

Involuntary Leave of Absence for Students Policy

Policy Statement:

Marywood University is committed to creating a learning environment where all students can reach their full potential and excel. When a student is in distress or crisis and/or exhibiting concerning behaviors, the University remains dedicated to supporting that student while also preserving the safety and security of the University community, and ensuring proper functioning of the University. Generally in these situations, the Dean of Students or designee will convene the University's [Behavioral Intervention Team](#) to review the situation and make recommendations for next steps.

In situations where a student demonstrates behavior (1) that indicates the student is unable to or unwilling to carry out substantial self-care obligations, (2) where current medical knowledge and/or best available objective evidence indicates that the student poses a significant risk to the health or safety of others, (3) where the student poses an actual risk to their own safety not based on mere speculation, stereotypes, or generalizations about individuals with disabilities, (4) that poses a significant risk of damage to property, (5) that is disruptive to the normal educational processes of the University (including activities in University-owned housing), or (6) that renders him/her incapable of achieving academic goals, the University, after making an individualized assessment to determine whether there are reasonable accommodations that would permit the student to continue to participate in Marywood University's campus community, may request or require the student to take a leave of absence, or may impose conditions or restrictions designed to address the health or safety threat or disruption.

This policy outlines the individualized process that will be utilized when a student exhibits behavior that may necessitate an involuntary leave of absence from the University or other conditions or restrictions.

This policy is not intended to be disciplinary in nature, but to support the student and to maintain safety in the community. Situations may arise in which this Policy, the Code of Conduct, or other Marywood University policies are applicable, and in such cases the Dean of Students shall determine which policy or policies may be invoked.

Definitions:

N/A

Procedures:

The Dean of Students or designee is responsible for determining whether a student has engaged in behavior that triggers the application of this policy. In making decisions under this policy, the

Dean of Students or designee will make an individualized assessment, which will include reviewing available documentation, reviewing results of psychological, psychiatric, or medical assessments, and consulting with other University representatives as appropriate and feasible under the circumstances.

To determine whether a leave of absence or another measure is appropriate, the Dean of Students or designee will:

- Review available incident reports and documentation of the student's behavior.
- Consult with other University staff/faculty, as may be appropriate and feasible, including representatives from the Student Health Services, Counseling and Student Development Center, Housing and Residential Life, the Office of Advising and Retention, Student Disability Services and other individuals or departments as appropriate. This consultation may be conducted at a Behavioral Intervention Team meeting.
- Review relevant medical documentation, as available.
- If appropriate, inform the student that they must meet with a University professional(s) selected by the Dean of Students (e.g., a physician, psychologist, or psychiatrist) within 24 hours for an assessment. The physician, psychologist and/or psychiatrist shall obtain written permission from the student to discuss his or her findings with the Dean and/or members of the BIT.
- Seek, if appropriate and feasible and/or if FERPA waiver has been filed in non-emergency situations, the cooperation and involvement of parents or guardians of the student.
- Utilize the information gathered to make an individualized assessment regarding the student's behavior and whether an involuntary leave of absence and/or any other administrative restrictions are necessary to address the health and safety concerns or ensure the proper functioning of University programs and services.
- Meet with the student, if feasible, to review the reasons why a leave of absence is being considered, and provide an opportunity for the student to respond and provide medical information and other relevant information.

Upon a determination that a leave is necessary, the Dean or designee will offer the student the opportunity to voluntarily take a leave or, if deemed appropriate by the University, agree to other administrative restrictions or conditions in order to remain at the University.

In the event that the student is incapable of responding on his or her own behalf, or if the student elects not to respond to inquiries or directives of the University, the University reserves the right to either place the student on an involuntary leave and/or impose administrative restrictions as a condition of remaining at the University.

If a threat to health or safety presents an immediate risk of harm, the Dean of Students or designee may implement immediate administrative measures such as an interim suspension until the Dean is able to review the matter and make a determination as described above.

When a student is placed on an involuntary leave of absence from the University or administrative restrictions are imposed, the student shall be provided with the following in writing:

- The reason(s) for this action;
- Information regarding the student's eligibility for any tuition and/or fee refund;
- Information regarding any impact this action may have upon the student's current grades and academic progress;
- Conditions which must be met prior to the student's request for re-enrollment as well as the earliest date at which the student may re-enroll providing all conditions are met. These conditions may include compliance with treatment plans, examination by independent or University health professionals, release of relevant medical records, interviews, a personal statement, and a demonstrated ability to meet the University's academic and conduct standards.
- Information regarding the student's presence on campus or use of University services/facilities;
- Results of non-compliance with the treatment recommendations for the student's academic future at Marywood University.

A student who has been placed on an involuntary leave of absence from the University or been subject to other restrictions or conditions may appeal this decision. The student must submit the appeal in writing within three (3) business days of notice of the involuntary leave of absence or other measure. The written appeal must state the reason(s) why the Dean of Students decision was unwarranted under the circumstances. The student must submit the appeal and the reasons supporting the appeal to the Vice-President of Enrollment Services and Student Success. The Vice-President's review may include a review of relevant documentation and consultation with University officials and the student to check compliance with the terms of this policy. The decision on the appeal will be communicated to the student within five (5) business days from the day the appeal was submitted, unless the circumstances require more time, in which case the student will be notified. During the appeal period and process, the student will remain on leave or subject to other imposed conditions.

If an appeal is denied, the decision is final and no further appeal is permitted. If the appeal is successful, the student must contact the Office of Retention and Advising to coordinate return from absence. (If a student believes that they have been discriminated against in connection with any University program or activity, they have the right to seek a review of such concerns under the [Anti-Discrimination and Complaint Procedure Policy](#).)

History:

10/31/19 – The establishment of the Involuntary Student Leave of Absence Policy was approved by the President of the University as recommended by the Policy Committee of the University at its October 24, 2019 meeting.

11/22/19 – The title of the Involuntary Student Leave of Absence Policy was changed to Involuntary Leave of Absence for Students Policy for better clarity, as recommended by the Executive Committee of Policy and approved by the President of the University.

Related Policies:

Anti-Discrimination and Complaint Procedures Policy

**MARYWOOD UNIVERSITY
POLICIES AND PROCEDURES MANUAL**

**Mary Theresa Gardier Paterson, Esquire
Secretary of the University and General Counsel**