

# Involuntary Administrative Interim Restrictions and Withdrawal Policy

#SD000

Abstract

*This policy covers standards and procedures for Mental and Medical Emergencies*

## PURPOSE

This policy applies to students who, because of mental or medical emergencies, may no longer be able to participate in Evangel University's educational program and/or residential life for a period of time. To be used with *Official & Administrative Withdrawal Polies and Procedures* document.

## APPROVAL

Evangel University's Presidential Cabinet approves this policy.

## SCOPE

This policy encompasses: (1) Standards for withdrawal; (2) Referral for Evaluation; (3) Notice of Referral for Evaluation; (4) Interim Restrictions; (5) Involuntary Administrative Withdrawal; (6) Informal Hearing; (7) Appeal/Finality of Decision; (8) Removal from University Residential Property; (9) International Students; (10) Involuntary Administrative Interim Restrictions and Withdrawal Policy; (11) Grades; (12) Re-Application/Enrollment; (13) Standards for Treatment Documentation; (14) Policy Deviations.

1. **STANDARDS FOR WITHDRAWAL.** A student will be subject to interim restrictions and/or involuntary administrative withdrawal from the university under this Policy if it is determined, by clear and convincing evidence, that the student is suffering from a mental disorder (as defined by the current edition of the Diagnostic and Statistical Manual of Mental Disorders, American Psychiatric Association) and as a result thereof:
  - a. engages or has threatened to engage in behavior, or otherwise presents a situation that indicates possible imminent or foreseeable danger of behavior, which poses a danger of causing physical harm to self or others, or causes significant emotional distress to others, including, without limitation:
    - i. acute decline in physical health;
    - ii. suicidal threat or behavior;
    - iii. self-injurious behavior;
    - iv. drug and alcohol abuse;
    - v. failure to participate in required assessments or treatment plans;

- vi. a professional evaluation by a licensed provider does not support the student's participation in classes and/or university activities; or
  - b. engages, or has threatened to engage, in behavior which would cause significant property damage, or directly and substantially impede the lawful activities of others.
2. **REFERRAL FOR EVALUATION.** If the Vice President for Student Development reasonably believes that a student may meet the criteria set forth in paragraph 1 above, then the Vice President may refer the student for evaluation by a credentialed professional provider in the University Counseling Center or – if necessitated by potential legal circumstances or the presence of real or intended harm to self, others or to property – the Vice President may appoint an independent licensed psychologist or psychiatrist (at the student's own expense) to conduct the evaluation. The Vice President for Student Development reserves the right, in their reasonable discretion, to permit any student who refuses or does not wish to attend the University Counseling Center the right to obtain an evaluation by an independent certified and licensed professional psychiatrist or psychologist who is actively treating the student at the time (an "Independent Licensed Professional"). Any student seeking to obtain an evaluation by an Independent Licensed Professional must notify the Vice President for Student Development in writing within 24 hours of receiving notice of the need for an evaluation under this Policy. If a student elects to use an Independent Licensed Professional, all fees and expenses shall be at the student's sole expense.
3. **NOTICE OF REFERRAL FOR EVALUATION.** Students referred for evaluation in accordance with Paragraph 2 above shall be so informed in writing, either by personal delivery, by certified mail or university e-mail and shall be given a copy of this Policy. The evaluation, including those performed by an Independent Licensed Professional, must be undertaken within two (2) business days and completed within five (5) business days from the date of the referral letter unless an extension is granted by the Vice President for Student Development in writing in advance of these deadlines, in such Vice President's discretion. Students may be accompanied by a licensed psychologist or psychiatrist of their choice, who may observe, but not participate in, the evaluation process by the University Counseling Center.

4. **INTERIM RESTRICTION.** During the referral and evaluation period referenced in Paragraphs 2 and 3 above or during the Appeals process described in Paragraph 7, below, the Vice President for Student Development may place an interim restriction on a student, in the Vice President's discretion; this includes cases where the student fails or refuses to obtain, or to timely obtain, the evaluation referenced in Paragraphs 2 and 3, above (an "Interim Restriction."). The purpose of an Interim Restriction under this Policy is to provide the student with an opportunity to obtain needed medical and/or psychological care and for an evaluation of readiness to return. Students placed on Interim Restriction under this Policy are temporarily not allowed to participate in university activities, may not attend classes on campus or at all (at the Vice President's discretion), reside in or visit on-campus housing and may not be on campus except for purposes of delivering any notice or required documentation under this Policy or attending hearing under this Policy. Students placed on Interim Restriction will be notified by the Vice President for Student Development in writing and will have an opportunity to discuss the basis for the decision by contacting the Vice President for Student Development. Interim Restrictions are generally immediate, but the Vice President for Student Development may, in their discretion, grant the student time needed to collect any required medications, garments or other personal items from campus provided the student is accompanied by an individual approved and/or designated by the Vice President for Student Development. Students must follow clearance procedures outlined by the Vice President for Student Development before returning from Interim Restriction.
  
5. **INVOLUNTARY ADMINISTRATIVE WITHDRAWAL.** A student may be involuntarily withdrawn from the university under this Policy in the following circumstances:
  - a. Upon recommendation of the University Counseling Center or and Independent Licensed Professional that the student meets the criteria set forth in Paragraph 1, above, that reasonable attempts at accommodation, if appropriate, have failed or will not support the student's safe and/or effective participation in the university's academic programs and/or in residential life on campus; and/or
  - b. The student fails to comply with the evaluation process set forth in Paragraphs 1 and 2 above, within five (5) business days; and/or
  - c. The student fails to comply with any treatment plan established by the University Counseling Center and/or an Independent Licensed Professional within five (5) calendar days after notice of the same from the Vice President for Student Development or after more than two (2) notices of non-compliance from the Vice President for Student Development.

