

## **Involuntary Leave of Absence**

### **I. Policy**

Wentworth Institute of Technology is committed to creating a learning environment where all students can reach their full potential and excel, both academically and personally. The University recognizes that students may experience situations that significantly limit their ability to function successfully or safely in their role as students. 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. In such circumstances, the University may advise a student to take a leave of absence or medical leave of absence. A leave permits a student to take a break from the University and their studies, so that they may address the issues that led to the need for the leave and later return to the University with an enhanced opportunity to achieve their educational goals.

In situations when a student does not voluntarily take a leave of absence and demonstrates behavior that poses a threat to the health and/or safety of self or others, or is significantly disruptive to the University learning environment, an individualized assessment will be made. The University may require the student to take an involuntary leave of absence or impose conditions and/or restrictions designed to address the health or safety threat or disruption.

This policy is not intended to be disciplinary in nature, but to support the student and to maintain safety in the community. This policy does not take the place of any disciplinary action and sanctions associated with a student's behavior that is in violation of any law or University rule, code, or policy, including but not limited to, the Student Code of Conduct or the policies set out in The Sexual Misconduct and Sex-Based Discrimination Policy for Students and Employees.

**Behavior Requiring Review:** An Involuntary Leave of Absence may be required when a student's behavior in private or public involves the following risks which cannot adequately be reduced through reasonable accommodations ("critical incident"):

- the student is unable or unwilling to carry out substantial self-care obligations;
- the student has health needs requiring a level of care that exceeds what the university can appropriately provide;
- serious risk of physical or mental harm to self or others;
- a medical condition that threatens public health;
- the student presents a substantial risk of seriously affecting the health or well-being of any student or others;
- the student causes a substantial disruption to the university community which impacts the ability of the University to carry out its essential operations; and
- any other behavior or condition which raises concerns about the ability of the student to satisfy and comply with academic requirements, the Student Code of Conduct, and Institute policies, and regulations, with or without a reasonable accommodation.

*This policy covers students who are required to take an involuntary leave of absence or voluntarily choose to take a leave of absence, medical leave of absence, or withdraw after a critical incident as described above.*

## II. Procedure

The Chair of the Behavioral Intervention Team or designee is responsible for determining whether a student has engaged in behavior that requires review under this policy. The Chair will convene the University's Behavioral Intervention Team to review the situation and all available documentation. Additional University representatives may be consulted, as necessary. In certain emergency cases, the Institute may impose an Interim Involuntary Leave of Absence while the assessment process takes place. This interim measure may restrict a student's access to classes, residence halls, campus grounds, and University resources. Under such circumstances, the student will receive notice of the interim involuntary withdrawal and will have an initial opportunity to respond to the evidence; however, the student's right to more fully respond to the evidence and provide additional information will be delayed until it has been determined that there is no imminent Serious Risk of Harm, in accordance with the process outlined below.

### a. Review and Decision Process

To determine whether an involuntary leave of absence or another measure is appropriate, the Chair of the Behavioral Intervention Team designee will:

- Review available incident reports and documentation of the student's behavior.
- Notify the student in writing that an involuntary leave is under consideration and provide the student with a copy of this policy and a description of the reasons why this is being considered, and the implications. The chair may also attempt to meet, in-person or virtually, to review the reasons why an involuntary leave of absence is being considered and provide an opportunity for the student to respond and provide medical information and other relevant information.
- Convene the Behavioral Intervention Team to review the situation.
- Consult with other University staff/faculty, as may be appropriate and feasible, including representatives from the Center for Wellness, Office of Public Safety, Office of Housing and Residential Life, Academic Affairs, Title IX coordinator, and/or faculty. This consultation may be conducted by members of the Behavioral Intervention Team.
- Seek, if appropriate and feasible, the cooperation and involvement of family, parents, or guardians of the student.
- Review relevant medical documentation, as available. The University may request the student release any medical records related to the behavior being reviewed.
- The University may require a student to be evaluated by an independent medical professional of its choice to assess the medical condition and potential risks involved.
- If a student refuses to be evaluated by the University's independent professional and/or release the diagnosis or records of the student's treatment providers(s), the University will make its decision concerning the leave based upon the information it has at the time.
- 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.

- The student will be offered a reasonable opportunity to address the information and to provide additional information relevant to the university's evaluation, including information from student's treatment provider(s).
- Following a review of the best available relevant information, including available current medical information, and these consultations, the Chair of the Behavioral Intervention Team will determine whether to impose an involuntary withdrawal.
- The Center for Wellness will maintain all medical documentation related to withdrawal determinations but may share such documentation with others within the University with whom the office consults, on a need to know basis, and consistent with applicable privacy laws.
- All other records that are non-disciplinary in nature, will be considered part of the student's educational record, and maintained by Student Affairs or Title IX Coordinator, as appropriate.

b. Conditions of Leave and Return

If an involuntary leave of absence is necessary, the University will provide the student within three (3) business days, written notice of the decision, including the beginning date and notification of any conditions that must be satisfied in order to return to the university.

