

# 1.15 INVOLUNTARY STUDENT LEAVE POLICY

## 1.0 Reason for Policy

Saint Louis University students are expected to strive for excellence, to develop their talents through discovery and reflection, and to be concerned for *cura personalis* (care of each individual) of our entire campus community, while progressing toward their degree. The University is dedicated to fostering a supportive educational environment. When students exhibit behavior indicating an inability or unwillingness to engage productively toward meeting these expectations and present disruptive and/or dangerous behavior, the University may place the student on an involuntary leave for non-academic reasons.

## 2.0 Policy Statement

The University may place a student on an involuntary leave for a current or future semester if there is sufficient evidence that the student is engaging/has engaged in behavior that significantly disrupts University activities and/or poses a danger for members of the campus community or themselves. Disruptive and/or dangerous behavior includes but is not limited to the following: (1) engaging in, or is likely to engage in, behavior that represents a real danger of harm to self or others; (2) demonstrating behavior or expressive activities that substantially disrupt the overall educational environment, normal University functions, and/or that undermine the academic success and wellbeing of others; and (3) demonstrating behavior that indicates a student is unable or unwilling to control their behavior and to perform the essential functions of a student.

This policy does not take the place of disciplinary action associated with a student's behavior that is in violation of University policies, procedures, and/or community standards, nor does it take the place of or supersede any academic dismissal or other academic policies of any academic unit or of the University. This policy is only invoked in extraordinary circumstances, at the discretion of the designated associate provost for undergraduate or graduate education (DAP) and the dean of students (DOS), and upon the recommendation of the Behavioral Concerns Committee (BCC) and/or the Threat Assessment Team (TAT), when the standard disciplinary system cannot be applied or is not appropriate and/or when there is no reasonable tailored support that will ensure disruptive and/or dangerous behavior does not continue. This policy may be invoked when a student is unable, or unwilling, to request a voluntary leave, and their actions and behaviors cannot reasonably be allowed to continue given the impact on University resources, the impact on the student's living and learning community, and/or the potential risk to themselves and/or others.

Examples of extraordinary circumstances that are subject to this policy include, but are not limited to: consistent refusal or inability to manage one's own behavior or to demonstrate help-seeking behaviors; inadequately managed suicidal threat(s) or attempt(s) that disrupts the living or learning environment on campus; ongoing substance abuse or active addiction; serious threats of harm to self and/or others; medical condition(s) that endangers other members of the campus community; and behavior that unduly and significantly disrupts the living and/or learning environment.

Whenever possible, the University's first approach will be to discuss with the student, and their family or emergency contact, the student's behavior, the possibility of a voluntary leave or withdrawal, and a plan

for successful return to the University. If voluntary leave is not pursued, the DAP/DOS, or their designee, will then consider an involuntary leave without the student's consent according to the terms set forth in this policy.

## 3.0 Scope

This policy applies to students in all academic units (and all courses and programs therein) throughout the University, except for the Center for Advanced Dental Education, the School of Medicine, and SLU-Madrid. While this policy may be applied in circumstances connected to an emergency situation, emergency response is not covered by this policy or its procedures.

## 4.0 Procedures

When it is determined that an involuntary leave is the appropriate course of action for a student, the following procedures will apply. *Note: in cases where the student is enrolled in the School of Law, one or more members of the School of Law should be involved at each step of the process.*

### A. Involuntary Leave or Other Restrictions: Interim Determination

In making an interim determination regarding whether a student has engaged in behavior that activates the application of this policy, the Behavioral Concerns Committee will:

- Alert the Dean of Students (DOS) and the designated Associate Provost for Undergraduate Education or Graduate Education (DAP) that a determination is being made about a possible involuntary leave.
- Review all initially available information and consult with appropriate University representatives, which include (but are not limited to): the Vice President for Student Development, the Provost, Academic Deans, and faculty members.
- Assess the degree of risk the student poses to self and/or others.
- Assess if and what on-/off-campus services and resources may be available to support the student.
- Assess and determine what actions the student may take to reduce the impact of their disruptive and/or dangerous behavior (and, thus, avoid an involuntary leave).
- Contact the student's emergency contact, if appropriate.
- Notify student of administrative review and possible involuntary leave
- Provide the student with an opportunity to meet with the DAP/DOS, or their designees, to:
  - Respond to the evidence of the disruptive and/or dangerous behavior; and,
  - Receive counseling about the option of withdrawing from the University and/or initiating the process for a voluntary leave from the University.
- If the interim determination is that the student engaged in disruptive and/or dangerous behaviors, and there is concern for the safety of the student and/or the University community, the DAP/DOS, or their designees, may place the student on a temporary involuntary leave and restrict the student's access (in full or in part) to the University campus, University housing, services, classes, activities, and/or facilities until a final determination of the matter is reached.
- The decision to place a student on a temporary involuntary leave or to impose other restrictions will be communicated in writing to the student, the dean of the academic unit in which the student is enrolled, the student's academic advising unit/director, and other units as appropriate. If the student is an international student, this