6. **INFORMAL HEARING.** Except in relation to Notices of Referrals under Paragraph 3 above and Interim Restrictions for which the procedures set forth in Paragraph 4, above, apply exclusively, any student subject to withdrawal under this Policy shall be given written notice thereof by personal delivery, by certified mail or university e-mail and shall be given a copy of this Policy. The student shall then be given an opportunity to appear for the limited purpose of reviewing the following issues:
- a. the reliability of the information concerning the student's health and wellbeing,
  - b. whether or not the student's health poses a danger of causing imminent, serious physical harm to the student or others, causing significant property damage of directly and substantially impeding the lawful activities of others;
  - c. whether or not the student has completed an evaluation, in accordance with this Policy.

The informal hearing before the Vice President for Student Development, or his designee, will be held within seven (7) business days after the student has been evaluated by the appropriate mental health professional as set forth in Paragraph 2. above. If a student is on an Interim Restriction, the student will remain in such status pending completion of the informal hearing, or for such other and necessary purposes, as authorized in writing by the Vice President for Student Development. At the conclusion of the hearing, the Vice President for Student Development shall notify the student of any determination to invoke involuntary withdrawal ("Written Notice of Involuntary Withdrawal"). Such notice shall be made in writing within 24 business hours of the hearing. On the sixth (6<sup>th</sup>) business day after delivery of the Written Notice of Involuntary Withdrawal, the decision shall become final and the student shall be involuntarily withdrawn if an appeal has not been properly and timely made as described in Paragraph 7, below.

7. **APPEAL/FINALITY OF DECISION.** Within five (5) business days from the delivery of the Written Notice of Involuntary Withdrawal, the student may appeal the decision in writing to the university's Chief Academic Officer. The appeal shall set forth the grounds for the appeal and include any supporting evidence. Within five (5) business days after receiving the appeal, the Chief Academic Officer shall inform the student of the decision on their appeal in writing. The Chief Academic

Officer's decision on the matter shall be final and not subject to further review, and the involuntary withdrawal shall become final on this date.

8. **REMOVAL FROM UNIVERSITY RESIDENTIAL PROPERTY.** This Policy does not preclude removal from the university, a residence hall or rental property, in accordance with provisions of the residence hall occupancy agreement, or other university rules or regulations. Students involuntarily withdrawn from the university under this Policy and/or who are asked to vacate a university residence hall or rental property will have 24 hours after receiving such notice to formally check-out with the Residence Director or Rental Property Manager. Refunds, if applicable, will be determined based on the confirmed check-out date rather than the withdrawal date.
9. **INTERNATIONAL STUDENTS.** The imposition of an Interim Restriction and/or Involuntary Administrative Withdrawal under this Policy may impact an international student's legal status. International Student Services will be notified immediately upon the university's decision to impose an Interim Restriction or Involuntary Administrative Withdrawal.
10. Once the **INVOLUNTARY ADMINISTRATIVE INTERIM RESTRICTIONS AND WITHDRAWAL POLICY** process has been completed:
11. All grades for that semester are converted to W's
  - a. All personal out-of-pocket tuition payments (excluding federal financial aid, institutional grants, & scholarships) will be credited to the student account for the following semester but does not dismiss the student from the entire financial obligation to the university. The student will still be responsible for university fees, housing/board costs, any outstanding fines, and repayment for financial aid if mandated by the Federal Government. The U.S. Department of Education does not recognize a "Medical Leave/Withdrawal" any different from a regular withdrawal.)
  - b. Extenuating circumstances regarding the student's financial obligations will be reviewed by a committee composed of the Vice President of Business and Finance, Billing Director, and Financial Aid Director.
  - c. To register for future semesters, the student may be required to provide the university with documentation to indicate resolution.
12. **RE-APPLICATION/ENROLLMENT AFTER INVOLUNTARY WITHDRAWAL.** A student who has been involuntarily withdrawn under this Policy may apply for re-

enrollment but shall not be accepted before the beginning of the next academic semester if a determination is made to permit the student to re-enroll. To re-enroll, the Vice President for Student Development must:

- a. receive a statement of recommendation by the treating professional at the University Counseling Center or Independent Licensed Professional that the student is able to return and fully participate in academic life;
- b. any information regarding recommendations for continued treatment or follow-up care if the student is permitted to re-enroll;
- c. a statement that the student has complied with all treatment recommendations concerning the concern that necessitated the involuntary withdrawal; and,
- d. a signed release authorizing the disclosure of the student's medical and/or other information between the student's physician, mental health providers, family, the Vice President for Student Development and others who have legitimate need to know.

Decisions about re-enrollment shall be made based on a determination by the Vice President for Student Development that:

- a. the student has complied with the provisions of this Paragraph 10;
- b. the condition that led to the student's involuntary withdrawal have been adequately addressed; and
- c. the student no longer presents with concerns under Paragraph 1, above.

All re-enrollment decisions are made on a case-by-case basis and the university may request different information than that described above as deemed necessary and appropriate in each case.

- 13. STANDARDS FOR TREATMENT DOCUMENTATION.** All documentation from the University Counseling Center or any Independent Licensed Professional under this Policy shall be on letterhead and provided directly from the provider to the Vice President for Student Development.

14. **POLICY DEVIATIONS.** It is understood that reasonable deviations from this Policy may be necessary in special circumstances based on the facts presented, perceptions of urgency, and other conditions.

## **CONTINUANCE**

This policy will undergo review and modifications as necessary or by the next revision date. Ownership of this policy belongs to the Vice President for Student Development.