

Policies of the University of North Texas	Chapter 07
07.014 CARE Assessment Team and Involuntary Student Medical Withdrawal	Student Affairs

Policy Statement. The University of North Texas is committed to providing a learning environment that is conducive for students to develop to their fullest potential. On rare occasions the University may be required to activate a systematic response to students who may be in crisis or whose mental, emotional or psychological health condition may directly threaten the safety of the learning environment. Through the creation of a collaborative interdisciplinary team, the University will provide a caring, confidential program of identification, intervention and response in order to provide students with the greatest chance for success and the University community with the greatest level of protection.

This policy does not replace any academic based withdrawal or dismissal policies or any Code of Student Conduct procedures to address student disciplinary issues.

Application of Policy. All students.

Definitions.

1. **CARE Assessment Team.** The "CARE Assessment Team" ("CARE Team") is a collaborative interdisciplinary team of University officials who convene to provide individualized assessments, based on reasonable judgment that relies on current medical knowledge or the best available objective evidence, to ascertain whether a student may pose a direct threat to himself or herself or the University community.
2. **Day.** "Day" means Monday through Friday during regular University business hours (8 am to 5 pm).
3. **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 University community that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations.
4. **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.

The CARE Assessment Team

1. The CARE Assessment team ("CARE Team") is established by the University of North Texas to:
 - a. Monitor and/or provide a systematic response to situations involving students whose behavior or mental, emotional or psychological health condition may be disruptive or harmful to themselves or others in the University community or students who may pose a direct threat to themselves or to the health and safety of members of the University community.
 - b. Provide a multi-disciplinary panel of medical, law enforcement and administrative professionals to consider whether a student meets the standard to be involuntarily withdrawn from the University.
 - c. Provide recommendations regarding reasonable accommodations that may be provided to students with mental health issues to enable the student to remain safely in their educational program.
2. The CARE Team is composed of representatives from:
 - a. The Associate Vice President for Student Development will chair the team unless another is designated by the Vice President for Student Development.
 - b. The Office of Counseling and Testing Services.
 - c. The Center for Student Rights and Responsibilities.
 - d. The Office of the Provost / Vice President for Academic Affairs.
 - e. The University Police.
 - f. The Office of Housing and Residence Life
3. The composition of the CARE Team may be adjusted as needed based upon the situation.
4. Records created by the CARE Team relating to individual students are education records protected in accordance with the Family Education Rights and Privacy Act (FERPA). Records are maintained in the Office of the Associate Vice President for Student Development and requests for access and for release of information must be reviewed by the Associate Vice President for Student Development.

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5. All activities of the CARE Team will be conducted in accordance with any protection that may be provided through the Family Education Rights and Privacy Act.

Responsible Party: Associate Vice President for Student Development

Referrals to the CARE Assessment Team:

1. Any member of the University community who has concern for the well-being or safety of a student or the University 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 refer a student to the CARE Team for an individualized assessment.
2. The CARE Team will conduct an individualized, informal, preliminary assessment of a referred student's present ability to safely participate in their education program which may include:
 - a. Consultation with administrators, faculty, staff and other students who may have been witness to or impacted by specific behaviors of the student.
 - b. Consultation with the student who is the subject of the referral, or others, such as the parent or guardian or other family member if appropriate, regarding their current medical condition including requesting recent medical information and health records.
 - c. Consultation with mental health or other medical professionals as may be permitted by law.
3. If the CARE Team's informal, preliminary assessment indicates that the student does not present a direct threat to himself or herself or to the University community, the CARE Team may take any action as deemed appropriate including:
 - a. Referring the student to the Center for Student Rights and Responsibilities to consider possible violation of the Student Code of Conduct based on specific conduct.
 - b. Recommending that the student seek appropriate treatment.
 - c. Continuing to monitor the situation involving the student, and, if appropriate, developing a plan to support the student and protect the University community.

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- d. Recommending changes to the student's educational program, including changes in housing assignments that may reasonably accommodate the student's condition.
 4. If the CARE Team's informal preliminary assessment indicates that the student may present a direct threat to himself or herself or to the University community, the Associate Vice President for Student Development or a designee will arrange for an informal conference with the student as soon as possible. At the informal conference the Associate Vice President for Student Development will:
 - a. Discuss the results of the CARE Team preliminary assessment with the student.
 - b. Review the CARE Team and Medical Withdrawal Policy with the student
 - c. Direct the student to meet with a designated 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 Student Conduct for failure to comply with the directive of a University official.
 - d. Inform the student that the results of the evaluation may be made available to the student and to the CARE Team, and that the results may be discussed at a meeting to consider the possible involuntary medical withdrawal of the student.
 5. The CARE Team will reconvene following evaluation by the designated mental health professional. Based on any information available as a result of that evaluation and all other relevant information that was collected as part of the informal process, the CARE Team may:
 - a. Terminate the process if the evaluation and other relevant information indicate that the student does not pose a direct threat to himself or herself or to other members of the University community.
 - b. Encourage the student to consider taking a voluntary leave of absence, thereby eliminating the need to initiate the involuntary medical withdrawal process.
 - c. Provide formal notice to the student stating that:
 - i. Information available to the CARE Team indicates that the student may pose a direct threat to the health and safety of the student or other members of the University community and that the student may be involuntarily withdrawn from the University for medical reasons.

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- ii. The student may request a formal conference with the CARE Team no more than two (2) days after the date of the CARE Team notice in order to review the basis for the involuntary withdrawal and to challenge the truth or accuracy of the underlying information.
 6. A student who does not request a formal meeting with the CARE Team within two (2) business days of the formal CARE Team notice will be immediately withdrawn from the University without further procedures.