Additionally, the Chair of the Behavioral Intervention Team and/or designee(s) may attempt to meet with the student to review to discuss the decision. The Chair of the Behavioral Intervention Team and/or designee(s) will again provide the student the opportunity to take a voluntary leave of absence. If the student is placed on an involuntary leave of absence (or agrees to a voluntary leave of absence) under this policy:

- The involuntary leave of absence becomes effective immediately and the student will be required to leave campus immediately. While a student is on a leave of absence, they will not be permitted on campus, including residence halls or grounds, or participate in campus activities, absent prior written authorization of the Chair of the Behavioral Intervention Team. In addition, students may not have access to campus resources.
- The student's identification card must be returned to the Department of Public Safety.
- The University may notify a parent, guardian, or other person if notification is deemed appropriate.
- The student may not participate in programs or activities organized by the University until officially approved to re-enroll.
- Conditions for an involuntary leave of absence and any conditions to apply for re-enrollment will be provided to the student in writing. Any conditions for the leave and return will be individualized to the student and designed to help ensure that the health and safety or other concerns are resolved, and that the student is qualified to return. 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.

- The student may be granted grades of “W” (Withdrawal) in enrolled classes, even if the normal deadline for a “W” has passed, or may be granted “I” (Incomplete) should the student’s Academic Dean, Department Chair, and faculty believe it appropriate. The student is subject to the same rules regarding financial aid and financial obligations (room, board, tuition, etc.) that apply in the case of a voluntary leave of absence or medical leave of absence.
- The length of a leave of absence will be determined on a case-by-case basis.
- Any conduct code or other policies relevant to a withdrawal shall be applied equally to all similarly situated students, i.e., without regard to known or perceived medical or mental health conditions.

### III. Appeal Process

A student who has been placed on an interim involuntary leave, 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, which must include a statement of the reason(s) why the appeal should be granted within five (5) business days of notice of the involuntary leave of absence or other measure. The student must submit the appeal and the reasons supporting the appeal to the Chair of the Behavioral Intervention Team or designee, who will forward the appeal to the AVP for Student Affairs or designee for review. The AVP for Student Affairs or designee’s review may include a review of relevant documentation and consultation with University officials and the student to ensure compliance with the terms of this policy. The decision on the appeal will be communicated in writing 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 a student believes that he or she has been discriminated against in connection with any University program or activity because of a disability or any other characteristic protected by applicable law in the administration of the University’s programs and activities, they have the right to seek a review of such concerns under the University’s policies, including <https://wit.edu/wellness-disability-services/policies>, <https://catalog.wit.edu/university-policies/nondiscrimination/>, and <https://wit.edu/title-ix/policies>.

### IV. Return from Involuntary Leave of Absence (or Voluntary Leave of Absence under this Policy)

A student seeking a reinstatement from leave must apply in writing to the Chair of the Behavioral Intervention Team or a designee. The request must be submitted no less than thirty (30) days before the beginning of the semester in which the student seeks to re-enroll. The student must demonstrate that he/she has met any conditions for return specified by the University.

In order to reinstatement to the University, the student will be required to permit his/her treating health care provider to consult with the members of the Office of Student Affairs, the Center for Wellness, and/or medical professionals selected by the University, regarding the student’s condition, prognosis, risk to self and/or others, ability to successfully live on campus or

participate in campus life and/or, complete his/her academic coursework with or without a reasonable accommodation. The student will need to present documentation in writing from a treating health care provider that the medical condition allows safe attendance at the University, the successful completion of academic coursework, and the ability to live independently on campus and/or participate in campus life with or without reasonable accommodation. In extraordinary situations, the University may require the student to undergo an additional individualized assessment to make a determination regarding the student's readiness to return. The University may place conditions and/or restrictions in order to best support a student's transition back to campus. These conditions will be outlined in a Behavioral Health Agreement that will be reviewed with the student.

Additionally, in reviewing requests for reinstatement from an involuntary withdrawal, the University looks for evidence that the issues that led to the request to withdraw have been addressed. Specifically, that the student has maintained stability and demonstrated follow through with treatment for a sufficient period of time to enable the student to be successful. Additionally, evidence of productive functioning (i.e. employment, volunteerism, etc.) is looked upon favorably. Students whose request to return from an involuntary leave of absence has been denied may appeal. See Section III of this policy.

In certain cases, involving serious academic or behavioral misconduct (including harm to self or others), the underlying conduct must be addressed by the student before readmission is considered.

This return process also applies in cases where a student voluntarily withdraws as a result of a critical incident.

The University will maintain all information regarding Involuntary Leave of Absences in accordance with federal, state, and local laws. Access to these records is limited by applicable federal, state, and local laws.