

Administrative Regulation 4:12

Student Involuntary Medical Withdrawal Policy and Procedures

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I. Introduction

The University is committed to creating a safe and healthy educational environment and ensuring the well-being of all students. To support this commitment, this *Administrative Regulation* establishes the policies and procedures for: a) involuntary medical withdrawal for students whose welfare or behavior is a concern and who cannot be adequately helped by the University's available resources; and b) returning to class after an involuntary medical withdrawal. The University's Community of Concern Team (COC) is responsible for managing these procedures for Involuntary Medical Withdrawal. (See *Administrative Regulations 4:11, Community of Concern Team*.)

II. Entities Affected

This *Administrative Regulation* applies to all University of Kentucky students. For purposes of this regulation, "student" means any person who is enrolled at the University and who has not completed a program of study in which he or she is enrolled. Student status continues whether or not the University's academic programs are in session. Student status applies to those taking courses for credit or non-credit at the University, either full-time or part-time, while pursuing undergraduate, graduate, or professional studies. Persons who are living in University housing, although not enrolled at the University are also considered students.

III. Policies

- A. Involuntary Medical Withdrawal will be initiated only in extraordinary circumstances and/or only after less restrictive alternatives have been exhausted (e.g. structured intervention plans, voluntary withdrawal).

- B. The COC may initiate an involuntary medical withdrawal when a student cannot be adequately helped by the University's available resources or who refuses to accept the healthcare provider recommended treatment, and whose behavior involves one (1) or more the following:
1. Engaging in behavior that poses a direct threat to his/her health and safety or that of others. A "direct threat" exists when a student engages, or threatens to engage, in behavior that poses a significant risk to the health or safety of the student or others. A "significant risk" exists when there is a high probability of substantial harm and not just a slightly increased, speculative, or remote risk.
 2. Repeatedly engaging in behavior that renders the student unable to participate to function appropriately and independently in a University setting; or
 3. Significantly disrupting others in the student's residency community, or the ability of others to participate in the educational programs or employment opportunities offered by the University.

Examples include, but are not limited to:

- Serious threats, gestures, or indications of harm to any member of the University community or University property; or
- Repeated behavior that demonstrates an inability to function independently and responsibly, while refusing or exhausting the scope of services that University offices are qualified to provide.

IV. Involuntary Medical Withdrawal Procedures

- A. The COC serves as the centralized point of contact for persons who develop a concern about the welfare or behavior of a student. If the COC receives a referral regarding a University employee (faculty or staff) whose welfare or behavior is a concern to others, the COC will forward the referral to the appropriate University unit (e.g. Human Resources or the Office of Faculty Advancement).
- B. The COC accepts referrals regarding students of concern and, prior to initiating an involuntary medical withdrawal, takes appropriate intervention actions in accordance with the policies and procedures outlined in *Administrative Regulation 4:11, Community of Concern Team*.
- C. If a student who has pending disciplinary action takes an involuntary medical withdrawal and then returns to campus, the disciplinary process will proceed upon the student's return.
- D. When, in the judgment of the Associate Provost for Student and Academic Life, the student's behavior constitutes a violation of *Administrative Regulation 4:10, Student Code of Conduct*, and the conduct is of a nature that the continued presence of a student at the University presents an immediate and significant danger of harm to the life, health, welfare, safety, or property of any member of the University community, the accused person may be immediately and temporarily suspended from the University campus per Section III of the [Non-Academic Student Conduct Procedures](#). This conduct process may occur separately or concurrently with the COC's process for involuntary medical withdrawal.
- E. Additionally, there are circumstances when, due to the timeline of the COC becoming aware of a student's needs and escalated concern about a student's high-risk behaviors, an involuntary medical withdrawal may be considered without prior intervention actions or a structured intervention plan having been implemented.

- F. All involuntary medical withdrawals will be reviewed by a five-person committee consisting of: (1) the Chair of the COC; (2) a member of the Counseling Center staff; (3) a member of the UHS staff; (4) a member of the Disability Resource Center (DRC) staff; and (5) Academic Ombud.
- G. Prior to initiating an involuntary medical withdrawal of absence, the COC may provide appropriate support and remediation or intervention planning as follows:
1. Refer the student to appropriate University or external resources;
 2. Implement a personalized structured intervention plan(s);
 3. Discuss with the student the voluntary withdrawal process (University Senate Rule 5.1.8);
 4. Request a mandatory assessment if the student's behavior renders them unable to function independently and responsibly, is a significant disruption, or poses a significant threat of harm to any member of the University community or to University property. The individualized, independent assessment will be conducted by a licensed medical or behavioral health professional not affiliated with the COC and the University will incur the cost of the assessment.
 - a) The medical or behavioral health professional(s) conducting the medical assessment may deem that a student in question has a condition that renders them unable to function independently and responsibly in the University environment, or poses a significant threat of harm to any member of the University community or University property. The medical assessment may indicate that a student is able to continue participation in the collegiate environment. Regardless of the outcome of the assessment, the assessment is not binding on the University. The five-person review committee has the ultimate authority in balancing the needs of the student, the outcome of the assessment, and the ability of campus resources to support the student without placing undue hardship on the University.
 - b) A student who fails to attend their mandatory assessment or refuses to participate fully in their mandatory assessment may be subject to immediate involuntary medical withdrawal without further process.
- H. Any student who is placed on involuntary medical withdrawal will receive a "W" in each course for the semester during which the involuntary medical withdrawal is imposed. Additionally, students will be refunded all tuition and fees for the semester during which they are placed on an involuntary medical withdrawal. For students living in a building operated by University Housing and for students who have a University dining plan, the student's housing contract and/or dining plan will be prorated based on the date of the involuntary medical withdrawal.