information also will be communicated to the Office of International Services.

- At any time before a final determination is reached, a student may initiate the procedures for withdrawal or voluntary leave from the University.

### **B. Involuntary Leave or Other Restrictions: Final Determination**

The BCC and the DAP/DOS, or their designees, will make every reasonable effort to make a final determination within 14 business days of the written notice of the interim determination. In making a final determination the BCC and DAP/DOS, or their designees, will:

- Review all relevant information and consult with appropriate University representatives, which may include (but not limited to) the Vice President for Student Development, the Provost, Academic Deans, and faculty members.
- Assess the degree of risk the student poses to self and/or others.
- Assess if and what on-/off-campus services and resources may be available to support the student.
- Contact the student's emergency contact, if appropriate.
- Provide the student with an opportunity to meet with the DAP/DOS, or their designees, and respond to the evidence of the disruptive and/or dangerous behavior.
  - The DAP/DOS, or their designees, will provide the student with information regarding withdrawal or leave from the University before a final determination is reached.
- If the final determination is that there is insufficient evidence that the student has engaged in disruptive and/or dangerous behavior, the DAP/DOS, or their designees, will inform the student and other relevant parties of this decision in writing. Relevant parties who may need to be informed include: the dean of the academic unit in which the student is enrolled, the student's academic advising unit, and the Office of International Services. And:
  - A representative of the BCC will continue to work with the student to identify and implement actions and behaviors the student could take to mitigate risk to self and/or others.
  - A representative of the BCC will continue to provide information about services and resources to support the student.
- If the final determination is that there is sufficient evidence that the student has engaged in disruptive and/or dangerous behavior, the DAP/DOS, or their designees, will notify the student in writing of the following:
  - The student has been placed on involuntary leave; and/or
  - The student's access to University housing and/or University services and facilities has been restricted.
  - The specific conditions for reinstatement.
  - Information about how to appeal the decision.
- At any time before a final determination is reached, a student may initiate the procedures for withdrawal or voluntary leave from the University. Note: Approval of a withdrawal or voluntary leave of absence may necessitate conditions for reinstatement in light of observed behaviors and concerns. These conditions could include but are not limited to any requirements and/or referrals aimed to support a student's success, health, and safety.

### **C. Direct Threat Standard**

If a student represents a direct threat to the health and safety of the student or others, the University will comply with applicable legal requirements under federal disability discrimination laws before making a

final determination that the student will be placed on an involuntary leave from the University.

The University will make an individualized and objective assessment of the student's ability to safely participate in the University's program and activities, based on a reasonable clinical judgment relying on the most current medical knowledge or the best available objective evidence. The assessment will determine the nature, duration, and severity of the risk; the probability that potentially threatening injury will actually occur; and the likelihood that alternatives to involuntary leave (such as possible modifications of University policies, practices, and/or procedures) will sufficiently mitigate the risks posed by allowing the student to remain on campus. To rise to the level of a direct threat, there must be a high probability of substantial harm and not just a slightly increased, speculative, or remote risk.

### **D. Reinstatement**

A student who has been placed on an involuntary leave from the University under this policy, or who has voluntarily taken a leave while in the process of the involuntary leave policy being enacted, may be considered for reinstatement if the student has complied with all required conditions for reinstatement.

The student must make a written request for reinstatement to the DAP and DOS, or their designees. If requested to do so, the student must provide appropriate documentation establishing that the student does not pose a threat to the health or safety of the student or others, and that the student is capable of behaving in a manner that is consistent with the University's academic and community standards.

The DAP and DOS, or their designees, will:

- Receive, investigate, and examine all relevant documentation;
- Provide the student with an opportunity to meet with the DAP/DOS, or their designees, to discuss possible reinstatement;
- Consult with the BCC and any other appropriate University representatives to discuss the possibility of reinstatement, as well as receive recommendations for any conditions for reinstatement;
- Contact the student's emergency contact, if appropriate;
- Decide whether a reinstatement will be approved, and if so, under what conditions.

If the request for reinstatement is approved, the DAP/DOS, or their designees, will initiate the reinstatement process and will provide the student, in writing, with any conditions for reinstatement (including any conditions for continued enrollment eligibility). They also will communicate the reinstatement to the dean of the academic unit in which the student is enrolled, the student's academic advising unit/director, and other units as appropriate. If the student is an international student, this information also will be communicated to the Office of International Services. The student who is reinstated shall remain subject to all rules and regulations, policies and procedures and/or community standards, of the University and of the college/school/programs applicable to the student.

If the request for reinstatement is denied, the DAP/DOS, or their designees, will inform the student of the following in writing:

- Why the request was denied, and
- If and when additional requests for reinstatement will be considered.

If the request for reinstatement is denied, the student may appeal to the Vice President for Student Development and Provost as described below.

#### E. Effect on Academic Status

In the event of an involuntary leave, changes of grades to "W" (withdrawal) will be recorded on the student's transcript for all courses in which the student is enrolled in that academic term and which the student has not completed.

If a student is placed on involuntary leave under this policy, any refund of tuition and fees will be calculated based on the standard refund schedule for the academic term in which the involuntary leave occurs. A recommendation for an exception to the refund schedule may be approved by the DAP/DOS.

#### F. Effect on Housing Status

If a student is placed on involuntary leave and has been living in on-campus housing, the student's housing contract will be canceled and the student will be required to vacate their living space within three (3) calendar days of final determination. Depending on the circumstances, the student may be granted additional time to remove their belongings from on-campus housing. The student will receive a refund of housing fees on a pro rata basis for the academic term in which the involuntary leave occurs.

If a student elects to withdraw or take a voluntary leave in lieu of going forward with an involuntary leave, the DAP/DOS shall have the authority to approve a refund of housing fees on a pro rata basis for the academic session in which the voluntary leave occurs.

In both instances, the student may still be responsible for any fees or violations of housing policies, as appropriate.

#### G. Appeals

If a student is placed on involuntary leave under this policy, or if a request for reinstatement under this policy is denied, the student may appeal the decision to the Vice President for Student Development and the Provost.

The appeal must be submitted in writing and must be received by the Office of the Vice President for Student Development and the Office of the Provost within three (3) University business days of being notified of the final determination by the DAP/DOS (or their designees). The appeal must cite at least one of the following reasons for reconsideration of the decision:

1. Material deviation of the procedures set forth in this policy;
2. Significant new or relevant evidence, not available at the time of the decision warrants reconsideration.

Except in extraordinary circumstances, appeals will be resolved within seven (7) University business days of receipt of the written appeal. The Vice President for Student Development and provost will notify the student in writing of the final decision regarding the appeal. The initial decision of the DAP/DOS, or their designees, will remain in effect unless or until otherwise changed on appeal. All necessary obligations attendant to the involuntary leave as conditions to return will be held in abeyance until an appeal has been finalized.

#### H. Assistance During the Process

The student may consult persons of their choice in preparing to participate in this process. The student also will be provided a non-

attorney care and concern advisor who may attend relevant meetings at the student's request. Any assigned University advisor will be trained with regard to University policies, procedures, and resources. Ultimately, the student is responsible for presenting their own case at all stages in the process of this policy.

## 5.0 Sanctions

This policy outlines the criteria and process for removal of students from the University community on a temporary basis and accordingly no additional sanctions are applicable.

## 6.0 Responsibilities

**Behavioral Concerns Committee (BCC):** Assesses the degree of risk posed by the student to self and/or others; assess actions and behaviors the student could take to mitigate risk to self and/or others; recommends to the DAP/DOS, or their designees, an involuntary leave as the most appropriate course of action for the student; recommends conditions for reinstatement; provides information about services and resources to support the student; provides information to the student about voluntary withdrawal or leave from the University; and provides assessment of the student for possible reinstatement. The BCC typically is comprised of representatives from the following offices: Dean of Students Office, Office of Student Responsibility and Community Standards, University Counseling Center, Student Health Center, Housing and Residence Life, Office of General Counsel, Department of Public Safety, Center for Accessibility and Disability Resources, Office of the Provost, and the Office of Equal Opportunity and Title IX. In cases involving students in the School of Law, an appropriate Law School representative should join the BCC deliberations.

