



Angelo State University **Operating Policy and Procedure**

OP 64.01 Involuntary Withdrawals of Students

DATE: May 14, 2010 (Approved by the Board of Regents, TTUS, through the Student Handbook)

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to provide a mechanism whereby a student may be withdrawn involuntarily from the university under certain conditions.

REVIEW: This OP will be reviewed in January of every even-numbered year by the executive director of student life with recommendations forwarded through the vice presidents to the president for approval and submission to the Board of Regents for approval by March 15. (*Regents' Rules*, Sections 05.01.2 and 05.01.3)

POLICY/PROCEDURE

1. Involuntary Withdrawals

Angelo State University seeks to balance the rights of individual students with the rights of the community. In order to maintain the safety of both, some behaviors require consultation among a network of campus professionals to determine the appropriate course of action to address the behavior.

2. Statement of Principle

When it is determined that a student poses a direct threat to the health or safety of the student or others and the direct threat cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations where required, the student may be involuntarily withdrawn from the university.

3. General Procedure

- a. Notice regarding students who may be direct threats (both self-report and third-party reports) should be made to the executive director of student life or designee.

“Direct threat” means there is a high probability (not just a slightly increased, speculative, or remote risk) of substantial harm to the student and/or others based on observation of a student’s conduct, actions, and statements.

- b. The executive director of student life will review the information available including what attempts, if any, have been made to reduce or eliminate the direct threat, such as the student's voluntary compliance with medical or counseling assistance.
- c. If it is determined that there is credible evidence to believe that a direct threat may exist, the executive director of student life will immediately schedule a meeting with the student to inform the student of the university's concern and to inform the student that an individualized, objective assessment (as outlined in item #5 following) will be conducted within two university business days in order to determine whether the student poses a direct threat to him/herself or others and that the results of the assessment will be used as a basis for a decision concerning the student's eligibility to continue as a student at Angelo State University. Notice of the initial meeting will be sent via appropriate communication channels including U.S. mail, telephone messages, and to the student's university e-mail account.

The meeting with the executive director of student life may include, but is not limited to, the discussion of:

- Involvement of parents or significant others;
 - Academic progress;
 - Living arrangements;
 - Previously granted accommodations;
 - Confidentiality waivers;
 - Other possible accommodations, care and support resources including medical or counseling assistance;
 - Withdrawal implications such as financial aid, health insurance, visas, and academic timelines; and
 - The option to withdraw voluntarily from the university.
- d. Angelo State University recognizes the rights of any student engaged in this process to due process protections and to present information helpful to his/her case. However, should a student choose not to participate in the required assessment process by refusing to answer questions during the assessment interview or by failing to appear for scheduled meetings, the university has the right to continue with the process based on the information available.

4. Interim Suspensions

During the involuntary withdrawal process, if the executive director of student life determines that there is substantial credible evidence that, even in advance of the formal psychological assessment, an immediate direct threat exists to the student or others and that the continued presence of the student poses an unreasonable risk to the safety of others on the campus, the student may be temporarily suspended from the university in accordance with established university procedures pending a final decision on the involuntary withdrawal or other disciplinary action. During an interim suspension, the student may not attend classes, use university facilities and/or resources (except those expressly permitted by the executive director of student life), and may not be on campus until the proceedings have been concluded. If the student needs to return to campus, the visit must be coordinated through the executive director of student life and the Angelo State University Police Department.

5. Involuntary Withdrawal Assessment

- a. An individualized, objective assessment will be completed to determine whether a direct threat exists, and if so, whether the student should be permitted to remain enrolled at the university.
- b. The assessment will be based on reasonable medical and psychological judgment using the best available objective information to assess the student's ability to safely participate in the university's programs and function in a university setting. The assessment will be in the form of a written report containing the findings and recommendations of the professionals performing the assessment.
- c. Within two university business days from the initial meeting, the student will be scheduled for an assessment with a medical doctor from the University Clinic and a counselor from the Student Counseling Center.
- d. The student may provide information from other medical professionals as part of the assessment.
- e. The assessment will determine:
 - (1) The nature, duration, and severity of the risk;
 - (2) The probability that the potentially threatening injury will actually occur; and
 - (3) Whether reasonable modifications of policies, practices, or procedures will sufficiently mitigate the risk.

6. Processing the Assessment Report

- a. The assessment report will be forwarded to the executive director of student life who will convene a hearing with the student and the evaluators to review the report and its findings.
- b. The hearing will be scheduled by the Executive Director of Student Life Office within two university business days of the receipt of the individualized assessment. The student will be provided the information to be considered at the hearing by the Executive Director of Student Life Office in advance of the hearing. The student may elect to attend and present information on his or her behalf. The student may be accompanied by one or more advisors.
- c. Following the hearing, the executive director of student life will determine one of the following:
 - The student may remain enrolled at the university with no restrictions;
 - The student may remain enrolled at the university subject to specific conditions and/or restrictions; or
 - The student should be involuntarily withdrawn from the university upon a specific date.

7. Appeals Process

The student may appeal the decision of the executive director of student life by submitting a written appeal to the vice president for student affairs and enrollment management within two university business days. The student will be notified in writing of the final decision within two university working days of receipt of the appeal.

8. Final Decision

Upon completion of the appeal process or with no receipt of an appeal, the student who is involuntarily withdrawn may not attend class or use university facilities, must vacate university housing within 24 hours and may not return to campus unless approved by the executive director of student life. Referrals will be made for the student upon request to appropriate community resources; i.e., medical care and housing. The student may be entitled to refunds of tuition, fees, and room and board charges as a result of the involuntary withdrawal based on established university schedules and procedures. A registration hold will be placed on the student's record, limiting any subsequent registration until approval is given by the executive director of student life.

9. Eligibility for Readmission

Students are eligible for consideration of readmission following an involuntary withdrawal after one calendar year. At that time, the student should present documentation to the executive director of student life for review. Documentation may include, but it is not limited to, a current psychological evaluation, demonstration of ongoing medical care, and a plan for care upon reenrollment. Documentation and a request for reenrollment must be submitted at least 30 days prior to the beginning of the desired enrollment period. Readmission will be contingent upon demonstration or documentation that the student is no longer a direct threat, and upon meeting established university admission deadlines and requirements.