still to allow the student to remain enrolled in school and/or remain in University Housing, the student will meet with the Director of Student Judicial Services, within five calendar days, to formalize the recommendation into a behavioral contract between the University and the Student.

### **APPEAL PROCESS**

A student may appeal any of the following decisions rendered under this policy:

- a. An involuntary withdrawal from the University and/or from University Housing recommended by the Behavioral Evaluation Team.
- b. The conditions recommended by the Behavioral Evaluation Team in order for the student to remain enrolled and/or continue living in University Housing.
- c. A denial of the student's request for reenrollment by the Behavioral Evaluation Team.
- d. An involuntary withdrawal implemented in accordance with the "Student's Failure to Comply" section of this policy.

The student must submit a written appeal to the Vice President for Student Affairs office within seven calendar days of the date of the decision being appealed. After reviewing the student's case and after meeting with the student, the Vice President or his/her designee will render a written decision as it relates to the student's appeal within five calendar days. This decision will be final.

A student who voluntarily withdraws or is involuntarily withdrawn under this policy may be subject to conditions for reenrollment. These will be provided to the student in writing and may include, but are not limited to the following:

- a. Submission of a psychological assessment by a qualified mental health professional, indicating readiness to return to school.
- b. Continued counseling or therapy.

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- c. Continued medication.
- d. Restriction against on-campus housing.
- e. Successful completion of college courses at another college or University.
- f. Review by the Behavioral Evaluation Team.

A student seeking reenrollment must do so by notifying the Director of Student Judicial Services of his/her desire to reenroll and must provide the office with documentation of adherence to all required conditions for reenrollment. The Director of Student Judicial Services will refer the request to the Behavioral Evaluation Team.

Reenrollment is not guaranteed; after reviewing the case and meeting with the student, the Behavioral Evaluation Team will make a decision on the student's request for reenrollment, designate any further conditions for reenrollment and notify the student in writing within five calendar days after meeting with the student.

### ***Student's Failure to Comply***

A student may be involuntarily withdrawn and/or disciplined under the conduct code if he/she:

1. Fails to attend any required meeting under this policy, and/or
2. Fails to timely schedule and/or appear at a psychological assessment requested by the Director of Student Judicial Services, and/or
3. Fails to adhere to any conditions placed on him/her in order for him/her to remain enrolled in the University and/or remain in University Housing.

### **Section V: Emergency Interim Withdrawal**

An emergency interim withdrawal may be implemented immediately by the Director of Student Judicial Services, after approval of the Vice President for Student Affairs or his/her designee, if the Director reasonably believes that the student may be suffering from a mental disorder and there is reason to believe that the student's behavior poses a substantial threat of harm to oneself or others, threatens or endangers University property, or disrupts the stability and continuance of normal University operations and functions.

A student may be notified of the emergency interim suspension either orally or in writing. It takes effect the day it is issued by the Director of Student Judicial Services.

A student withdrawn on an emergency interim basis will be given the opportunity to meet with the Vice President for Student Affairs or his/her designee within forty-eight (48) hours from the effective date of the emergency interim withdrawal to discuss the following issues only:

1. The reliability of the information concerning the student's behavior, and/or
2. Whether the student's continued presence on campus poses a substantial threat of harm to oneself or others, threatens or endangers University property, or disrupts the stability and continuance of normal University operations and functions.

At the conclusion of this meeting, the Vice President or his/her designee may either uphold or cancel the interim emergency withdrawal. Regardless of whether the emergency interim withdrawal is upheld or cancelled, the Vice President or his/her designee will direct the Director of Student Judicial Services to continue with the involuntary administrative withdrawal process as outlined in this policy. However, if the

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interim emergency withdrawal is to remain in effect, the Director of Student Judicial Services will make every effort to expedite the process in an effort to minimize any possible negative impact on the student.

## **Section VI: Transcripts and Refunds**

### ***Transcripts***

A student who, under this policy, is allowed to voluntarily withdraw or who is involuntarily withdrawn will be given a "W" grade for each course in which he/she is currently enrolled. An administrative hold will be placed on the student's academic record to prevent any unauthorized reenrollment by the student.

### ***Refunds***

A student who, under this policy, is allowed to voluntarily withdraw or who is involuntarily withdrawn may request a refund of tuition, fees, housing payments and any other amounts. Refunds will be made in accordance with applicable University policies and procedures.

## **RESPONSIBILITY FOR IMPLEMENTATION**

The Vice President for Student Affairs is responsible for the overall implementation, administration and interpretation of the policy and may appoint a designee to oversee appeals brought forth under this policy. The Director of Student Judicial Services is responsible for the daily administration of the policy.

## **SCOPE OF POLICY COVERAGE**

This policy applies to all students as defined in Section I of the Student Involuntary Administrative Withdrawal Policy.

## **Authority for Creation or Revision**

Minutes of the Board of Regents, June 17, 2003; para. .6133M. March 21, 2006; para. .6601M.