

Involuntary Leave of Absence Policy

Clark University (the “University”) is committed to preserving the safety, security, and well-being of students as well as all members of the University community. The University acknowledges that there may be situations where a student’s health, behavior, or circumstances may exceed the support the University can safely and reasonably provide. When this occurs, the University may determine that an involuntary leave of absence is necessary to protect the safety of the student or others, or to prevent significant disruption to the learning environment. In situations where a student’s behavior significantly disrupts the University’s learning or residential environment, or when a student presents a direct threat to the safety of others, the University may determine, as set forth in this Policy, that an involuntary leave of absence is necessary.

1. Scope of the Policy and Relationship to Other University Policies

This Policy applies to all enrolled undergraduate and graduate students. An involuntary leave of absence is not a disciplinary action. Instead, it is an administrative process intended to support student well-being and uphold community safety while ensuring compliance with applicable legal requirements. An involuntary leave does not replace or preclude proceedings under the Student Code of Conduct; some circumstances may require both processes to run concurrently. It does not limit the University’s ability to place enrollment holds for unrelated reasons or relieve students of financial obligations.

As used in this Policy, “student” means any person who is enrolled in one or more classes offered by the University. Decisions made under this policy will be based on an individualized, objective assessment. The University will consider whether reasonable accommodations, support measures, or modifications can effectively mitigate any safety concerns or disruptions before determining that an involuntary leave is necessary.

2. Procedure

An involuntary leave of absence is rare and may be considered only when one or more of the following conditions are present:

- A. a direct threat, as defined above, to the health and safety of others. For purposes of this Policy, a “direct threat” means a substantial and imminent risk of harm to health or safety that cannot be eliminated or sufficiently reduced through reasonable accommodations, support measures, or modifications. In determining whether a direct threat exists, the

Associate Dean of Students or designee (“ADOS”), will consider the nature, duration, and severity of the risk; the probability that potential harm will actually occur; and the imminence of that potential harm, based on current medical knowledge or the best available objective evidence, and not on generalizations or stereotypes about a student’s condition or disability;

- B. the student’s behavior significantly or repeatedly disrupts the University’s learning or residential environment, notwithstanding reasonable accommodations or modifications; or
- C. the student is unwilling or unable to fulfill necessary self-care obligations, and, in the reasonable judgment of the ADOS, no other reasonable accommodation can adequately reduce risk or disruption.

When the ADOS is made aware of a student’s behavior by a member(s) of the campus community, the ADOS will:

1. Evaluate accessible information and consult with appropriate University personnel who may include staff from the Dean of Students, Residential Life and Housing, Health Services, Counseling and Personal Growth, Student Accessibility Services, Legal Counsel, and Campus Police. Other campus personnel may be consulted at the discretion of the ADOS.
2. Notify the student in writing that an involuntary leave of absence is being considered.
3. Contact the student’s emergency contact if deemed appropriate.
4. The student will be provided with an opportunity for the student to meet to discuss the implications of, and procedures relating to, an involuntary leave of absence.
5. Whenever appropriate, the ADOS will encourage the student to take a voluntary leave of absence, thus eliminating the need to invoke an involuntary leave.
6. The ADOS may require that the student undergo a psychological or physical evaluation if they believe it will facilitate a more informed decision. In such event, the ADOS may require the student to provide a report from their medical and/or psychological provider, and the University also reserves the right to have the student undergo an examination by a physician of its choice, which would include a review of the student’s medical records.
7. If the ADOS determines that the information provided by the student’s provider is incomplete, requires further explanation or context, or is inconsistent with other information in the student’s record, the ADOS may contact the provider to obtain

additional supporting information. All evaluations conducted and subsequent records received by Clark University are for the purpose of assisting the ADOS in making a more informed decision.

8. The ADOS may request a stay for any pending disciplinary action until the evaluation process is completed. If the student fails to initiate the required evaluation or refuses to undergo an evaluation within the time period set by the ADOS, the student may be placed on an involuntary leave of absence from the University.
9. The student shall sign a release authorizing the results of their medical records to be provided to the University representatives involved in the decision-making process, as identified by the ADOS. Independent medical evaluations scheduled by Clark University will be maintained in strict confidence by the University's privacy policies and applicable laws relating to confidentiality and will only be shared with those who have an absolute need to know to assist or advise the ADOS in the fulfillment of their obligations.
10. Upon consultation with the dean of the student's respective academic program, and, if requested, a review of information provided by evaluators, the ADOS will make a decision regarding the involuntary leave of absence and give the student written notice of the decision. The decision may include continued enrollment with no conditions, continued enrollment with conditions, or an involuntary leave of absence. The written notice will identify the criteria relied upon, summarize the information considered, state any conditions required for continued enrollment or reinstatement, and describe the student's right to appeal under this Policy.
11. If the student withdraws from the University or leaves the University before participating in the evaluation, they will be prohibited from reenrolling until the ADOS has received and evaluated documents from a qualified professional that expressly state that the student does not pose a risk of harm to the health, safety, property of others, or disruption, or threatened disruption to the normal operations and activities of the University, its students, faculty, or staff.
12. Where students have been asked to remain away from the University while a review is underway, the ADOS will make every effort to reach a decision in one business week, provided the student responds in a timely manner to requests for information and, if appropriate, evaluation. The University will also make reasonable efforts to ensure the student is not unduly academically harmed during this time away. A letter of notification regarding the decision will be sent to the student, including all pertinent information, and will specify the terms of the decision and conditions for reinstatement, if applicable.

