

<p><b>The University of North Texas at Dallas Policy Manual</b></p>	<p>Chapter 7.000</p>
<p><b>7.008 Involuntary and Voluntary Student Medical Withdrawal</b></p>	<p><b>Student Affairs, Education &amp; Funding</b></p>

**Policy Statement.** The University of North Texas at Dallas (UNT Dallas) 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 Rights, Responsibilities, and Conduct procedures to address student disciplinary issues.

**Application of Policy.** This policy applies to all students.

**Definitions.**

1. **Behavioral Intervention Team.** The “Behavioral Intervention Team” (“BIT”) 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 (9 a.m. to 6 p.m.).
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 Behavioral Intervention Team.** The Behavioral Intervention Team (“BIT”) is established by UNT Dallas to:

- i. 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.
- ii. 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.
- iii. 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.

The BIT is composed of representatives from:

- i. Student Life;
- ii. Academic Excellence;
- iii. The Department of Counseling and Human Services; and
- iv. The University Police.

The composition of the BIT may be adjusted as needed based upon the situation. The Student Programs Coordinator will chair the team unless another is designated by the Associate Provost for Student Success.

Records created by the BIT 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 Student Life and requests for access and for release of information must be reviewed by the Student Programs Coordinator.

All activities of the BIT will be conducted in accordance with any protection that may be provided through FERPA.

Responsible Party: Student Programs Coordinator

**Referrals to the BIT.** 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 contact the Student Programs Coordinator or the University Police who will refer a student to the BIT for an individualized assessment.

1. The BIT will conduct an individualized, informal, preliminary assessment of a referred student's present ability to safely participate in their education program which may include:
  - i. Consultation with administrators, faculty, staff and other students who may have been witness to or impacted by specific behaviors of the student.
  - ii. 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.
  - iii. Consultation with mental health or other medical professionals as may be permitted by law.
2. If the BIT's informal, preliminary assessment indicates that the student does not present a direct threat to himself or herself or to the university community, the BIT may take any action deemed appropriate including:
  - i. Referring the student to the Student Programs Coordinator to consider possible violation of the Code of Student Rights Responsibilities and Conduct based on specific conduct.
  - ii. Recommending that the student seek appropriate treatment.
  - iii. Continuing to monitor the situation involving the student, and, if appropriate, developing a plan to support the student and protect the University community.
  - iv. Recommending changes to the student's educational program that may reasonably accommodate the student's condition.
3. If the BIT's informal preliminary assessment indicates that the student may present a direct threat to himself or herself or to the university community, the Student Programs Coordinator or a designee will arrange for an informal conference with the student as soon as possible. At the informal conference the Student Programs Coordinator will:
  - i. Discuss the results of the BIT preliminary assessment with the student.
  - ii. Review the BIT and Involuntary and Voluntary Student Medical Withdrawal Policy with the student.
  - iii. 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 Rights, Responsibilities and Conduct for failure to comply with the directive of a university official.

- iv. Inform the student that the results of the evaluation may be made available to the student and to the BIT, and that the results may be discussed at a meeting to consider the possible involuntary medical withdrawal of the student.
4. The BIT 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 BIT may:
- i. Terminate the process if the evaluation and other relevant information indicate that the student does not pose a threat to himself or herself or to other members of the University community.
  - ii. Encourage the student to consider taking a voluntary leave of absence, thereby eliminating the need to initiate the involuntary medical withdrawal process.
  - iii. Provide formal notice to the student stating that:
    - a) Information available to the BIT, 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 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.
    - b) The student may request a formal conference with the BIT no more than two (2) days after the date of the BIT notice in order to review the basis for the involuntary withdrawal and to challenge the truth or accuracy of the underlying information.

A student who does not request a formal meeting with the BIT within two (2) business days of the formal BIT notice will be immediately withdrawn from the University without further procedures.

Responsible Party: Student Programs Coordinator

**Procedure for Involuntary Medical Withdrawal.** A student who requests the opportunity to meet with the BIT regarding a possible involuntary medical withdrawal will be provided the full opportunity to:

- i. Review any reports or written documentation that have been submitted to the BIT regarding the assessment of the student's condition and to submit additional information for consideration, including additional medical information.
- ii. Present any relevant information or testimony. Students may be assisted by one advisor of their choosing, but only the student may speak to the BIT or ask questions. Attorneys will not be permitted to present evidence or argument before the BIT. Should the student be accompanied by an attorney, the University will also have a representative of the UNT System Office of General Counsel present.
- iii. Discuss the circumstances or behaviors of concern and challenge the truth or accuracy of the basis for the BIT's assessment of the direct threat.

