



## **Procedures for Involuntary Withdrawal Implementing BOT Policy 7.4**

### *Introduction*

Michigan Technological University cares deeply about the health, well-being, and overall success of all members of the Tech community. However, there are circumstances in which Michigan Tech may need to remove a student to preserve their health and safety and/or the health and safety of the community, as described below.

### *Criteria for Involuntary Withdrawal*

The University may require the withdrawal of a student when:

- a) There is a reasonable basis to believe, based on a case-by-case, objective assessment of the student's behavior and other relevant information, that the student's medical, psychological, or substance-related condition, after reasonable attempts at accommodation, if appropriate, have failed, prevents the student from safely and/or effectively participating in the University's academic programs and/or the residential life of the campus ; or
- b) There is a reasonable basis to believe, based on a case-by-case, objective assessment of the student's behavior and other relevant information, that as a result of the student's medical, psychological, or substance-related condition, after reasonable attempts at accommodation, if appropriate, have failed, the student has threatened, or poses a significant risk of threatening, the health or safety of others; or causes or threatens to cause property damage; or engages in behavior that is unduly disruptive of others in the Michigan Tech community. (Behavior that is "unduly disruptive" includes but is not limited to conduct that interferes with, or poses a significant risk of interference with, the emotional or physical well-being of others and/or the academic, residential, extracurricular, or social activities of others.)

Prior to the withdrawal, the student will be required to sign a release authorizing the disclosure of the student's medical and/or other information with the student's physician, mental health providers, family, or others having a legitimate need to know. In addition, a medical evaluation by a health professional chosen by the University may be required (See below). The results of the evaluation will be shared with the student, the Director of Counseling Services, University Legal Counsel, and the Dean of Students or Dean of the Graduate School (or their designee) (referred to as The Dean).

### *Evaluation by Health Professional*

The Dean will review the medical information from the student's health care provider(s) to address whether the student meets the standard for involuntary withdrawal. If additional medical information is required to render a decision, the Dean will select an appropriate health professional to evaluate the student, and notify the student of the time and place of the evaluation.

- The health professional will be asked to determine if the student meets the standard for involuntary medical withdrawal and prepare a report for the Dean to summarize the professional's opinion.
- When the health professional meets with the student, the student will be informed that the results of the evaluation will be made available to the student, the Director of Counseling Services, and the Dean (or their designee).
- The health professional will submit a written report of the evaluation to the Dean and a copy shall be provided to the student. The report may include recommendations for further consideration (e.g., withdrawal, treatment, a behavioral contract, or a lighter academic load). The recommendations are not binding.

### *Rendering a decision*

In rendering a decision, the Dean will consider all relevant information, including, but not limited to:

- The medical information provided by the student
- The written report by the health professional requested by the Dean (if applicable)
- A recommendation from the Early Intervention Team (if applicable)
- Other individuals as appropriate (e.g., medical professionals, college officials, public safety, family members, etc.)
- A written submission by the student if the student so chooses.

The Dean will also consider, if appropriate, whether there are reasonable accommodations that would effectively mitigate the risk of harm (to self or others) or property damage and would allow the student to effectively participate in the University's academic programs and/or the residential life, as applicable.

If the Dean determines from the information available that the student does not meet the criteria for involuntary medical withdrawal, this process will be terminated. The student will be notified in writing. The Dean may decide to take other appropriate actions, including referring the matter to Academic and Community Conduct for disciplinary action.

If the Dean determines that the student meets the standard for involuntary medical withdrawal based on the information available, the student will be notified in writing of the withdrawal decision. Students shall be given an opportunity to speak with the Dean within the five (5) business days of delivery of the Dean's withdrawal decision. The decision may be appealed following the procedures in the next section.

Students who are involuntarily withdrawn under this policy may also be subject to the normal disciplinary processes if their conduct violates the *Student Code of Community Conduct*. If disciplinary action is pending, the matter must be resolved either before or immediately upon the student's return after readmission. Graduate students who are involuntarily withdrawn are exempt from the continuous enrollment requirement until their return. The time limit to earn a graduate degree is not automatically extended.

### *Appeal*

Within six business days from delivery of the Dean's written decision, the student may appeal in writing to the Vice President for Student Affairs and Advancement (for undergraduate students) or the Provost (for graduate students) (hereinafter "the reviewer"). The appeal must include the grounds for the appeal and any supporting evidence. Within ten business days of receiving the appeal, the reviewer will inform the student of the decision in writing. The reviewer's decision is final and not subject to further review.

### *Readmission*

Students who are involuntarily withdrawn from the University must submit a written request to the Dean for readmission at least six (6) weeks prior to the start of the semester for which they would like to return. This request should include the following documentation:

a) Written Return Plan:

- a description of the student's understanding of the problem that led to the involuntary withdrawal and how those circumstances have been addressed during the leave;
- evidence of the student's willingness to engage in continuing treatment and follow-up care, if applicable
- an indication of what resources and support the student will use to prevent the problem(s) from recurring; and
- sufficient evidence to demonstrate that the threat or conduct of concern has been addressed and that the student is ready and able, with or without reasonable accommodation, to return to the University and adhere to all University policies.

b) Relevant Medical Information:

- a recommendation for readmission and supporting documentation from the student's treating health care provider (e.g. physician, psychiatrist, and/or licensed counselor) that that they are able to return and participate fully in academic life (with or without reasonable accommodation);
- information regarding recommendations for continued treatment or follow-up care from health care provider;

- evidence that the student has complied with treatment recommendations that were made during the medical withdrawal;
- recommendations from the health care provider for any necessary accommodations, if applicable; and
- 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 Dean or others having a legitimate need to know. The University may also require the student to submit an independent medical evaluation performed by a health care provider selected by the University and/or that the student provide additional information necessary to determine whether the student should be readmitted at that time.

All medical documentation submitted on behalf of the student must be on letterhead and provided from the health care provider directly to the Dean. Medical documentation provided by an international health care provider must be from a health care provider approved by the US Consulate.

Decisions on readmission requests are made on a case-by-case basis, so the University may require different information than that described above as deemed appropriate and necessary in a particular case.

The Dean will consider the student's request for readmission after receiving the supporting information described above, as well as any other information that the student wishes to submit. In considering the request, the Dean, in consultation with other staff, will determine whether there is sufficient basis to establish the following:

- 1) The medical condition that led to the student's withdrawal has been adequately addressed and/or managed such that the student is qualified to safely and/or effectively participate in the academic and or residential life of the University (with or without reasonable accommodation)
- 2) The student no longer poses a threat to the health or safety of others or to property or poses a threat of undue disruption to members of the college community.

*Deviations from Established Procedures*

Reasonable deviations from these procedures may be necessary in special circumstances.

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