Responsible Party: Associate Vice President for Student Development

Procedure for Involuntary Medical Withdrawal

1. A student who requests the opportunity to meet with the CARE Team regarding a possible involuntarily medical withdrawal will be provided the full opportunity to:
 - a. Review any reports or written documentation that have been submitted to the CARE Team regarding the assessment of the student's condition and to submit additional information for consideration, including additional medical information.
 - b. Present any relevant information or testimony. Students may be assisted by one advisor of their choosing, but only the student may speak to the CARE Team or ask questions. Attorneys will not be permitted to present evidence or argument before the CARE Team. Should the student be accompanied by an attorney, the University will also have a representative of the Office of General Counsel present.
 - c. Discuss the circumstances or behaviors of concern and challenge the truth or accuracy of the basis for the CARE Team's assessment of the direct threat.
2. The meeting between the CARE Team and the student will be closed and formal rules of evidence will not apply.
3. The CARE Team will make a decision regarding a student's involuntary withdrawal based upon information gathered at the meeting with the student and all other information gathered as part of the informal review process. In reaching a final determination regarding whether the student poses a direct threat to their own health or safety or to the health and safety of other members of the University community, the CARE Team will consider:

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- a. The specific behaviors that are believed to pose a direct threat to the student or to the University community.
 - b. The nature, duration and severity of the risk perceived to the student and/or to the University community.
 - c. The probability that the perceived threat will occur.
 - d. Whether any modifications can be made to the student's educational program to sufficiently mitigate the risks.
4. If the CARE Team determines that the student does not meet the standard for involuntary medical withdrawal, the Associate Vice President for Student Development will inform the student of the conclusion in writing and the procedure will terminate.
 5. If the CARE Team determines that the student poses a direct threat to himself or to the University community that could be eliminated or reduced to an acceptable level through the provision of reasonable accommodations, the CARE Team will offer such a reasonable accommodation. If the student refuses to accept the proposed accommodations, the student will be issued a notice of involuntary withdrawal as set forth in paragraph six (6).
 6. If the CARE Team determines that the student poses a direct threat to himself or to the University community that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations, the CARE Team will issue a written notice of involuntarily medical withdrawal to the student within one (1) day of the conclusions of the meeting with the CARE Team. A notice of involuntary medical withdrawal may include an order directing the student not to return to campus.

Responsible Party: Associate Vice President for Student Development

Appeal to the Vice President for Student Development

1. A student may appeal a decision by the CARE Team regarding an involuntary medical withdrawal by filing a notice of appeal with the Vice President for Student Development within two (2) days of the CARE Team decision. The student may submit any additional relevant materials for consideration by the Vice President for Student Development.

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2. Within one (1) day of receiving a notice of appeal of the CARE Team decision, the Vice President for Student Development, or a designee, will review all materials considered by the CARE Team and any additional information provided by the student and issue a decision on the requested appeal.

Responsible Party: Vice President for Student Development

Alternative Housing

A student who does not meet the standard for involuntary medical withdrawal but who the CARE Team determines cannot safely remain in University housing may be required to live in housing other than University housing while remaining enrolled at the University. Decisions regarding removal from University housing or transfer are final.

Responsible Party: Associate Vice President for Student Development

Emergency Involuntary Medical Withdrawal

1. The Associate Vice President for Student Development, or designee, may implement an emergency interim withdrawal of a student if the Associate Vice President for Student Development determines that a student may be suffering from a mental disorder and the student poses a significant danger of causing imminent physical harm to the student or to other members of the University community.
2. A student who is withdrawn on an emergency basis will be given an opportunity to appear before the Associate Vice President for Student Development within one (1) day from the date of the notice of the emergency interim withdrawal in order to discuss the following:
 - a. The reliability of the information concerning a student's behavior.
 - b. Whether or not the student poses a significant danger of causing imminent physical harm to the student or to other members of the University community.
3. At the conclusion of the meeting regarding an emergency interim withdraw, the Associate Vice President for Student Development may:

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- 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.

Responsible Party: Associate Vice President for Student Development

Voluntary Medical Withdrawal

1. At any time, a student may submit a request for a voluntary medical withdrawal in accordance with University policy.
2. If a request for voluntary medical withdrawal is granted, any involuntary medical withdrawal process will terminate; however, any other pending disciplinary actions to consider violations of the Code of Student Conduct will continue.

Readmission

1. A student who is involuntarily withdrawn may not seek to reenroll or be readmitted to the University before the start of the next term.
2. A student may only be reenrolled or readmitted to the University following an involuntary medical withdrawal upon confirmation by the CARE Team that the conditions that caused the involuntary medical withdrawal are no longer present. The CARE Team may require any documentation or evaluation that it deems necessary to consider the possible readmission or re-enrollment. The student is not entitled to a hearing on the determination. The student must also meet all of the admission or enrollment requirements of the University to be re-enrolled.

Refunds and Academic Status

1. Refund policies as described in the Undergraduate and Graduate Bulletins will apply to all students who withdraw in accordance with this policy.

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2. Policies regarding assignment of grades as described in the Undergraduate and Graduate Bulletins will apply to all students who withdraw in accordance with this policy.

Responsible Party: Associate Vice President for Student Development

References and Cross-references.

UNT Policy 07.012, Code of Student Conduct

Approved: 1/22/2010

Effective: 1/22/2010

Revised: