

Involuntary Withdrawal Policy

I. Policy Statement

The procedures that follow establish a process for the involuntary withdrawal of students who, for reasons pertaining to mental or physical health, pose a direct threat to self or others, or substantially impede the educational process or lawful activities of other members of the County College of Morris community.

II. Reason for Policy

A student will be subject to involuntary medical/mental health withdrawal if the student satisfies one of the following:

1. Poses a significant risk to the health and/or safety of self or others; or
2. Engages in conduct that substantially impedes the rights and privileges of other members of the college community, or the educational processes, proper activities or functions of the college or its personnel.

A student should not be subject to involuntary withdrawal under these procedures when judicial, academic, or other actions are available and the student's circumstances can best be addressed through procedures appropriate for those actions; e.g., the Student Code of Conduct or the Academic Integrity Policy & Procedures. When possible and appropriate, efforts should be made to persuade a student to withdraw voluntarily through proper protocols before initiating the involuntary withdrawal process.

III. Interim Involuntary Withdrawal Process

If safety is an immediate concern, the college may take interim action to protect the well-being of the student and/or other members of the college community. By interim involuntary withdrawal, the college may remove a student from any or all college premises when in the professional judgment of the Vice President of Student Development & Enrollment Management or designee and considering all reasonably available information, it is determined that the individual's presence on campus poses a continuing danger or significant risk to self or others exist. Interim involuntary withdrawal is a preliminary action taken to protect the health and safety of the student withdrawn, or of others, and is not a penalty.

A student withdrawn on an interim basis shall be given an opportunity to meet personally with the Vice President of Student Development & Enrollment Management or designee within two class days from the effective date of the interim withdrawal, in order to discuss the reliability of the information concerning the student's behavior. Following this meeting, the Vice President of Student Development & Enrollment Management, or designee, may either continue or cancel the interim involuntary withdrawal. If the interim involuntary withdrawal is cancelled, the procedures described in this policy regarding involuntary withdrawal may still proceed. If the interim involuntary withdrawal remains in effect, the next stages of this procedure will be followed. The interim withdrawal will remain in effect until a final decision is made under this process.

IV. Critical Incident Response Team

The college has a Critical Incident Response (CIR) Team in place that is tasked with the responsibility of assisting in responding to those incidences of a critical nature in which a student has demonstrated inappropriate medical or mental health behavior. Also, the CIR Team can provide input to the Vice President of Student Development & Enrollment Management or designee in those cases in which an involuntary withdrawal is being considered. This assistance takes into consideration all the facts related to the incident in which the CIR Team was called. Documentation maintained by the Critical Incident Response Team will be shared with the Vice President of Student Development & Enrollment Management or designee in an effort to have a complete understanding of the situation that has resulted in consideration of the involuntary withdrawal. The Critical Incident Response Team includes members of the Counseling Services staff, the Coordinator of Health Services, the Director of Public Safety, and the Assistant Dean of Student Development & Enrollment Management. Other members may be added at the discretion of the Vice President of Student Development & Enrollment Management or designee.

V. Involuntary Withdrawal Process

Any member of the college community who has reason to believe that a student may meet the criteria for involuntary withdrawal may contact the Vice President of Student Development & Enrollment Management or designee who will conduct an informal review. If the Vice President of Student Development & Enrollment Management or designee recommends that a student be withdrawn for the medical or behavioral reasons based upon the criteria set forth in Section II above, the student shall be requested to agree to withdraw voluntarily. If the student does not agree to withdraw voluntarily, the student will ordinarily be required to undergo a medical or psychological evaluation at the college's expense by a health professional designated by the college and the student will be requested to sign releases deemed necessary. A student, who refuses to undergo an evaluation and provide any consent necessary for consideration of the evaluation, may be subject to Involuntary Withdrawal and/or disciplinary action. The evaluation will be provided to the Vice President of Student Development & Enrollment Management or designee and to the CIR Team. The Vice President of Student Development & Enrollment Management or designee will complete the review in consultation with the college's medical or mental health advisors and the CIR Team.

If consultation with the medical or mental health advisors supports the decision to withdraw the student, the student may voluntarily withdraw or the Vice President of Student Development & Enrollment Management or designee will involuntarily withdraw the student. Conditions for reinstatement will be specified in writing by the Vice President or designee.

VI. Appeal of Involuntary Withdrawal

A student who is involuntarily withdrawn under these procedures may make written appeal to the Vice President of Student Development & Enrollment Management for an informal proceeding to reconsider the determination. Any such appeal must be received by the Vice President of Student Development & Enrollment Management within five (5) class days of the determination to involuntarily withdraw the student.

The Vice President will conduct the informal proceeding within ten (10) class days of receipt of the written appeal. Three weekdays prior to the informal proceeding, the student will be provided with the following:

1. A written statement providing a detailed explanation of the reasons for the involuntary withdrawal and the information relied upon; and
2. Any medical or psychological evaluations relied upon in making the initial decision to involuntarily withdraw the student.

The student may be assisted at the informal proceeding by an appropriate advisor, who may be a parent/guardian, a health professional of the student's choice, a faculty or staff member, or legal counsel. If the student intends to be represented by legal counsel, the Vice President of Student Development & Enrollment Management shall be so advised by the student at least three class days prior to the informal proceeding. When legal counsel for the student participates, the Vice President of Student Development & Enrollment Management or designee shall arrange for the college's legal counsel to also participate in the informal proceeding.

At the conclusion of the informal proceeding, the Vice President of Student Development & Enrollment Management shall determine whether to (a) uphold the original withdrawal; (b) reinstate the student; or (c) reinstate the student subject to specified conditions that may include without limitation participation in an ongoing treatment program, acceptance of and compliance with a behavioral contract, reduced course load, or any combination thereof. The Vice President of Student Development & Enrollment Management may also modify the conditions of reinstatement. The decision of the Vice President of Student Development & Enrollment Management shall be final and not subject to any other level of appeal.

VII. Reinstatement

A student who has been withdrawn under this procedure (voluntarily or involuntarily) who wishes to be considered for reinstatement shall contact the Office of Student Development & Enrollment Management and provide appropriate documentation to comply with the conditions of reinstatement. The Vice President of Student Development & Enrollment Management or designee will review the request for reinstatement as follows:

1. Review and investigate compliance with the conditions of reinstatement.
2. Confirm that the student is eligible for reinstatement based upon the student's academic record.
3. Meet with the student.
4. If necessary, consult with the appropriate medical or mental health advisor to confirm student's readiness for reinstatement to the college.

Based upon professional judgment, the Vice President of Student Development & Enrollment Management or designee will make the decision of the student's readiness for reinstatement.