

<b>Policies of the UNT Dallas College of Law</b>	Chapter 7.000
<b>7.307 Voluntary and Involuntary Student Medical Withdrawal</b>	<b>Student Affairs, Education &amp; Funding</b>

**Policy Statement.** The UNT Dallas College of Law (COL) is committed to providing a learning environment that is conducive for students to develop to their fullest potential. On rare occasions, the COL may be required to respond to students who may be in crisis or whose mental, emotional, or psychological health condition may directly threaten the safety of the learning environment. This policy does not replace any academic-based withdrawal or dismissal policies or any Code of Conduct procedures to address student disciplinary issues.

**Application of Policy.** All COL students

**Definitions.**

1. **Day.** “Day” means Monday through Friday during regular COL business hours (9 a.m. to 6 p.m.).
2. **Direct threat.** “Direct threat” means a significant risk of causing substantial harm to the health or safety of a student or other members of the COL community that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations.
3. **Significant risk.** “Significant risk” means a high probability of substantial harm that is not just a slightly increased, speculative, or remote risk.

**Procedures and Responsibilities.**

- A. **Voluntary Medical Withdrawal.** A student may submit a request for voluntary medical withdrawal at any time in accordance with procedures established by the Registrar.
- B. **Assessment of students who may pose a direct threat.**
  1. Any member of the COL community who has concern for the well-being or safety of a student or the COL community, or who has reason to believe that a student

may pose a direct threat to himself or herself or to the university community, may initiate a referral to the Dean of Students for an assessment. The Dean of Students will initiate an informal preliminary assessment of a student's present ability to safely participate in their academic program. The Dean of Students may consult with:

- a. Administrators, faculty, staff and other students who may have been witness to or impacted by specific behaviors of the student;
  - b. The student who is the subject of the referral, or other family members if appropriate, regarding the student's current medical condition and may request that the student provide recent medical information and/or health records; and
  - c. Mental health or other medical professionals as permitted by law.
2. If the Dean of Students concludes that the student does not present a direct threat, the Dean of Students may take any appropriate action including:
- a. Consider disciplinary action in accordance with the Code of Conduct;
  - b. Recommend that the student seek appropriate treatment;
  - c. Continue monitoring the student, and if appropriate, develop a plan to support the student and protect the COL community;
  - d. Recommend changes to the student's educational program as a reasonable accommodation.
3. If the Dean of Students concludes that the student may present a direct threat, the Dean of Students will request an informal conference with the student as soon as possible. At the informal conference, the Dean of Students will:
- a. Discuss the preliminary direct threat assessment with the student;
  - b. Review the COL Voluntary and Involuntary Student Medical Withdrawal Policy with the student;
  - c. Direct the student to meet with a mental health professional within a specific period of time and confirm that the student's failure to meet as directed may result in action under the Code of Conduct for failure to comply with the directive of a COL official;
  - d. Inform the student that the result of the mental health evaluation must be made available to the Dean of Students and that the result may be discussed

with other COL officials to consider the possible involuntary medical withdrawal of the student.

4. Upon receipt of the results of a professional mental health evaluation, the Dean of Students will convene a campus team including representatives from student services and academics to evaluate the possible involuntary medical withdrawal of the student. Based on available information, including the mental health information, and in consultation with the campus team, the Dean of Students may:
  - a. Terminate the assessment process if the evaluation and other relevant information indicates that the student does not pose a threat.
  - b. Encourage the student to consider a voluntary leave of absence,
  - c. Formally notify the student in writing that:
    - i. Information available to the COL, including evidence of reasonable medical judgment relying on the most current medical knowledge and/or the best available objective evidence, indicates that the student may pose a direct threat to health and safety and that the student may be involuntarily withdrawn from the COL for medical reasons.
    - ii. The student may request a formal conference with the Dean of Students no more than two (2) business days after receiving the formal notice to review the basis for the involuntary withdrawal and to challenge the truth or accuracy of the underlying information.
5. A student who does not request a meeting with the Dean of Students within two (2) business days of receiving a formal notice of involuntary withdrawal will be immediately withdrawn from the COL without further process.

