

Involuntary Medical Withdrawal

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Interim Dean of Students



History of Community of Concern

- Group of people met regularly about students of concern
- First full-time staff hired December 1, 2011 (case manager position)
- Case Manager responsible for managing CoC Team / behavioral alerts
- Expanded to 2 full-time staff in 2013



History of Community of Concern

AY	Behavioral Alerts	Alert Type: Threat to Self / Others
2013-2014	557	64
2014-2015	750	120
2015-2016	813	106
2016- Present	968	~122



Four (4) Interim Leave / Involuntary Withdrawals since 2011 involving 3 different students

Previous paragraph in Student Code (2010-2016)

“When a student, as a result of a psychological, mental health or other medical conditions, poses a threat of violence directed against self, others, or University property as evidenced by verbal statements or other menacing behaviors, the Dean of Students shall be permitted to divert the student from the disciplinary system by imposing an interim leave of absence from the University. Before the student is permitted to reenroll in the university, he or she shall be required to undergo a comprehensive evaluation to assess the student’s readiness to return and not pose a threat to the university community. The disciplinary proceedings in which the student was involved as a Respondent may resume upon the student’s reenrollment in the university.”



Problems of ILA (2010-2016)

- No outlined process in previous version
- Covered ‘direct threat’
 - Use of ‘menacing behavior’
 - Included ‘threat to self’
- In 2011, DOJ changed definition of “direct threat” to only include threat to others
- OCR Resolution Agreements (Fordham 2011; Princeton, 2013) – universities are allowed to take action against harm to self if there are individualized assessments





National Association of College and University Attorneys whitepaper: Direct Threat and Caring for Students at Risk for Self-Harm: Where We Stand Now

Conduct **Individualized Risk Assessments**

Assess **observable behavior** that affects the health, safety, or welfare of the campus community

**** Enforce policies applicable to all students ****

Avoid Disparate Treatment

Absent an emergency, **first consider a voluntary leave**

Resort to involuntary removal in **emergency or direct threat situations**

Reasonable and **individualized conditions** for a student's return

Goals of Drafted Policy

- Individualized Assessment
- Direct threat to others / members of community; serious disruption
- Policy applicable to all students
- Promote voluntary options (structured intervention plans; voluntary withdrawal)
- Conditions of Return (individualized)
- Appeals process

