

# Augusta University

## Policy Library

### Involuntary Medical Withdrawal

**Policy Manager: Dean of Students**

#### **POLICY STATEMENT**

Augusta University (AU) is committed to providing a campus environment that is conducive for students to develop their full potential. AU acknowledges that students in distress may have difficulty learning and/or functioning in their personal lives and offers support to these students. Through the Campus Assessment Response and Evaluation (CARE) Team, the university has created a mechanism to initiate supportive or interventive actions for students in distress that provides students with the greatest chance of success and the university community the greatest level of protection. There may be times when the university is required to respond to students who may be experiencing a medical and/or mental health crisis that poses a direct threat to the safety and security of themselves and/or others.

In extreme circumstances, and after all other possibilities have been explored, including an interactive process with the student, the CARE Team may determine that it is in the best interest of the student and the University community to transition the student away from the academic environment. In those instances, and when the student has chosen not to withdraw from all courses voluntarily, an involuntary medical withdrawal may be implemented.

This policy does not take the place of disciplinary action for a student's violations of the AU Student Code of Conduct or other academic policies regarding a student's progression in an academic program or at the University. This policy is to be used only in extraordinary circumstances where it is determined that other policies are inadequate or inappropriate

#### **AFFECTED STAKEHOLDERS**

*Indicate all entities and persons within the Enterprise that are affected by this policy:*

- Alumni     Faculty     Graduate Students     Health Professional Students  
 Staff     Undergraduate Students     Vendors/Contractors     Visitors  
 Other:

#### **PROCESS & PROCEDURES**

##### **Student-Initiated (Voluntary) Withdrawal**

Students who withdraw voluntarily from the University for medical or mental health reasons may be eligible to do so under the University's policies and procedures regarding medical withdrawals. A student who is doing satisfactory work, but for non-academic reasons beyond his/her control is unable to meet the full requirements of the course, may be assigned an incomplete grade. Faculty should follow the "Justification for an Incomplete Grade" procedures from the Registrar's Office

<https://www.augusta.edu/registrar/documents/incomplete-justification.pdf>

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**Office of Legal Affairs Use Only**

**Executive Sponsor: VP for Enrollment and Student Affairs**

**Next Review: 3/2025**

**University-Initiated (Involuntary) Withdrawal**

A student may be withdrawn involuntarily if there is clear and convincing evidence that his/her medical, psychological, or behavioral conditions pose a danger to themselves or others. University-initiated withdrawals will be conducted by the CARE Team and only after all other options have been exhausted.

A student who is being considered for involuntary withdrawal will be notified in writing by the Chair of the CARE Team or his/her designee. If the student would like to request a hearing before the CARE Team, the student must request a hearing within two business days of receipt of the written notification. The request should be submitted to the Chair of the CARE Team or designee. If a student requests a hearing, it will be conducted as soon as possible, but no later than five business days after the request is made, unless both the student and the CARE Team agree that a postponement is necessary.

At a hearing before a panel of at least three members of the CARE Team, the student will be allowed to present any evidence that he/she believes demonstrates that involuntary withdrawal is not necessary. If a student fails to appear at a scheduled hearing, the CARE Team will, at its discretion, conduct the hearing in the absence of the student.

To ensure due process, the student is entitled to:

1. Written notice of the charges including threats and dangers posed to the community and of all the evidence that will be used during a hearing process for involuntary withdrawal.
2. A formal hearing where the respondent can introduce independent medical opinions and/or evidence.
3. Hearing board consideration of all evidence presented at the hearing.
4. The respondent has the right for an advisor or counselor of his/her choosing to attend the hearing, but any advisor or counselor accompanying a party will not be permitted to speak or participate directly in the hearing and will be limited to speaking only to the party for which they are advising. The student may request to have one additional advisor or counselor sit with him/her at the hearing. The request should be made in writing to the Associate Dean of Students or his/her designee.
5. Clearly outlined reinstatement terms and the right to appeal.

**Appeal Procedures**

Students who are withdrawn involuntarily may appeal in writing to the Vice President for Enrollment and Student Affairs or his/her designee. An appeal must be submitted within five business days of the student receiving notification of an involuntary withdrawal. A decision must be made by the Vice President for Enrollment and Student Affairs or his/her designee no later than five business days after receipt of an appeal.

Appeals must be made in writing and on the following basis:

- The student was not afforded due process, as defined by this policy.

- The decision by the CARE Team was arbitrary and capricious (i.e., the decision was not based on substantial evidence).
- There is new evidence that is sufficient enough to alter the original decision, and this evidence was not known by the student at the time of the hearing.

### **Appellate Decisions**

After reviewing the request for appeal, the Vice President for Enrollment and Student Affairs or his/her designee may:

- Request additional information from the appealing student and/or the CARE Team.
- Uphold the decision of the CARE Team for involuntary withdrawal.
- Remand the case back to the CARE Team for further consideration.

### **CARE Team Actions**

If a student is withdrawn involuntarily, the CARE Team will immediately prepare a list of offices to be notified of the decision. The list normally will include, but is not limited to, the following offices: Provost, academic dean of the major or program in which the student was enrolled, Registrar, Financial Aid, and Public Safety. Other offices or individuals may be notified of the decision if the CARE Team determines such notification is necessary to protect the health and/or safety of either the student or third parties.

Students who are involuntarily withdrawn from the University will be allowed to petition the CARE Team for readmission during a subsequent term. A petition must present clear and convincing evidence that the student no longer poses a danger to others. The CARE Team may impose reasonable conditions upon students who are readmitted after being involuntarily withdrawn. Failure to comply with conditions may result in being withdrawn from the University or other disciplinary actions.

### **Effect of Involuntary Withdrawal**

Students who have been involuntarily withdrawn from the University are not permitted to be on University premises or participate in University events, even during the appeal process. However, a student who has been involuntarily withdrawn pending an appeal may be on campus with the permission of the Vice President for Enrollment and Student Affairs or his/her designee.

Students are responsible for contacting appropriate University offices to ensure that their academic and financial affairs are in order (including any on-campus housing). All determinations as to the effect of an involuntary withdrawal in these areas will be made by the applicable offices in accordance with existing University policies.

### **Behaviors Resulting from a Disability**

In the case that a student with a disability poses a risk to student safety, health or well-being, the CARE Team will follow established protocol up to and including options for involuntary withdrawal. Procedures will be in accordance with Section 504 of the Rehabilitation Act of 1973 as amended, the Americans with

Disabilities Act of 1990, the Americans with Disabilities Amendments Act, and Board of Regents' policies.

## **REFERENCES & SUPPORTING DOCUMENTS**

Adding, Dropping, and Withdrawing from Courses for Undergraduate Students

<https://www.augusta.edu/compliance/policyinfo/policy/adding-dropping-withdrawing-from-courses-undergraduate-students.pdf>

Student Fitness for Participation

<https://www.augusta.edu/compliance/policyinfo/policy/student-fitness-for-participation.pdf>

Justification for an Incomplete Grade Procedures

<https://www.augusta.edu/registrar/documents/incomplete-justification.pdf>

Campus Assessment and Evaluation (CARE) <https://www.augusta.edu/careteam/>

Office of Testing and Disability Services <https://www.augusta.edu/tds/>

## **RELATED POLICIES**

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## **APPROVED BY:**

Executive Vice President for Academic Affairs and Provost, Augusta University

Date: 3/10/2022

President, Augusta University

Date: 3/11/2022