Involuntary Withdrawal - UTDPP1119

The University of Texas at Dallas is committed to providing a learning environment conducive to students developing to their fullest potential, with consideration for the safety, health, and well-being of campus community members. It is occasionally unavoidable for a student to experience issues that restrict their ability to progress in a successful or even safe manner. In such circumstances, students are strongly encouraged to consider taking a voluntary leave from their studies in order to focus time and energy on addressing the cause of what led to the need to withdraw. In rare instances, and only when all other reasonable options have been exhausted, the University will determine whether an involuntary withdrawal is necessary.

Section 2 - Purpose

This policy establishes guidelines for the initiation and consideration of an involuntary withdrawal. This policy also outlines procedures for the safe and successful return of a student who has been involuntarily withdrawn from the University.

Section 3 - Involuntary Withdrawal and Leave of Absence

The University offers students a wide range of resources intended to support students with health and wellness needs. The Office of Student AccessAbility determines appropriate accommodations for students who submit requests. Accommodations are determined on an individual basis, with input from qualified professionals. The Student Counseling Center and various other departments at UT Dallas offer a wide range of services intended to assist struggling students. Additionally, pursuant to UTDBP3090, and to the extent provided by applicable federal and state law, the University prohibits unlawful discrimination against a person because of their race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status. However, on rare occasions, a student's needs may require a level of care that exceeds the care the University can appropriately provide.

The purpose of an involuntary withdrawal is to address those situations in which an individualized safety and risk analysis determines that a student's continued attendance in classes and presence on campus poses a serious risk of harm to one or more members of the campus community or the student's behavior severely disrupts the University environment. When the Dean of Students or designee initiates the process of involuntary withdrawal, it has been determined that reasonable accommodations would not allow the student to remain safely enrolled, self-care has not been successfully managed, and an individualized assessment of the student's available medical information and best available objective evidence indicates a withdrawal may be the best option for the student and/or the campus community. The decision-making process will involve either the Dean of Undergraduate Education or the Dean of Graduate Education, depending on the student's enrollment status. The Dean of Students and Dean of Undergraduate Education or the Dean of Graduate Education will be collectively referred to as 'Deans' henceforth.
Section 4 - Procedures for Involuntarily Withdrawing a Student

Notice

Student will be informed in writing that an involuntary withdrawal is under consideration. The notice will include the following:

1. Information about why the Involuntary Withdrawal is under consideration.
2. Contact information for the Office of Student AccessAbility.
3. Contact information for the Student Counseling Center and 24-Hour TALK line.
4. A link to this policy.
5. Contact information for a Behavior Assessment and Intervention Team Case Manager who will not serve in the decision-making process but can keep the student apprised of next steps in the process and answer any procedural questions the student may have.
6. Information about the process for responding to the consideration of Involuntary Withdrawal and the time period in which to do so.

Collection of Information and Participation in the Process

The Dean of Students will collect as much information as reasonably possible about the student's situation that is relevant and permissible by applicable policies and laws. Possible conferring individuals/departments may include:

1. Administrators, faculty, staff, advisors, and other students who may have been witness to, or impacted by, specific behaviors of the student.
2. Residence Life staff.
3. Behavior Assessment and Intervention Team members, excluding the assigned member assisting the student with procedural information.
4. Student's emergency contact.
5. A member of the Student Counseling Center who can speak professionally and clinically about mental health issues, not the specific record of the student.
6. Others who may have interacted with the student during times when the concerning behavior occurred.

The student will have the opportunity to participate in an interactive and individualized process and will have the opportunity to provide information that they wish to have considered in the decision-making process.

The student may be asked to sign an Authorization for Release of Client Information to allow the Dean of Students to collect information about the student's healthcare record. If the student refuses to sign the authorization or respond to the request within the designated timeframe, a decision to involuntarily withdraw the student will be made based on the information in the Dean of Student's possession at that time.

Depending on the information available in the student's healthcare record, the student may be asked to undergo an evaluation in the UT Dallas Student Counseling Center, or another third party...
approved by the Dean of Students.

The Deans will confer with a staff member in the Office of Student AccessAbility to ensure all reasonable accommodations that could potentially improve the situation have been considered. The OSA staff member will also assist in ensuring a fair, individualized, and interactive process occurs.

If the student elects to meet with the Deans regarding the possible involuntary withdrawal, the student will be given the opportunity to:

1. Review any reports or written documentation that have been submitted to the Dean of Students regarding the assessment of the student's condition,
2. discuss the circumstances or behaviors of concern, and challenge the truth or accuracy of the basis for the assessment of the direct threat; and,
3. present any relevant information on their behalf, including additional medical information.