The meeting between the BIT and the student will be closed and formal rules of evidence will not apply.

1. The BIT 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, including evidence of reasonable medical judgment relying on the most current medical knowledge and/or the best available objective evidence. 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 BIT will consider:
  - i. The specific behaviors that are believed to pose a direct threat to the student or to the university community.
  - ii. The nature, duration and severity of the risk perceived to the student and/or to the university community.
  - iii. The probability that the perceived threat will occur.
  - iv. Whether any modifications can be made to the student's educational program to sufficiently mitigate the risks.
2. If the BIT determines that the student does not meet the standard for involuntary medical withdrawal, the Student Programs Coordinator will inform the student of the conclusion in writing and the procedure will terminate.
3. If the BIT determines that the student poses a direct threat to himself/herself or to the university community that could be eliminated or reduced to an acceptable level through the provision of reasonable accommodations, then the BIT will offer such a reasonable accommodation. If the student refuses to accept the proposed accommodations, then the student will be issued a written notice of involuntary withdrawal.
4. If the BIT determines that the student poses a direct threat to himself/herself or to the university community that cannot be eliminated or reduced to an acceptable level through the provision of reasonable accommodations, then the BIT will issue a written notice of involuntary medical withdrawal to the student within one (1) day of the conclusions of the meeting with the BIT. A notice of involuntary medical withdrawal may include the conditions of readmission or an order directing the student not to return to campus.

Responsible Party: Student Programs Coordinator

**Appeal to the Associate Provost for Student Success.** A student may appeal a decision by the BIT regarding an involuntary medical withdrawal by filing a notice of appeal with the Associate Provost for Student Success within two (2) days of the BIT decision. The student may submit any additional relevant materials for consideration by the Associate Provost for Student Success.

Within one (1) day of receiving a notice of appeal of the BIT Team decision, the Associate Provost for Student Success, or a designee, will review all materials considered by the BIT and any additional information provided by the student and issue a decision on the requested appeal. The decision of the Associate Provost for Student Success is final.

Responsible Party: Associate Provost for Student Success

**Emergency Involuntary Medical Withdrawal.** The Student Programs Coordinator, or designee, may implement an emergency interim withdrawal of a student if the Student Programs Coordinator determines that a student poses a significant danger of causing imminent physical harm to the student or to other members of the university community.

1. A student who is withdrawn on an emergency basis will be given an opportunity to appear before the Student Programs Coordinator within one (1) day from the date of the notice of the emergency interim withdrawal in order to discuss the following:
  - i. The reliability of the information concerning a student's behavior.
  - ii. 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.
2. At the conclusion of the meeting regarding an emergency interim withdrawal, the Student Programs Coordinator may:
  - i. Cancel the emergency interim withdrawal but inform the student that the process to consider the possibility of involuntary medical withdrawal will continue; or
  - ii. 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: Student Programs Coordinator

**Registration.** Upon notification by the BIT chair, the Registrar immediately will place a registration hold on the account of a student who is involuntarily withdrawn from the University under this policy. The registration hold may be removed only when the Registrar has received confirmation by the BIT that the student has met the conditions of readmission set forth by the BIT.

Responsible Party: Registrar

**Voluntary Medical Withdrawal.** At any time, a student may submit a request for a voluntary medical withdrawal in accordance with procedures established by the Registrar.

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.** A student who is involuntarily withdrawn may not seek to reenroll or be readmitted to the University before the start of the next term.

A student may only be re-enrolled or readmitted to the University following an involuntary medical withdrawal upon confirmation by the BIT that the conditions that caused the involuntary medical withdrawal are no longer present. The BIT 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. The Office of Admissions will make the final decision concerning readmission.

Responsible Party: Executive Director of Enrollment Management

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

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: Registrar

**References and Cross-references.**

UNTD Policy 7.001, Code of Student Rights, Responsibilities and Conduct

**Forms and Tools.**

None.

Approved: 12/12/2011

Effective: 12/12/2011

Revised: