

POLICY ON INVOLUNTARY LEAVE OF ABSENCE FOR MEDICAL REASONS

POLICY STATEMENT

The University strives to ensure that all students can fully participate as members of the University community. When a student's behaviors associated with a psychiatric, psychological, or other medical condition interferes with University operations, however, the University may require that the student take a leave of absence to ensure the health and safety of the student or others, or to ensure the proper operation of the University. This policy sets forth the circumstances under which the University will require a medical leave of absence. The policy creates two types of leave: Involuntary Medical Leave and Interim Emergency Leave. Interim Emergency Leave is temporary, but may be extended into Involuntary Medical Leave. This policy is independent and separate from the Code of Student Conduct, and nothing in this policy precludes the University from taking appropriate disciplinary action under the Code for violations of University expectations.

PROTOCOL

Involuntary Medical Leave

1. Consideration for Involuntary Medical Leave

The University may start the process for possible Involuntary Medical Leave if the Assistant Vice President for Student Development or a designee determines that a student's behavior:

- suggests that the student might create a risk to the safety of the student or others; or
- suggests a risk that the educational and other activities of the University may be substantially disrupted.

2. Process to Determine Whether Involuntary Medical Leave Is Required

- a. If a University faculty or staff member believes that a student's behavior might create a risk to the health and safety of the student or others, or the behavior substantially disrupts the educational and other activities of the University, the faculty or staff member must, through his or her regular supervisory channels or directly, report the behavior to the Assistant Vice President for Student Development or designee.
- b. The Assistant Vice President for Student Development or designee will consult with the Director of Counseling and Psychological Services ("CAPS") or other University health professional. The Assistant Vice President for Student Development or designee and the health professional will determine whether an assessment of the student's psychological, psychiatric, or other medical condition should be required and, if so, the

type of assessment appropriate under the circumstances. If the student is required to undergo an assessment, the Assistant Vice President for Student Development or designee will notify the student that he or she must undergo an assessment and might be placed on Involuntary Medical Leave.

The student may provide the Assistant Vice President for Student Development or designee with any information that the student believes is relevant to the possibility of required Involuntary Medical Leave. The student must agree to authorize the individual performing the assessment to release the assessment to Assistant Vice President for Student Development or the Assistant Vice President's designee.

- c. The individual performing the assessment must evaluate the following factors using reasonable medical judgment, based on the most current medical knowledge and the best available objective evidence:
 - (1) the nature, duration, and severity of any risk to health and safety posed by the student;
 - (2) the probability that potentially threatening behavior will occur;
 - (3) the nature, duration, and severity of potential recurring behaviors that substantially disrupt the educational and other activities of the University;
 - (4) the probability that substantially disruptive behaviors will occur; and
 - (5) whether any reasonable modifications of policies, practices, or procedures will sufficiently mitigate any risk or disruptive behavior.

The individual performing the assessment, the Assistant Vice President for Student Development or designee, and the University health professional may consult with each other concerning potential reasonable modifications.

- d. The individual performing the medical assessment will provide a written report to the Assistant Vice President for Student Development or designee addressing the factors in Section 2(c), and addressing any other information that the individual believes is relevant to whether the student creates a risk to the health and safety of the student or others, or a risk of substantially disruptive behavior.
- e. The Assistant Vice President for Student Development or designee will make a decision concerning whether the student must take Involuntary Medical Leave. The Assistant Vice President for Student Development or designee may consult with any University administrator as he or she

believes appropriate before making the decision, must consider the assessment report, must consider any relevant information provided by the student, and must evaluate the factors outlined in Section 2(c) in making the decision.

- f. The Assistant Vice President for Student Development or designee will notify the student in writing of the decision and, if Involuntary Medical Leave is required, any conditions for readmission. If the University requires Involuntary Medical Leave, the Assistant Vice President for Student Development or designee will notify the Registrar, the Associate Dean in the student's school or college, and Student Financial Services.

3. Effect of Involuntary Medical Leave and Conditions of Reenrollment

A student seeking reenrollment from Involuntary Medical Leave must meet any conditions specified by the Assistant Vice President for Student Development or designee. To reenroll, the student must apply in writing to the Assistant Vice President for Student Development at least four weeks in advance of the quarter in which he or she wishes to return. The student must demonstrate compliance with any specified conditions for reenrollment and provide the Assistant Vice President for Student Development with evidence that the student has met the outlined conditions. In addition, the enrollment request must include (a) a description of the student's attempts to resolve the issues that led to the Involuntary Medical Leave; (b) evidence of the student's readiness to return, such as letters from individuals from whom the student received care or from employers; and (c) permission for CAPS or the Student Health Center to consult with health care providers from whom the student received treatment, and the providers' contact information. The student must meet with the Assistant Vice President for Student Development before enrollment so the Assistant Vice President for Student Development may assess the student's compliance with any reenrollment conditions and evaluate any issues arising out of the student's submission. If the student has been placed on Involuntary Medical Leave more than once, the request for reenrollment and supporting information should also specifically address the past history, including any evidence that the student's medical issues are sufficiently resolved and that the risk of future relapse is low.

The Assistant Vice President for Student Development or designee will assess a student's request for reenrollment in consultation with the Director of CAPS. If reenrollment is permitted, the Assistant Vice President for Student Development or designee will advise the Registrar, the student's academic Dean and Student Financial Services.

4. Appeal From a Decision to Require Involuntary Medical Leave

A student may appeal the University's decision to require Involuntary Medical Leave or to deny reenrollment if the student believes the factual information on which the University relied was not accurate or does not support the decision. An appeal must be in writing, addressed to the Vice President for Student

Development, and be submitted within ten calendar days of the decision. The Vice President may take any steps that he or she deems appropriate to decide the appeal and will issue a decision to the student in writing. The University may implement or enforce its decision even where an appeal is pending.

Interim Emergency Leave

1. Consideration For Interim Emergency Leave

If a University faculty or staff member reports a student's behavior to the Assistant Vice President for Student Development or designee, and the Assistant Vice President for Student Development or designee determines that the student's behavior poses an immediate risk of substantial disruption to the educational and other activities of the University or an immediate risk to the safety of others or to the student, the Assistant Vice President for Student Development or designee may require an immediate Interim Emergency Leave pending completion of the Involuntary Medical Leave process.

The Assistant Vice President for Student Development or designee will make an effort to meet with the student before requiring Interim Emergency Leave pending evaluation for Involuntary Medical Leave. The Assistant Vice President for Student Development or designee may restrict the student's access to any or all of the University's property pending a final decision concerning Involuntary Medical Leave.

2. Appeal of Interim Emergency Leave

If the process to determine whether to require Involuntary Medical Leave is not completed within three business days following imposition of Interim Emergency Leave, a student may appeal the University's decision to require Interim Emergency Leave by writing to the Vice President for Student Development. The Vice President may take any steps that he or she deems appropriate to decide the appeal and will issue a decision to the student in writing within three business days following the Vice President's receipt of the appeal.

CONFIDENTIALITY

The University will comply with laws and University policies concerning the confidentiality of information related to this policy.

HOUSING

Nothing in this policy restricts University Housing and Residence Life from taking action under its policies, procedures, or contracts so long as such action does not discriminate against a student on the basis of disability as prohibited by Section 504.

Approved January 2011, Vice President for Student Development