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**POLICY TITLE:** Involuntary Leave of Absence Policy

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**POLICY PURPOSE:** To illustrate the steps that will be taken if a student is mandated to leave school due to behavior that could put themselves or others at risk.

**BACKGROUND:**

**APPLIES TO:** All university community members

**DEFINITIONS:**

**CONTENTS:**

**POLICY  
STATEMENT:**

The Vice President for Student Affairs (VPSA), or his/her designee, may place a student on an Involuntary Leave of Absence for reasons of personal or community safety. This process will be undertaken only in extraordinary circumstances when there is compelling information to suggest that the student is engaging in or is at heightened risk of engaging in behavior that could lead to serious injury to others, including behavior resulting from a physical or psychological illness. In addition, the Involuntary Leave process may be initiated if, based on an individualized assessment, it is determined that there is a significant risk that the student will harm him/herself, and the risk cannot be eliminated or reduced to an acceptable level through reasonable accommodations and/or on-campus supports.

This policy provides students with general information regarding an Involuntary Leave of Absence. Students are responsible for understanding the implications of an Involuntary Leave of Absence on housing, financial aid, health insurance, and progress toward degree. A student who is placed on an Involuntary Leave of Absence while on academic and/or disciplinary status will return on that same status.

Before an Involuntary Leave is considered, efforts may be made to encourage the student to take a Medical Leave of Absence. These procedures are described in the Medical Leave and Return Policy. A readmission process may still be required of a student electing a Medical Leave to determine his/her readiness's to return to school (e.g., whether returning to school may increase the risk of self-harm and/or harm to others).

International students are advised that an Involuntary Leave of Absence will likely affect their student visa status and are directed to consult with the International Student Services Office (ISS) for more information.

When safety is an immediate concern, the VPSA or his/her designee may remove a student from the campus pending final decision on Involuntary Leave. If this action is deemed necessary, the student will be given notice of the removal. An opportunity to be heard by the VPSA and, if desired, appeal the final decision will be provided at

a later time.

### **Determining Whether Involuntary Leave is Appropriate**

1. When an Involuntary Leave is under consideration, the Associate Vice President for Student Affairs (AVPSA), or their designee, will notify the student in writing. In the Notification Letter the AVPSA will provide the student with information regarding procedures for an Involuntary Leave of Absence.
2. The AVPSA or designee will gather information necessary to make an individualized and objective assessment of the student's ability to safely participate in his/her academic program and in the University community. The AVPSA or designee may gather this information from various sources, including but not limited to administrators and faculty from the student's school or department, the Student Health Center and/or the Kelly Center.
3. In an effort to gather the most current information about the student, the student may be referred to the Kelly Center for an assessment. The student may also be asked to provide relevant medical and/or psychological information from his/her health care provider. If a student declines to consent to release the requested medical/psychological information, this declination may be considered in the decision whether to place the student on Involuntary Leave.
4. Upon gathering relevant information the AVPSA will convene the Behavior Intervention Team (BIT) to examine the materials presented and submit a recommendation to the AVPSA or designee. The Committee may be composed of administrators, faculty and staff from any or all of the following:
  - a. FHSU Campus Police
  - b. The College in which the student is enrolled
  - c. FHSU Student Health Center
  - d. FHSU Kelly Center
  - e. Other professionals as deemed necessary by the AVPSA
5. Following the review of all available, relevant information, a decision will be reached by the AVPSA or designee. The student will be informed in writing of the decision. If an Involuntary Leave is imposed, the Letter of Notification will include all relevant terms and conditions of the Leave as well as terms and conditions for application for re-enrollment at the end of the Involuntary Leave period.

### **If Involuntary Leave is Imposed**

Occupied University housing must be vacated immediately. The student may not visit the campus or any other University-owned facility except with the written permission of the VPSA or their designee. Such permission may be set forth in the Notification Letter. Otherwise, the student must remain off of all Fort Hays State University property during the period of Leave. FHSU Campus Policy and Residential Life will be notified of the student's Involuntary Leave status and will

take appropriate steps to limit access of the student during the period of Leave. According to the practice of the individual school, a transcript notation of "Withdrawn" or "Leave of Absence" may be noted on the student's transcript.