C. **Procedures for Involuntary Withdrawal.**

1. A student who requests a meeting with the Dean of Students will be provided the full opportunity to discuss the circumstances or behaviors of concern and challenge the truth or accuracy of the assessment of the student as a direct threat. The student will be provided the opportunity to review any reports or documents reviewed by the Dean of Students and may also offer other relevant information or comment. Students may bring an advisor to the meeting; however, any attorney assisting as an advisor will not be permitted to present information or argument on the student's behalf. If students are accompanied by an attorney, the COL will also have a representative from the UNT System Office of General Counsel present.

2. The meeting with the Dean of Students will be closed and formal rules of evidence will not apply.
  3. At the conclusion of the formal meeting, the Dean of Students will determine whether the student poses a direct threat to health or safety and should be involuntarily withdrawn based upon all information presented at the formal meeting and all other information gathered as part of the informal review process, including evidence of reasonable medical judgment relying on the most current medical knowledge and/or the best available objective evidence. The Dean of Students will specifically consider:
    - a. The specific student behaviors that are believed to pose a direct threat;
    - b. The nature, duration and severity of the perceived risk;
    - c. The probability that the perceived risk will occur;
    - d. Whether any modifications can be made to the student's educational program to sufficiently mitigate the risk.
  4. If the Dean of Students determines that the student does not pose a direct threat, the Dean of Students will inform the student of the conclusion in writing and the process will terminate.
  5. If the Dean of Students determines that the student poses a direct threat that could be eliminated or reduced to an acceptable level through the provision of reasonable accommodations, then an offer of reasonable accommodation will be made to the student. If the student refuses the proposed accommodation, the student will be issued a notice of involuntary medical withdrawal.
  6. If the Dean of Students determines that the student poses a direct threat that cannot be eliminated or reduced to an acceptable level through reasonable accommodations, the Dean of Students will issue a written notice of involuntary medical withdrawal to the student. A notice of involuntary medical withdrawal may include conditions for readmission or an order directing the student not to return to campus.
- D. **Appeal to the Dean of the College of Law.** A student may appeal a notice of involuntary medical withdrawal by filing an appeal with the Dean of the College of Law within two (2) business days of the notice of involuntary medical withdrawal. The student may submit any additional relevant materials for consideration by the Dean of the College of Law.

Within three (3) days of receiving an appeal, the Dean of the College of Law will review all materials considered by the Dean of Students and any additional information provided by the student and issue a decision on the requested appeal. The decision of the Dean of the College of Law is final.

E. **Emergency Involuntary Medical Withdrawal.**

1. The Dean of Students may implement an emergency interim withdrawal of a student upon determining that a student poses a significant danger of causing imminent physical harm.
2. A student who is withdrawn on an emergency basis will be given an opportunity to appear before the Dean of Students within one (1) day from the date of the notice of the emergency interim withdrawal to discuss:
  - a. The reliability of information concerning a student's behavior
  - b. Whether or not the student poses a significant danger of causing imminent physical harm
3. At the conclusion of the meeting, the Dean of Students may:
  - a. Cancel the emergency interim withdrawal but inform the student that the process to consider the possibility of involuntary medical withdrawal will continue; or
  - b. Extend the order for emergency interim withdrawal, which shall remain in effect until the process to consider the possibility of involuntary medical withdrawal is concluded in an expedited fashion. A decision regarding emergency involuntary medical withdrawal cannot be appealed.

F. **Readmission.** A student who is involuntarily withdrawn may not seek to re-enroll or be re-admitted to the COL before the start of the next term. A student may only be re-enrolled or re-admitted to the COL following an involuntary medical withdrawal after confirming that any conditions that caused the involuntary medical withdrawal are no longer present. The Dean of Students may require any documentation or evaluation deemed necessary to consider re-admission or re-enrollment. The student must also meet all of the admission or enrollment requirements of the COL to be re-enrolled. The Admissions Office will make final decisions regarding re-admission.

G. **Registration.** Upon notice from the Dean of Students, the Registrar will immediately place a registration hold on the account of a student who is involuntarily withdrawn from

the university. The registration hold may be removed only when the Registrar has received confirmation from the Dean of Students that the student has met the conditions or re-admission established by the Dean of Students.

- H. **Refund and Academic Status.** Students who voluntarily withdraw or who are involuntarily withdrawn may be eligible for refund of tuition and fees in accordance with COL refund policies and will be subject to assignment of grades in accordance with relevant academic policies.

**References and Cross-references.** None.

Approved: 07/07/14

Effective: 07/07/14

Revised: