



### **Clark University 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 students experience a medical crisis, a mental health crisis, or a personal event that significantly affects their ability to function successfully or safely in their role as a student. When such an event requires a medical/mental health intervention, the student may be encouraged to take a voluntary leave of absence to address their medical condition. Further, if a student engages in behavior that is disruptive to the University’s commitments, including verbalizations or actions that pose a direct threat to members of the University community, the University may require the student to take an involuntary leave of absence.

This policy may provide an option to return to school at a later date as long as the student is able safely to rejoin the campus community to pursue their educational goals.

As used in this Policy, “student” means any person who is enrolled in one or more classes offered by the University.

An involuntary leave of absence is not intended to replace disciplinary actions taken in response to violations of the Student Code of Conduct, nor does it preclude the suspension or dismissal of students from the University as a result of such violations. It also does not affect any action law enforcement personnel take in connection with the violations.

Whenever appropriate, before an involuntary leave of absence is invoked, the University may evaluate reasonable options to reduce the risk to the University community and to accommodate the student; the student will also be permitted to take a voluntary leave of absence from the University. In the event that the risks remain and the student does not take a voluntary leave of absence, the procedures outlined in this Policy will be implemented.

### **Scope of the Policy and Relationship to Other University Policies**

A leave of absence is an administrative process; it is not a disciplinary process. This policy and procedure are not meant to be punitive. This policy does not limit the University’s ability to place enrollment holds on students for reasons beyond the scope of this policy and nothing in this policy relieves a student of their financial obligations to the University.

### **Procedure**

Requiring a student to take a leave of absence is rare and reserved for those times when it is determined that there is: a) significant risk to the health and safety of others; b) the student’s behavior severely disrupts the University environment, or c) the student is unwilling or unable to fulfill necessary self-care obligations, and no other reasonable accommodation can adequately reduce risk or disruption.

In keeping with [Clark’s Harassment and Discrimination Prevention Policy](#) each qualified individual, regardless of race, color, sex, sexual orientation, pregnancy, religion, creed, national origin, age as defined by law, or veteran or disability status, shall have equal opportunity in the education, employment or services of Clark University.

However, on rare occasions, a student may have needs that exceed the level of support and services that the University can appropriately provide.

When the Dean of Students (DOS) or designee (the primary designee within the DOS is the Associate Dean of Students for Health & Well-Being (ADOS) is made aware of a student's behavior by a member(s) of the campus community, the DOS or designee will:

1. Evaluate accessible information and consult with appropriate University personnel who may include staff from the Dean of Students Office, 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 ADOS will provide 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 or designee will encourage the student to take a voluntary leave of absence, thus eliminating the need to invoke an involuntary leave.
6. The ADOS or designee 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 or designee 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 or designee 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 or designee 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 or designee. 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 or designee in the fulfillment of their obligations.
10. Upon consultation with, the dean of the student's respective academic program, and the Dean of Students, 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.
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 or designee 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, of 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.

13. 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.
14. 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](mailto:DOS@clarku.edu). The ADOS or designee will provide the student with information on the relevant procedures.

### **If an Involuntary Leave is Implemented**

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

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 or designee 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 or designee that the student may not be reinstated without authorization from the ADOS or designee.
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.
7. The student must return their OneCard (identification card) to the ADOS or designee. 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.

### **Appeal**

1. The student may appeal the decision of the ADOS to the Dean of Students.
2. Appeals shall be in writing and must be received within five calendar 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?

- iv. 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 Dean of Students or designee will notify the student in writing of their decision regarding the appeal. Generally, appeals will be heard within ten (10) 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 Dean of Students 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.

### **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 or designee.
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 or designee in consultation with the Dean of Students, 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 or designee in consultation with the Dean of Students, 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.

### **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 or designee 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 or designee, 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 electronic mail 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 leave of absence.

### **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.

### **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.

### **Athletics**

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

<b>History/Revision Information</b>
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**Responsible Office/Division:** Student Success

**Effective Date:** November 21, 2022

**Last Amended Date:** August 27, 2024

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