

Involuntary Withdrawal

I. Policy Statement

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

II. Purpose

The College is committed to providing a safe, supportive, and academically focused environment for all students. This policy establishes the circumstances and procedures under which a student may be involuntarily withdrawn from the College when their continued enrollment presents a risk to themselves, others, or the educational process, or when they are unable to meet academic or conduct requirements due to health, safety, or behavioral concerns. A student will be subject to involuntary 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 disrupts the educational processes, lawful 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 & Procedure. When possible and appropriate, efforts should be made to encourage a student to withdraw voluntarily through proper protocols before initiating the involuntary withdrawal process.

III. Immediate Interim 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. An immediate interim withdrawal allows the College to remove a student from any or all college premises when, in the professional judgment of the Assistant Vice President of Student Affairs or their designee, and after considering all reasonably available information, it is determined that the individual's presence on campus poses a continuing danger or significant risk to themselves or others.

Immediate interim withdrawal is a preliminary, precautionary measure intended to protect the health and safety of the student and the College community, and is not considered a disciplinary penalty. A student withdrawn on this basis shall be given an opportunity to meet personally with the Assistant Vice President of Student Affairs or their designee within two (2) class days from the effective date of the immediate interim withdrawal, in order to discuss the following issues

only:

- The reliability of the information concerning the student’s behavior;
- Whether or not the student’s behavior poses a danger of causing imminent physical harm to the student or others or causing property damage, or directly impeding the lawful activities of others;
- Whether or not the student has completed or submitted an evaluation, in accordance with the standards and procedures as described in Section V; and
- Whether or not the student has fulfilled the requirements for reinstatement outlined in the notification letter (i.e. corrective action). .

Following this meeting, the Assistant Vice President of Student Affairs, or their designee, may either continue or cancel the interim involuntary withdrawal. If the immediate interim withdrawal is cancelled, the procedures described in this policy regarding involuntary withdrawal may still proceed. If the immediate interim 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.

As this policy is intended to protect the student who is the subject of these proceedings and the CCM community as a whole, the Assistant Vice President of Student Affairs or their designee may reasonably deviate from these guidelines to the extent indicated by the facts of the case or proceedings, unless significant prejudice to a student may result.

IV. Critical Incident Response Team

The College has a Campus Assessment, Response and Evaluation (CARE) Team in place that is tasked with the responsibility of assisting in responding to those who may be experiencing challenges that impact their or others’ health and safety on campus. The CARE Team can provide input to the Assistant Vice President of Student Affairs or their 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 CARE Team was called and formally assesses the situation. Documentation maintained by the CARE Team will be shared with the Assistant Vice President of Student Affairs or their designee in an effort to have a complete understanding of the situation that has resulted in consideration of the involuntary withdrawal. The CARE Team includes the Assistant Vice President of Student Affairs, the Assistant Dean of Student Engagement and Success and staff from the Center for Student Well-Being, Public Safety, Accessibility Services Office and the Academic Success Center. Other members may be added at the discretion of the Assistant Vice President of Student Affairs or their 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 Assistant Vice President of Student Affairs or their designee who will conduct an informal review. If the Assistant Vice President of Student Affairs or their designee recommends that a student be withdrawn for the 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 may 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 Assistant Vice President of Student Affairs or their designee and to the CARE Team. The Assistant Vice President of Student Affairs or designee will complete the review in consultation with the college's medical or mental health advisors and the CARE Team.

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

VI. Appeal of Involuntary Withdrawal

A student who is involuntarily withdrawn under this policy may submit a written appeal to the Senior Vice President of Academic Affairs, Workforce Development and Student Success requesting an informal review of the decision. The appeal must be received by the Senior Vice President of Academic Affairs, Workforce Development and Student Success within five (5) class days of the determination to involuntarily withdraw the student. If the student fails to file an appeal with Senior Vice President of Academic Affairs, Workforce Development and Student Success within five (5) class days of receipt of the decision, the student will be deemed to have waived their right to appeal the withdrawal decision.

The Senior Vice President of Academic Affairs, Workforce Development and Student Success will conduct the informal proceeding within ten (10) class days of receiving the written appeal. At least three (3) weekdays prior to the informal proceeding, the student will be provided with the following:

1. A written statement explaining in detail the reasons for the involuntary withdrawal and the information used in making the decision; and
2. Any medical or psychological evaluations considered in 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, they must notify the Senior Vice President of Academic Affairs, Workforce Development and Student Success at least three (3) class days prior to the informal proceeding. If legal counsel for the student participates in the informal proceeding, the Senior Vice President of Academic Affairs, Workforce Development

and Student Success or designee will arrange for the College’s legal counsel to be present as well.

At the conclusion of the informal proceeding, the Senior Vice President of Academic Affairs, Workforce Development and Student Success will determine whether to:

- (a) uphold the original withdrawal;
- (b) reinstate the student; or
- (c) reinstate the student with specific conditions.

Possible conditions may include, but are not limited to, participation in an ongoing treatment program, acceptance of and compliance with a behavioral contract, reduced course load, or any combination thereof. The Senior Vice President of Academic Affairs, Workforce Development and Student Success may also modify the conditions of reinstatement when needed. The decision of the Senior Vice President of Academic Affairs, Workforce Development and Student Success shall be final and not subject to any other level of appeal.

The Senior Vice President of Academic Affairs, Workforce Development and Student Success _ shall review the original withdrawal decision using the following criteria:

1. Was the evidence reviewed by the Assistant Vice President of Student Affairs sufficient to justify a determination?
2. Was the determination in keeping with the gravity (i.e. seriousness) of the behavior?
3. Is there evidence that the Assistant Vice President of Student Affairs acted in a capricious or prejudicial manner?

VII. Reinstatement

A student who has been withdrawn under this procedure (voluntarily or involuntarily) who seeks to be considered for reinstatement shall contact the Dean of Students Office and provide appropriate documentation to comply with the conditions of reinstatement. The Assistant Vice President of Student Affairs 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 proper assessment of the current circumstances, the Assistant Vice President of Student Affairs or designee will make the decision of the student’s readiness for reinstatement.