13. At any time before a final determination is made, the student may initiate the procedures for withdrawal or voluntary leave from the University by emailing the Dean of Students Office at DOS@clarku.edu. The ADOS will provide the student with information on the relevant procedures.

3. If an Involuntary Leave Is Implemented

If the University implements an involuntary student leave of absence, such leave will become effective immediately. The ADOS will inform the student in writing of the decision and the specific requirements for reinstatement by email:

1. The specific length of time that the student will be on an involuntary leave of absence from the University will be determined on a case-by-case basis.
2. The ADOS reserves the right to notify the student's emergency contact of the involuntary leave of absence if such notification is deemed appropriate.
3. Unless academic policy or practice dictates otherwise, a student's transcript will reflect a grade of "W" for each course in which the student was enrolled that semester and was unable to complete, regardless of whether the involuntary leave of absence occurred within the University's specified class withdrawal period. In rare cases, an IN may be granted in alignment with the academic policy on incompletes. A notation of "Leave of Absence" may be noted on the student's transcript.
4. The Registrar will be notified by the ADOS that the student may not be reinstated without authorization from the ADOS.
5. If a student chooses to take coursework, not associated with an incomplete (IN), while on leave, they must seek approval for transfer credit from the Director of Academic Advising Center/Division of Student Success for undergraduate students or from the applicable Dean for the student's graduate program in accordance with current policy.
6. Following the implementation of the involuntary student leave of absence, the student will not be permitted on the University's campus or to attend any off-campus University activities unless and until the student receives express written permission from the ADOS and/or is reinstated at the University. In such cases, a student should put a request in writing at least five business days before their desired date to be on campus or attend off-campus activities. Notwithstanding the foregoing, students on leave may continue to access the University library and other public-facing services remotely, and may retain their Clark email account and access to academic advising and career services, unless the ADOS determines that such access poses a direct threat to the safety of the student or others.

7. The student must return their OneCard (identification card) to the ADOS. If a resident student, the residence hall room or apartment must be vacated immediately and the keys returned to the Office of Residential Life and Housing.
8. Consistent with Clark's policies and procedures, students who leave the University before the end of the semester may be eligible to receive part or a portion of tuition, meal plan, and/or housing fees refunded.

4. Appeal

1. The student may appeal the decision of the ADOS to the Dean of Students ("DOS").
2. Appeals shall be in writing and must be received within five business days from the date of receipt of the written notification of the involuntary student leave of absence. An appeal will be limited to the following considerations:
 - i. Were the proper facts and criteria brought to bear on the decision?
 - ii. Is there new information to be considered that was not available when a decision was rendered?
 - iii. Were there procedural irregularities that affected the outcome and decision? Given the information and facts available at the time, was the decision reasonable?
3. The decision to invoke an involuntary student leave of absence will be final and conclusive if the student fails to file a request within the specified time.
4. The student will remain on involuntary leave during the pendency of the appeal process.
5. The DOS will notify the student in writing of their decision regarding the appeal. Generally, appeals will be heard within ten business days (after confirmation of the appeal submission) unless circumstances prevent, in which case the student will be informed of the status of the appeal. The decision of the DOS is final.
6. To the extent feasible, the student will be assisted by the Director of Academic Advising/Division of Student Success, along with the student's faculty advisor, in making up academic requirements if a student is reinstated.

5. Request for Reinstatement

1. A student on an involuntary leave of absence who wishes to be reinstated must submit a formal request for reinstatement to the ADOS.
2. The student must present evidence that they have satisfied all reinstatement conditions established at the time the involuntary student leave of absence was instituted.
3. The decision to approve or deny reinstatement will be made by the ADOS in consultation with the DOS, the dean of the academic program affiliated with the student, and some cases University Police.
 - a. To reinstate a student, consideration must be made on whether the student has a viable pathway to complete their academic degree.
4. In approving a request for reinstatement, additional conditions may be imposed by the ADOS in consultation with the DOS, the Dean of the academic program affiliated with the student, and General Counsel, and some cases University Police under which the student will be permitted to return to the University.
5. The student will typically be notified of the decision in writing within ten business days of the receipt of their request for reinstatement, including any conditions and/or requirements under which the student will be permitted to return to the University.

6. Interim Immediate Involuntary Leave

In unusual circumstances, it may be necessary for the University to remove a student from classes and/or from campus while the processes set forth in this Policy are followed.

1. The ADOS may impose an interim immediate involuntary leave of absence pending a determination about an involuntary student leave of absence if, in the opinion of the ADOS, the student's behavior poses a direct threat to the safety, security, and well-being of the University community.
2. The ADOS will notify the student in writing by email to their University email account of the interim immediate involuntary leave and provide the student with an opportunity to discuss the interim immediate involuntary leave of absence and the process for determining an involuntary

7. International Students

International students will be advised that an Involuntary Leave of Absence will likely affect their student visa status and that they should consult with staff from the International Center for more information.

8. Financial Aid/Student Accounts

Students funded with federal monies should consult the Financial Assistance Office regarding the impact of an involuntary leave of absence on their eligibility for aid.

9. Athletics

Student-athletes should consult with the Athletics Department regarding the impact of an involuntary leave of absence on their eligibility for athletics.

History/Revision Information
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Responsible Office/Division: Student Success

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