

CU-BOULDER POLICY

Topic: Student Involuntary Withdrawal

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Approved by: _____
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Distribution:

Policy Statement

The University of Colorado, Boulder (“CU-Boulder”) is committed to facilitating the health, safety and welfare of its students and preserving the integrity of its learning environment. Separation of a student from CU-Boulder and its facilities may be necessary if after an individualized review and interactive process it is determined that the student poses a significant risk to the safety, health or well-being of the campus community that cannot be reduced through voluntary measures.

A student should not be subject to an involuntary withdrawal under these procedures when disciplinary, academic, or other administrative responses are available and the student’s circumstances can best be addressed through those responses. When practicable and appropriate, efforts should be made to achieve a voluntary withdrawal under applicable procedures with conditions for readmission before initiating the involuntary withdrawal process.

In addition to involuntary withdrawal, CU-Boulder, through its Dean of Students or designee (hereinafter, the “DOS”), may take interim action or require a student to complete a forensic risk assessment pursuant to the process outlined in this policy if the DOS has been presented with a credible report that the student poses a significant risk to the safety, health or well-being of the campus community.

Interim Action

Prior to or pending an involuntary withdrawal decision, the DOS may immediately restrict or suspend a student for an interim period of time if a student’s presence potentially poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. Additional restrictions may include an exclusion from on-campus housing, classes, activities, events, programs, etc.

- a. The Dean of Students will notify the student of the decision in writing and the interim action shall become effective immediately, upon receipt of such notice by the student. A student will be deemed to have received the notice if the notice has been hand-delivered or delivered via CU-Boulder email. If the interim action is suspension, then a meeting with the DOS, or designee, will be scheduled as soon as possible (usually within 10 calendar days) to provide the opportunity for the student to respond to the alleged conduct prompting the interim suspension and to determine whether the interim suspension should continue. This meeting may be combined with, or separate from, the meeting regarding an involuntary withdrawal.
- b. The interim action may remain in effect until a final decision has been made regarding the involuntary withdrawal or the DOS determines that the reasons for imposing the action no longer exist.
- c. The student's parents, guardians, or emergency contact may also be notified of the decision to implement an interim suspension.

Procedures

1. If the DOS, or designee, determines that a student may pose a significant risk to the safety, health or well-being of the campus community, that is not being resolved by other university responses, the DOS may request that the Students of Concern Team (hereafter "SOCT") conduct an individualized review of all documentation and other available information obtained by the DOS, designee, or SOCT and assess whether the student should be withdrawn from CU-Boulder, and/or suggest any interim action, or other measures.
2. If the DOS concludes that the student should be withdrawn from CU-Boulder, the DOS will engage in an interactive process with the student by issuing a notice to the student that includes:
 - a. An explanation and description of the basis of the possible withdrawal;
 - b. The student's right to meet with the DOS to respond to the details of the basis for the possible withdrawal, present any additional information, and to correct any incorrect information;
 - c. The student's right to bring an advisor or support person (parent, guardian, friend, advocate, attorney, etc.), an advisor may not speak on behalf of the student;
 - d. The date and time for the meeting; and
 - e. Information about relevant policies.
3. If the student is unable to attend the meeting when scheduled, the DOS will reschedule the meeting to a time when the student can meet, within a reasonable amount of time. Requests for additional time to meet will be considered on a case by case basis, during this time, any interim actions assigned by the DOS remain in place. Failure to reschedule and meet within a reasonable time period will not prevent the DOS from moving forward with a decision.
4. At the meeting, the student will be given an opportunity to present information they wish for the DOS to consider about why they should not be withdrawn.

5. If the DOS determines, after the meeting with the student that withdrawal is not appropriate, then no further withdrawal action will be taken under this policy.
6. If, after the meeting with the student, the DOS and the student agree that it is in CU-Boulder's and student's best interests that the student voluntarily withdraws, then the DOS will assist the student in withdrawing from CU-Boulder under existing policies, which include conditions for readmission.
7. If the student refuses either to meet with the DOS or to withdraw voluntarily after the meeting outlined above, then the DOS may implement an involuntary withdrawal.
8. If the DOS determines to implement an involuntary withdrawal, the DOS will issue a written decision notice to the student that includes the conditions for readmission, information regarding exclusions from the campus, how to request permission to be on campus and any information related to the appeal process.
9. During the time that any student is involuntarily withdrawn from CU-Boulder, they are excluded from all CU-Boulder property unless they request and are granted prior permission from the DOS, or designee.

Referral for Forensic Risk Assessment

At any time prior to an involuntary withdrawal decision or as a condition of readmission, the Dean of Students may require the student to obtain a forensic risk assessment if the DOS believes that the student may pose a significant risk to the safety, health or well-being of the campus community. The assessment may be required, including but not limited to, in the following circumstances: as the SOCT recommends or as the DOS determines is necessary after communicating with the student.

This assessment must be conducted by an independent, licensed health professional (e.g., physician, psychologist, or psychiatrist) who is not a family member of the student, or has any other relationship with the student that compromises objectivity, and who has been approved by the DOS. The focus of the assessment is whether the student poses a significant risk to the safety, health or well-being of the campus community.

The assessment must provide an individualized and objective evaluation of the student's ability to safely participate in CU-Boulder's programs and activities based on the most relevant current medical knowledge and best available information. The assessment must include an evaluation of the nature, duration, and severity of the risk posed by the student and whether any reasonable exception the applicable policies, practices or procedures would sufficiently mitigate the risk.

Students referred for an assessment will be so informed in writing via university email. The assessment must be completed within 10 (ten) business days from the date of the letter, unless an extension is granted by the DOS. Students shall provide written consent allowing the health professional conducting the assessment to at least communicate the following information to the DOS: date(s) of assessment, evaluation of the nature, duration, and severity of the risk posed by the student, assessment of current functioning and risk to the safety, health or well-being of the campus community, and recommendations, including possible accommodations to reduce the risk.

The DOS will review the assessment and may decide to allow a student's continuation at the CU-Boulder without restrictions, continuation pending the student meeting certain conditions (e.g., ceasing of disruptive behavior, use of accommodation arrangements, periodic re-evaluation), or withdrawal from CU-Boulder without the possibility for readmission.

A student who fails to complete the assessment in accordance with these policies and procedures, including providing the requisite consent for the health professional to communicate with the DOS, may be suspended on an interim basis, subject to conduct action by the Office of Student Conduct, or both.

Appeal

Any student who is involuntarily withdrawn may appeal the withdrawal decision to the Vice Chancellor for Student Affairs. The appeal shall be in written form and submitted to the Vice Chancellor for Student Affairs within seven (7) business days of the effective date of the involuntary withdrawal, setting forth the basis on which the student believes they should not be involuntarily withdrawn from CU-Boulder.

The Vice Chancellor for Student Affairs or their designee will review the documents and other information presented in the appeal and notify the student and the DOS in writing within fifteen (15) business days of receipt of the student's request to review the decision whether to deny the appeal and uphold the decision, grant the appeal and reverse the decision, grant the appeal in part and deny the appeal in part, or modify any portion of the requirements placed on the student. The student shall remain withdrawn and excluded from CU-Boulder while their appeal is pending.

If the Vice Chancellor determines that the student should be permitted to return to school, then the Vice Chancellor's decision letter will also address the status of any interim action that was imposed pending the final determination of the administrative withdrawal. The Vice Chancellor's decision is final.

Readmission

A student seeking readmission to CU-Boulder after an involuntary withdrawal must be able to demonstrate that they can safely and are ready to rejoin the campus community.

If a student desires to return to CU-Boulder following either a voluntary or involuntary withdrawal initiated under this Policy, the following procedures will apply:

1. The student must send a written communication to the DOS stating their wish to be considered for readmission and provide appropriate documentation demonstrating compliance with the conditions of readmission.
2. The DOS will review the request for readmission as follows:
 - a. Review whether there has been compliance with the conditions of readmission;
 - b. Review documentation supplied by the student;
 - c. Consult with the SOCT; and
 - d. Meet with the student

In addition to the information that the reapplying student submits, the DOS may require the student to undergo an evaluation by a licensed health professional who is not a family member of the student or has any other relationship with the student that compromises objectivity and who has been approved by the DOS.

3. Factors the DOS may consider when making their decision regarding readmission include, but are not limited to the following:

- a. The nature and severity of the conduct for which the student either voluntarily withdrew or was administratively withdrawn;
- b. The student's overall academic and conduct record while previously enrolled at CU-Boulder;
- c. The conduct's impact on others, if any, within or outside the CU-Boulder community;
- d. The input of any healthcare professionals with whom the student has consulted;
- e. The amount of time between the written request and the original withdrawal;
- f. Whether the student has pursued other higher education during the period between the involuntary withdrawal and the request to re-enroll, and if so, the student's academic and disciplinary record at any other college or university;
- g. The student's activities and conduct record as a non-student during the period of involuntary withdrawal;
- h. Other authorized information the DOS deems relevant.

4. The DOS will recommend to the Office of Admissions or Registrar whether the student should be readmitted. The student will then need to fill out the application for readmission through the Office of Admissions.

5. If the student is readmitted through the Office of Admissions process, the DOS will advise the student of any further conditions for the student's return, conditions will be determined after consultation with the SOCT and any other CU-Boulder personnel. Examples of conditions to re-enroll are: whether a student can live on campus, on-going medical or counseling services, lighter academic course load.

6. The DOS may also provide resource referral information to the student, as needed or requested.

Fees and Refunds

The normal policies and procedures for tuition, financial aid, and fee refunds for students who withdraw during an academic term, as described in housing contracts and other university policies, will apply to students who are withdrawn pursuant to this policy.

No Limitations on Authority

Nothing in this policy is intended to limit or replace other existing authority to initiate appropriate action, including but not limited to authority to address student conduct in the Student Conduct Code Policies & Procedures, and other university policies.