V. Returning to Class after an Involuntary Medical Withdrawal

- A. A student who is placed on an involuntary medical withdrawal will have a "Community of Concern Hold" placed on their student account. The hold is reflected only on University internal records. The purpose of the hold is to prevent a student who has been placed on an involuntary medical withdrawal from enrolling and returning to the campus community prior to having their application to return to campus reviewed and approved.
- B. A student wishing to re-enroll after an involuntary medical withdrawal must submit an "Involuntary Medical Withdrawal Re-Enrollment Application" to the Chair of the COC. Conditions for a student's return may include required documentation from the licensed healthcare provider(s). A student required to take an involuntary medical withdrawal is not permitted to submit a re-enrollment application to return for the same semester during which their withdrawal occurred.

- C. The COC will review the submitted Involuntary Medical Withdrawal Re-Enrollment Application and documentation and make a final determination on the student's fitness to return to classes and the campus community.
- D. To ensure that the COC has sufficient time to review and consider an Involuntary Medical Withdrawal Re-Enrollment Application, the applications are due at least one (1) full month prior to the beginning of the applicable registration window for the student's college or program. Upon a request by the student and a showing of extenuating circumstances, the COC at its discretion may waive this deadline. The student is responsible for making regular application for University readmission, which is due according to the University's readmission timeline. <http://www.uky.edu/Admission/readmission.htm>.
- E. A student that has been placed on involuntary medical withdrawal and who wishes to re-enroll must be able to demonstrate through their re-enrollment application and supporting documentation, that they have satisfied the requirements set in place by the COC at the time that the medical withdrawal was initiated.
- F. A student who wants to live in on-campus student housing must separately apply for on-campus housing. A student returning from an involuntary medical withdrawal is not guaranteed on-campus housing.
- G. If the COC approves the student's re-enrollment application, the student will be notified via official University email or via official University mailing. Additional requirements and a structured intervention plan may accompany the re-enrollment approval. In the event that the student does not adhere to the additional requirements or structured intervention plan, the re-enrollment approval may be revoked.
- H. If the COC denies the student's re-enrollment application, the student will be notified via official University email or via official University mailing. This notification will include the COC's reason(s) for denying the student's re-enrollment, including the specific expectations of the structured intervention plan that were not met by the student. If the COC was unable to make a decision due to missing information, the notification will include a description of the information that is required for the Involuntary Medical Withdrawal Re-Enrollment Application to be reconsidered.
- I. If the student's re-enrollment application is denied, the student may appeal as outlined in Section VI of this Administrative Regulation.
- J. If the Involuntary Medical Withdrawal Re-enrollment Application is approved, the responsibility to complete housing applications and register for classes according to University deadlines rests with the student.
- K. Certain Graduate and Professional Colleges (e.g. Law, Pharmacy, Medicine, and Dentistry) with licensure or certification requirements may have specific stipulations regarding return to the academic program after a period of being unenrolled. Graduate and Professional students are responsible for checking with their college of residency prior applying for readmission to discuss return policies and how an involuntary medical withdrawal might impact their student status and academic progress.

VI. Appeals

- A. The Senate Retroactive Withdrawal Appeals Committee serves as the appeals board for student appeals related to Involuntary Medical Withdrawal. (see Senate Rule 1.4.3.2)
- B. A student has the right to file a written appeal challenging the COC decisions in the following circumstances:
 - 1. A student has been required to take an involuntary medical withdrawal;

2. A student's Involuntary Medical Withdrawal Re-Enrollment Application has been approved, but includes additional requirements or a structured intervention plan; or
 3. A student's Involuntary Medical Withdrawal Re-Enrollment Application has been denied.
- C. A student must appeal the COC decision within seven (7) days of the date of notice to the student. The appeal must be submitted to the Chair of the COC and Senate Retroactive Withdrawal Appeals Committee.
- D. The Chair of the Senate Retroactive Withdrawal Appeals Committee may grant a review the of COC decision only if the Chair determines the following:
1. There is new evidence that was not available to the COC at the time of the decision; or
 2. There was a significant deviation from procedures that affected the outcome of COC's deliberation.
- E. The decision of the Senate Retroactive Withdrawal Appeals Committee is the final agency action and is not subject to further appeal, except as may be otherwise provided by *Governing Regulation XI* regarding an alleged violation of student rights.

References and Related Materials

Family Educational Rights and Privacy Act (FERPA), Part 99.36

AR 4:11, Community of Concern Team

University Senate Rule 5.1.8

University Senate Rule 5.2.4.2.

Revision History

5/11/2017 (Interim), 11/28/2017

For questions, contact: [Office of Legal Counsel](#)