Meeting

The meeting between the Deans and the student will be closed, and the formal rules of evidence will not apply. An advisor of their choosing may assist the student. An advisor is not an academic advisor, rather a person selected by the student who provides support to the student throughout the involuntary withdrawal process. An advisor may be an attorney. The advisor will not be permitted to present documentation or argue on behalf of the student. The student must be the one to speak to or ask questions of the Deans. Should the student be accompanied by an attorney as their advisor, the University may have a representative from the Office of General Counsel of the University of Texas System or the University Attorneys Office present or available for consultation. If the student requires accommodations to participate in this meeting fairly, the Office of Student AccessAbility will provide a fair and interactive process to determine what, if any, accommodations will be appropriate.

Decision Process

In reaching a final determination regarding whether the student's continued attendance in classes and presence on campus poses a serious risk of harm to one or more members of the campus community or the student's behavior severely disrupts the University environment, the Deans will consider:

1. The specific behaviors that are believed to pose a direct threat to a member or members of the University Community or that severely disrupt the University environment;
2. whether modifications can be made to the student's educational program to mitigate the risks sufficiently;
3. the nature, duration, and severity of the perceived risk to one or more members of the campus community or behavior that severely disrupts the University environment; and,
4. the probability that the perceived threat or severe disruption will occur due to the inability or unwillingness of the student to carry out self-care obligations.

Based upon careful consideration of the information gathered as well as the information provided
by the student, with due weight given to documentation from the student's health care providers, the Deans may:

1. determine that the student does not meet the standard for involuntary withdrawal;
2. encourage the student to consider taking a voluntary leave of absence, thereby eliminating the need to continue the involuntary withdrawal process; or
3. determine that the student poses a threat to the health and safety of a member or members of the University community or that the student's presence would severely disrupt University environment and that the institution recommends that the student be involuntarily withdrawn from the University for medical reasons. Leave duration will be made on a case-by-case basis.

If the Dean of Students and the Dean of Undergraduate Education or Dean of Graduation Education (depending on the student in question's enrollment status) do not come to an agreement, the dean that was not involved in the in the original decision-making process will review all of the information gathered and make the final determination

Notice of Decision

The Dean of Students will provide the student with written notice of the decision made by the Deans. If the decision is made that the student does not meet the standard for involuntary withdrawal, the process will terminate. However, the student may still be expected to meet certain requirements to improve the community environment and ensure their path towards success.

If the Deans determine that the student poses a threat to the health and safety of the University community and the student refuses to voluntarily withdraw or take a leave of absence, then the Dean of Students will provide the student with the reasonable and individualized conditions that must be met in order to be accepted for reinstatement, and information about the accommodation process available in the Office of Student AccessAbility. The student will also be assigned a Case Manager who will make every attempt to remain in regular contact with the student throughout the removal period and assist with reentry.

Section 5 - Appeal to the Vice President for Student Affairs

The student may appeal a decision by the Deans regarding an involuntary withdrawal by filing a written notice of appeal with the Vice President for Student Affairs within five (5) business days of receiving notice of the Deans decision. The student may submit any additional relevant materials for consideration by the Vice President for Student Affairs. The student shall provide a copy of the appeal to the Dean of Students office.

Within five (5) business days of receiving written notice of appeal of the Deans decision, the Vice President for Student Affairs, or a designee other than the Dean of Students, will review all materials considered by the Deans and any additional information provided by the student and will issue a written decision affirming, modifying, or reversing the decision to involuntarily withdraw the student. The decision of the Vice President for Student Affairs is final.
Section 6 - Reinstatement

A student who is involuntarily withdrawn must show evidence that the conditions for return, outlined in the Notice of Decision, were met. Additionally, a student must meet with the Dean of Students before class registration will be permitted to establish a clear understanding of the standards that will need to be met to avoid further initiation of the Involuntary Withdrawal Process. The student may be required to submit documentation that verifies the student has addressed the issues that resulted in the involuntary withdrawal. As necessary, the Office of Student AccessAbility will serve as a consultant on determining if satisfactory documentation has been submitted.

Students who are involuntarily withdrawn will also be held to the same reenrollment, reentry, and reapplication requirements as students who voluntarily withdraw or take a voluntary leave. These conditions are available for review in both the Undergraduate and Graduate catalogs.

A student not permitted to return may appeal the decision using the process outlined in Section 5.

Section 7 - Interim Removal

If there is a situation where the Dean of Students believes a student may pose a credible threat of immediate and substantial harm to one or more members of the campus community, a short-term removal may become necessary. In situations where an interim removal is necessary and pending a full interactive, individualized, and evaluative process, the student will be given the opportunity to provide to the Dean of Students, relevant information that they believe shows they are not a threat to a member or members of the campus community. The Dean of Students will make a decision based on the information received. If interim removal occurs, every effort will be made to conduct a thorough but expeditious process.

Policy History

- Issued: 2022-09-09

Policy Links

- Permalink for this policy: https://policy.utdallas.edu/utdpp1119
- Link to PDF version: https://policy.utdallas.edu/utdpp1119/makepdf
- Link to printable version: https://policy.utdallas.edu/utdpp1119/makeprint