### **Appeal**

A student who is placed on an Involuntary Leave may appeal the decision to the VPSA or his/her designee within the time period defined in the Letter of Notification. The appeal must be in writing, delineating the reason(s) why the student believes the decision is unwarranted. The VPSA will review the student's appeal and uphold, reverse or alter the decision. The VPSA's decision will be communicated to the student in writing and shall be considered final.

### **Return from Involuntary Leave**

1. Requirements and deadlines relevant to the process for re-enrollment after an Involuntary Leave will be specified in the Letter of Notification.
2. All students returning from an Involuntary Leave will be required to have an assessment prior to being approved by the VPSA for re-enrollment. This assessment may be conducted by the Student Health Center and/or the Kelly Center if a psychological or physical illness contributed to the student's inability to remain safely on campus. If a psychological or physical illness did not contribute to the student's inability to remain on campus, they will be subject to an assessment with the Associate Vice President for Student Affairs. These assessments will not be conducted without signed written consent for release of information by the student.
3. As part of the assessment process, students may additionally be asked to authorize his/her health care provider while they were on Leave to provide a "Certificate of Fitness to Return." If a student declines to release this requested medical/psychological information, this declination may be considered in the decision regarding whether to allow the student to re-enroll.
4. When a student's potential for violence is under review as part of the assessment of a student's readiness to re-enroll, Campus Police may undertake a review of the student's behavior while on Leave, including, but not limited to, record of convictions, restraining orders, and interviews with individuals in a position to observe the student's behavior. Only findings relevant to the Involuntary Leave and the student's request for re-enrollment will be considered.
5. Upon gathering this information, the Committee on Leave will be convened by the AVPSA to examine the materials presented and submit a recommendation to the VPSA regarding whether the student has demonstrated that it is appropriate for him/her to re-enroll and return to the University community. This committee may be composed of administrators, faculty and staff from any or all of the following:
  - a. FHSU Campus Police
  - b. The College in which the student is enrolled
  - c. FHSU Student Health Center

- d. FHSU Kelly Center
- e. Other professionals as deemed necessary by the VPSA.

The decision of the VPSA regarding the student's eligibility to re-enroll will be communicated to the student in writing. As needed, the VPSA or his/her designee will notify the appropriate offices and administrators regarding the decision, and any relevant conditions thereof.

- 6. A student who fails to request re-enrollment upon the conclusion of an Involuntary Leave period may be denied permission to re-enroll at a later time and may be required to apply for readmission to the school.
- 7. Students who participated in campus housing prior to their Leave are not guaranteed housing upon re-enrollment.

### **Appeal**

A student may appeal a decision denying re-enrollment to the Vice President of Student Affairs by submitting a written request for review of the decision. The VPSA will review the student's appeal and all necessary additional information and will then render a decision, which shall be final.

### **Confidentiality**

Fort Hays State University will maintain the confidentiality of all information regarding Involuntary Leaves of Absence in accordance with federal, state and local law, and to the greatest extent consistent with the goal of processing such Leaves. All records concerning Involuntary Leaves are confidential. The official copy of such records shall be retained by the Vice President for Student Affairs. Access to these records is limited by appropriate federal, state and local law.

Fort Hays State University reserves the right to notify a parent or guardian if deemed appropriate under the circumstances and as permitted by applicable federal, state, and local law.

#### **EXCLUSIONS OR SPECIAL CIRCUMSTANCES:**

#### **RELATED DOCUMENTS:**

**Policies:**

**Forms:**

**Other:**

#### **KEYWORDS:**

Involuntarily Leave, absence, medical leave, international students

#### **RESPONSIBLE OFFICE:**

Student Affairs

**RESPONSIBLE UNIVERSITY OFFICIAL:** Vice President for Student Affairs

**ORINATION DATE:** 5/1/2016

**REVIEW CYCLE:** 3 years

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**POLICY ADDRESS:**

**LAST APPROVED ON:** Approved by ELT on 9/2/2016

**REVIEW/CHANGE HISTORY:**

**NEXT REVIEW DATE:** 9/2019

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