**Threat Assessment Team (TAT):** Assesses the degree of risk posed by the student to self and/or others; assess actions and behaviors the student could take to mitigate risk to self and/or others; recommends to the DAP/DOS, or their designees, an involuntary leave for as the most appropriate course of action for the student; and recommends conditions for reinstatement. The TAT typically is comprised of representative from the following offices: Dean of Students Office, Office of Student Responsibility and Community Standards, University Counseling Center, Student Health Center, Housing and Residence Life, Office of General Counsel, Department of Public Safety, Office of the Provost, and the Office of Equal Opportunity and Title IX.

**Designated Associate Provost for Undergraduate Education/Graduate Education (DAP):** Along with the DOS, determines whether a temporary involuntary leave and/or an involuntary leave are appropriate in the case of an individual student; communicates involuntary leave to the student; meets with the student (if the student desires); communicates final decisions about involuntary leave and any conditions for reinstatement; communicates outcomes to the Office of the University Registrar and to the student's academic unit; approves any housing refund in cases where the student chooses withdrawal or voluntary leave of absence instead of involuntary leave; and approves or denies reinstatement after an involuntary leave.

**Dean of Students (DOS):** Along with the DAP, determines whether a temporary involuntary leave and/or an involuntary leave are appropriate in the case of an individual student; communicates involuntary leave to the student; meets with the student (if the student desires); communicates final decisions and any conditions for reinstatement; communicates outcomes to the Office of the University Registrar and to the student's academic unit; and approves any housing refund in cases

where the student chooses withdrawal or voluntary leave of absence instead of involuntary leave.

**Vice President for Student Development (VPSD):** Along with the Provost, reviews and approves/denies appeal of an involuntary leave.

**Provost:** Along with the VPSD, reviews and approves/denies appeal of an involuntary leave.

## 7.0 References

### University Policies Including But Not Limited to:

Leave of Absence Policy for Students (<https://catalog.slu.edu/academic-policies/academic-policies-procedures/leave-absence/>)

### University Resources Including But Not Limited to:

Saint Louis University Student Handbook (<https://www.slu.edu/life-at-slu/community-standards/student-handbook.php>)

School of Medicine Administrative Leave of Absence

University Withdrawal and Enrollment Changes (<https://catalog.slu.edu/academic-policies/student-financial-services/university-withdrawalenrollment-changes/>)

### External Resources Including But Not Limited to:

Americans with Disabilities Act (<https://www.eeoc.gov/laws/statutes/ada.cfm>)

Section 504 of the Rehabilitation Act (<https://www.dol.gov/agencies/oasam/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973/>)

## 8.0 Definitions

**Involuntary leave:** A formal leave of absence mandated by the University, at the recommendation of the BCC and the discretion of the DAP/DOS, or their designees, rather than chosen voluntarily by a student. May be for a current or future academic term. May involve a student's restricted access (in full or in part) to the University campus, University housing, services, classes, activities, and/or facilities. Applied in extraordinary circumstances when there is concern for the safety of the student and/or the University community and when standard disciplinary processes cannot be applied and/or are not appropriate.

Disruptive and/or dangerous behavior: Behavior that significantly disrupts University activities and/or poses a danger for members of the campus community. Disruptive and/or dangerous behavior includes but is not limited to:

1. **engaging in, or is likely to engage in, behavior that represents a real danger of harm to self or others;**
2. **demonstrating behavior or expressive activities that substantially disrupt the overall educational environment, normal University functions, and/or that undermines the academic success and wellbeing of others;**
3. **demonstrating behavior that indicates the student is unable or unwilling to control their actions and/or to perform the essential functions of a student.**

**Temporary involuntary leave:** A temporary leave of absence mandated by the University at the recommendation of the BCC and the discretion of the DAP/DOS, or their designees, until a final determination may be made about involuntary leave. May involve a student's restricted access (in full or in part) to the University campus, University housing, services, classes,

activities, and/or facilities. Applied in extraordinary circumstances when there is concern for the safety of the student and/or the University community and when standard disciplinary processes cannot be applied and/or are not appropriate.

**Voluntary leave:** A formal leave of absence initiated by a student, arrived at by their own choice and/or through mutual agreement with their family members and/or University officials. Depending on their circumstances, a student also may opt to withdraw from the University.