

12. Student Involuntary Leave of Absence Policy

I. Policy Statement

Fairleigh Dickinson University may place a student on an indefinite involuntary leave of absence for reasons of personal or community safety.

II. Purpose

1. The University is committed to protecting its community members from the 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 evidence that the student is engaging in or is likely to engage in behavior or has a medical condition that either poses a danger of harm to self or others or disrupts the learning environment of others.

2. This policy is meant to be invoked in circumstances when a student is unable or unwilling to request a voluntary leave of absence, and such a leave may be necessary to protect the safety of that student and/or others or the integrity of the University's learning environment. This would include such situations as unresolved, ongoing and serious suicidal threats; self-starvation of a life-threatening nature; psychosis and serious threats of harm to oneself and others; or a medical condition that puts others at risk. Before an involuntary leave is considered, efforts will be made to encourage the student to take a voluntary leave, thus preserving, to the extent possible, confidentiality and privacy.

3. This policy and these procedures do not take the place of disciplinary actions that are in response to violations of the Code of Students Rights, Responsibilities and 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 rules, policies or regulations.

III. Definition

Involuntary Student Leave of Absence: Separation of a student from the University and its facilities, as prescribed by the Dean of Students Office.

IV. Procedures

The Dean of Students Office designee may be alerted to a student's behavior from a variety of sources on campus (such as the student's adviser, a University officer, student counseling and psychological services, residence life or student health services). If the Dean of Students Office deems it appropriate, the following procedures will be initiated.

1. The Dean of Students Office designee reserves the right to immediately suspend a student from housing and/or attendance on an interim basis, pending an investigation and subsequent hearing, if the student appears to constitute a threat of harm to himself/herself, others or the University community. The student will be notified in writing if this action is necessary.

2. The Dean of Students Office designee will notify the student that an involuntary leave of absence is under consideration. A student withdrawn on an interim basis will be given an opportunity to appear personally before the Dean of Students Office designee within 48 hours from the effective date of the involuntary leave of absence, in order to discuss the following issues:

a. The reliability of the information concerning the student's behavior; and/or

b. Whether or not the student's behavior poses a significant danger of causing imminent physical harm to the student or others, or of directly and substantially impeding the lawful activities of other members of the campus community.

3. The Dean of Students Office designee will discuss with the student the implications of and procedures relating to an involuntary leave of absence. A copy of this policy will be provided to the student. At any point in this process and when appropriate, the Dean of Students Office designee will encourage the student to take a voluntary leave of absence, thereby eliminating the need to complete the process for an involuntary leave.

4. If the Dean of Students Office designee determines that an involuntary leave of absence may be appropriate, the student will be directed to meet with a designated mental and/or medical health professional within a specified time for an evaluation. The student will be required to sign a release of his/her assessment to the Dean of Students Office. The Dean of Students Office designee will select an appropriate mental health professional to evaluate the student and shall notify the student of the time and place of the evaluation. The cost of the evaluation will be borne by the University.

5. Following this meeting, the Dean of Students Office designee may either continue or cancel the interim involuntary leave of absence. If the leave is cancelled, the procedures described in this policy may still be continued. If the interim leave remains in effect, the next stages of procedure will be followed, and every effort will be made to expedite the process. The interim leave will remain in effect until the Student Involuntary Leave of Absence Committee has rendered its decision.

6. The mental/medical health professional shall submit a written report of the evaluation to the Dean of Students Office and a copy shall be provided to the student. The report may include recommendations to consider such as withdrawal, mandatory treatment, a behavioral contract or a lighter academic load. The recommendations are not binding on the University or Student Leave of Absence Committee. If the student does not meet with a mental/medical health professional, the Dean of Students Office designee will make a decision based on the available information.

7. The Dean of Students Office designee will consult with the Student Involuntary Leave of Absence Committee regarding the need for a leave of absence.

8. The Student Involuntary Leave Committee shall consist of the director of student health services, the director of student counseling and psychological services, the director of residence life and the student's faculty/University adviser. The committee will assess, specifically, whether the student engages in or is likely to engage in, behavior that poses a danger of causing harm to self or others or disrupts the learning environment. The committee can choose to meet with the student and interview witnesses. The committee will make a written recommendation to the Dean of Students Office designee regarding an involuntary leave of absence. The designee will make the final decision and will provide written notice of this decision to the student.

V. Appeals

1. Appeal to the Dean of Students

Within five business days from delivery of the designee's decision, the student may request, in writing, that the dean of students review the decision. The student shall state in writing the specific points he/she wishes the dean to consider. Within five business days of receiving the appeal, the dean will inform the student of the decision in writing. The dean may 1) affirm the designee's decision, 2) send the matter back to the designee for further consideration, 3) affirm the designee's findings but modify the disposition or 4) reinstate the student. The dean's decision is final, unless the student is withdrawn from the University.

2. Appeal to the Campus Provost

If the dean's decision is that the student should be withdrawn, the student may appeal to the campus provost. The appeal must be submitted in writing, within five business days after delivery of the dean's decision. The provost's review will be limited to a determination of whether the proper procedures were followed and whether the decision is supported by any evidence in the record. The provost may affirm the decision, reject it or send the matter back to the appropriate level for further consideration. The provost will inform the student of the decision in writing within 10 business days.

VI. Conditions of an Involuntary Leave of Absence

1. If an involuntary leave is imposed, the Dean of Students Office designee will inform the student, along with the notice of the decision, as to the steps that must be taken when the student wishes to re-enroll (see Article IX, Re-enrollment).

2. Students who are placed on involuntary leaves of absence must leave campus within the time frame set forth by the Dean of Students Office or its designee.

3. The Dean of Students Office will prescribe conditions of the leave under which the student may visit the campus. These conditions will be contained in the final decision letter given to the student.

4. If an involuntary leave is not imposed, the Dean of Students Office designee may, if appropriate, impose other conditions and/or requirements under which the student is allowed to remain at the University.

VII. Notification

The Dean of Students Office designee reserves the right to notify a student's parent or guardian if notification is deemed appropriate. The parent or guardian may be asked to make arrangements for the safe removal of the student from the University environment. The Dean of Students Office may contact a parent or guardian if the student poses a threat of harm to himself/herself or others.

VIII. Administrative Matters

1. The transcript of any student who is placed on an Involuntary Leave of Absence shall carry the notation "Leave of Absence."
2. A student who is on a leave of absence may still have financial obligations to the University and should contact enrollment services for information.
3. Credit for courses may only be granted to a student taking a leave of absence as specified in the *Student Handbook*.

IX. Re-enrollment

1. Any student who is on a leave of absence must apply for readmission to the University. A formal request for re-enrollment must be submitted to the Dean of Students Office with a copy sent to Student Counseling and Psychological Services Office. The student's re-enrollment request will be reviewed by the dean of students designee who must approve the re-enrollment.
2. If the student asserts, Student Counseling and Psychological Services Office believes or the dean of students or a designee surmises, that the conduct resulted from a mental or physical condition, the student will be notified in writing of the normal procedures regarding re-enrollment following a leave of absence for medical reasons. In this circumstance, the medical assessment and recommendation would be considered by the dean of students or his/her designee, in consultation with Student Counseling and Psychological Services Office and the director of student health services, in the decision regarding re-enrollment.

X. Responsibilities

The major responsibilities each party or designee has in connection with University policy (letter), Involuntary Student Leave for Reasons of Personal or Community Safety, are as follows:

Student

1. Abide by the decision made by the Dean of Students Office designee to take an involuntary student leave of absence.
2. Submit a formal request for re-enrollment to the University after an involuntary student leave of absence.

Dean of Students Office Designee

1. Must consult with designated administrators to formulate a plan for and provisions of a student's involuntary leave of absence.
2. Communicate to the student the outcome of the proceedings and the terms of the leave of absence.
3. Approve or deny requested re-enrollment of a student at any time.