Involuntary Leave of Absence and Return Policy

Wofford College is committed to the safety, health and well-being of the campus community. The college recognizes that students may experience situations that significantly limit their ability to function safely in their role as students. In such circumstances, students should consider withdrawing voluntarily or requesting a Medical Withdrawal. A Medical Withdrawal permits students to take a break from the college and their studies so that they may address the issues that led to the need for the leave and later return to the college with another opportunity to achieve their educational goals. Students will be given the option to withdraw voluntarily or request a Medical Withdrawal, if appropriate, before a decision is made with respect to an involuntary leave.

I. Scope of the policy and relationship to other college policies

An involuntary leave of absence is an administrative process; it is not a disciplinary process. This policy and these procedures are not intended to be punitive and do not take the place of disciplinary actions that are in response to violations of Wofford's Code of Student Rights and Responsibilities or other policies or directives, nor do they preclude the removal or dismissal of students from the college or college-related programs as a result of violations of other college policies or departmental protocols. This policy does not limit the college'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 any financial obligations to the college that were in place at the time the involuntary leave of absence was imposed.

Nothing in this policy limits the power of the college to take administrative action to ensure the safety of the Wofford community. In exceptional circumstances, where the health or well-being of any person(s) may be seriously affected, or where physical safety is seriously threatened, or where the ability of the college to carry out its essential operations is seriously threatened or impaired, the vice president for campus life and student development or the vice president's designee may summarily suspend, dismiss or bar any person from the college or college-related programs. In all such cases, actions taken will be reviewed promptly, typically within one week, by the appropriate college authorities.

In situations involving an imminent or ongoing threat of harm to the student or any other member of the college community, the Behavioral Intervention Team (BIT), in the exercise of reasonable judgement, may require a student to be immediately prohibited from entering Wofford's campus or facilities used for college programs or activities while the individualized assessment and review, described in Section III(A), are taking place. Such students will receive written notice described in Section III(A)(1) as promptly as possible.

II. Requests for reasonable accommodation

Wofford is committed to providing equal access to all participants in college processes, including students with disabilities. Students with disabilities should contact the Office of Accessibility Services to request accommodations. Information about Accessibility Services can be found on the Office's webpage: https://www.wofford.edu/student-experiences/wellness-center/accessibility.

III. Involuntary leave of absence

Requiring a student to take a leave of absence is rare and, subject to Section I, only happens when current medical knowledge and/or the best available objective evidence indicates to the BIT that there is a significant risk to the student's health or safety or the health or safety of others, or the student's behavior severely disrupts the college environment and no reasonable accommodation can adequately reduce that risk or disruption.

Consistent with Wofford's non-discrimination statement, Wofford prohibits unlawful discrimination on the basis of any type of disability or any other characteristic protected by applicable law in the administration of the college's programs and activities. Wofford offers a range of resources, support services and accommodations to address the physical and mental health needs of students. However, on rare occasion, a student's needs may require a level of care that exceeds the care the college can appropriately provide. When current knowledge about the individual's medical condition and/or the best available objective evidence indicates that a student poses a significant risk to the health or safety of a member of the college community, when a student is unable or unwilling to carry out substantial self-care obligations and poses a significant risk to their own safety not based on mere speculation, stereotypes or generalizations, or when a behavior severely disrupts the college environment and the student does not want to voluntarily withdraw, the BIT has the authority to place a student on an involuntary leave of absence.

Before placing any student on an involuntary leave of absence, the BIT will conduct an individualized assessment, consulting with accessibility services, to determine if there are reasonable accommodations that would permit the student to continue to participate in the college community without taking a leave of absence.

The BIT may be notified about a student who meets the criteria of an involuntary leave of absence from a variety of sources, including, but not limited to, the student, the student's academic advisor, residence life staff or campus safety. If the BIT deems it appropriate, these procedures will be initiated.

A. Procedures for placing a student on an involuntary leave of absence

1. The BIT will issue a notice to the student in writing that an involuntary leave of absence is under consideration. The written notice will include the reason(s) the student is being considered for an involuntary leave, contact information for accessibility services, which can provide information about accommodations, and a copy of this policy.

   In the written notice, the student will be encouraged to respond before a decision regarding a leave of absence is made and will be given a specified time period within which to do so.

2. The BIT will consider potential accommodations and/or modifications that could obviate the need for an involuntary leave of absence, such as the option to take a medical withdrawal or explore options for academic accommodations, housing or dining accommodations, or modifications to college policies, rules and regulations.

3. The student may be requested to execute a release of information form, providing Wofford personnel temporary authority to get information from a student's health care provider(s) regarding issues relevant and appropriate to the consideration of an involuntary leave of absence when there is a need for the college to have access to that information as part of the interactive process and individualized assessment. A student's failure to respond to the request or refusal to execute a release of information will not prevent the BIT from proceeding with the assessment based on information in the BIT's possession at the time.

4. The BIT will also confer, as feasible and when appropriate in a particular matter, with individuals regarding the need for an involuntary leave of absence. Although each case will vary, conferring individuals could include the following, with appropriate authorization:

    a. Residence life personnel.
    b. Faculty members.
    c. Academic advisors.
    d. With appropriate authorization, representatives from the Wofford Wellness Center.
    e. With appropriate authorization, the student's treatment provider(s) or other health care professionals.
    f. Campus safety personnel.
    g. Other relevant and appropriate individuals.

    In each case, the BIT will confer with a representative from accessibility services prior to making a decision regarding an involuntary leave of absence.

5. Particular attention will be paid to the criteria for imposing an involuntary leave of absence, specifically, the following:

    a. Whether current knowledge about the individual's medical condition and/or best available evidence indicates the student poses a significant risk to the health and safety of a member of the college community;

    b. Whether a student is unable or unwilling to carry out substantial self-care obligations and poses a significant risk to their own safety, not based on mere speculation, stereotypes, or generalizations; and/or

    c. Whether a student's behavior severely disrupts the college environment.

    The individualized assessment as to each criterion, based on the judgment of a reasonable persons, will rely on current medical knowledge and/or on the best available objective evidence and should ascertain the following: the nature, duration and severity of the risk or disruption; the probability that the risk or disruption will actually occur; and whether reasonable modifications of policies, practices or procedures could adequately mitigate the risk or disruption so as to eliminate the need for an involuntary leave of absence.

6. The BIT will give significant weight to the opinion of the student's treatment provider(s), including those identified by the student, regarding the student's ability to function academically and safely at the college with or without reasonable accommodations. If the

BIT determines that the information provided by the treatment provider(s) is incomplete, requires further explanation or clarification, or is inconsistent with other information in the student's record, the BIT, with proper authorization, will contact the treatment provider(s) to obtain additional information. In certain circumstances, the college may require the student to undergo an additional evaluation by an independent and objective professional designated by Wofford, if the BIT believes it will facilitate a more informed decision.

7. Following these consultations and based on a review of the relevant documentation and information available, the BIT will make a decision as to whether the student should be placed on an involuntary leave of absence and will provide written notice of this decision to the student. The written notice of decision will include information about the student's right to appeal and to reasonable accommodations during the appeal process. The review and notice of a decision under this policy should be done in a reasonably timely manner. In cases when students have been asked to remain away from the college while the review is underway, every effort will be made by the BIT to reach a decision within one week, provided the student responds promptly to requests for information and, if appropriate, evaluation.

    a. *If an involuntary leave of absence is imposed.* The written notice of decision to the student will set forth the basis for the decision, a timeframe for when the student must leave the college, when the student may be eligible to return to the college and the conditions and/or requirements the student will need to satisfy to be eligible for return. The written notice will also inform the student of their right to reasonable accommodations in the return process and will provide contact information for accessibility services. The length of the involuntary leave of absence will be determined on an individual basis.

    b. *If an involuntary leave of absence is not imposed.* The BIT may impose conditions and/or requirements under which the student is allowed to remain at the college.

8. Within one week of receiving the decision of the BIT, the student may submit an appeal of the decision in writing to the chief equity officer or their designee. The written request for appeal must specify the particular substantive or procedural basis for the appeal and must be made on grounds other than general dissatisfaction with the decision of the BIT. The review by the chief equity officer will be limited to the following considerations:

    a. Were the proper facts and criteria brought to bear on the decision?

    b. Is there any new information not previously available to the student that would substantially impact the outcome of the decision-making process?

    c. Were there procedural irregularities that materially affected the outcome of the matter to the detriment of the appellant?

    d. Given the proper facts, criteria and procedures, was the decision a reasonable one?

After reviewing the issue fully, the chief equity officer will issue a written decision affirming, modifying or reversing the decision to place the student on an involuntary leave of absence. The chief equity officer's decision can be appealed to the president of the college or his designee. The decision from the president or his designee shall be final, and no other appeals or grievance procedures are available.

B. Implications of an involuntary leave of absence

1. *Student status.* Students on an involuntary leave of absence generally retain their admitted student status; however, they are not registered and, therefore, do not have the rights and privileges of enrolled students.

2. *Housing.* Consistent with Wofford's policies and procedures, students assigned to a college residence are subject to the terms of Wofford's residence life policies. Students who leave the college before the end of a term may be eligible to receive refunds of portions of their housing charges.

3. *Effective date(s) of leave.* A student must leave the college within the timeframe set forth by the BIT. The leave will remain in effect until:

    i. It is determined after an individualized assessment that the student is able to return to the college with or without reasonable accommodations and
    ii. The student has complied with college requirements applicable to all students returning from a leave and all conditions mandated by the BIT and/or the chief equity officer.

4. *Notification.* At any time during the leave process, the BIT may notify a student's parent, guardian, emergency contact or other individual, consistent with the law, if notification is deemed appropriate.

5. *Association with the college while on leave.* Unless expressly permitted by the BIT in writing, students on an involuntary leave of absence are not permitted to be present at the college or on any college controlled property and are not permitted to engage in college-related activities, including on-campus employment.

6. *Coursework taken while on leave.* Consistent with Wofford's policies and procedures, academic credits for work done elsewhere may be allowed towards a Wofford degree. Students should consult with their academic advisor and the Office of the Registrar prior to taking coursework while on an involuntary leave of absence.

7. *myWofford privileges.* Unless expressly prohibited by the BIT in writing, students on leave may retain their myWofford privileges, including their Wofford email account.

8. *Transcript notation.* Students on a leave of absence will have a notation on their transcript that reads "W." A "W" does not affect the student's GPA nor hours earned.

9. *Tuition and fees.* Consistent with Wofford's policies and procedures, students who leave the college before the end of a term may be eligible to receive refunds for portions of their tuition. See the tuition refunds page at Wofford.edu for a schedule of refunds.

10. *Meal plan.* Consistent with Wofford's policies and procedures, a meal plan refund is based on the date a student moves out of a college residence and is approved under conditions as specified in the residence agreement. Students with questions about residential meal plan refunds should contact culinary services.

11. *Visa status.* International students (F-1 and J-1 Visa holders) placed on an involuntary leave of absence must speak with an Office of International Programs to determine their Visa status.

IV. Requests for reenrollment

A. For general requirements applicable to all students returning to Wofford after a leave of absence, students should refer to the Office of the Registrar website. In addition to the general requirements all students must meet when returning to Wofford after a leave of absence, as well as any conditions mandated by the BIT and/or the chief equity officer for return from an involuntary leave of absence as outlined in Section II(A), students seeking to return from an involuntary leave of absence for reasons of personal or community health and safety may be required to submit additional documentation related to the factors set forth in Section I(A)(5) as part of an individualized assessment. Accessibility services will work with the student to provide reasonable accommodations in the reenrollment process, as necessary.

B. A student must make a written request to the BIT to return to the college. Generally, a student will not be allowed to return until one full term has elapsed or until the leave period in the involuntary leave of absence notification has elapsed and all conditions or requirements are met.

C. The BIT may require the student to provide evidence that the student, with or without reasonable accommodations, has sufficiently addressed the issues that previously established the criteria for imposing an involuntary leave of absence as set forth in Section I(A)(5) of this policy. The BIT may also ask, confer with or seek information from others to assist in making the determination. The information sought may include:

   a. At the student's discretion, documentation of efforts by the student to address the issues that led to the leave.

   b. With appropriate authorization, release of academic records to inform treating clinicians of the student's status and provide information to assess the student's reduction of risk or disruption that led to the need for the involuntary leave.

   c. With appropriate authorization, release of treatment information to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the need for the involuntary leave.

d. With appropriate authorization, consultation with counseling services at Wofford to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the need for involuntary leave.

e. Consultation with accessibility services.

D. All returning students must meet the essential eligibility requirements and any technical standards of the college and, if applicable, the relevant department, with or without reasonable accommodations. If the BIT is not satisfied that the student is ready to return to the college, the student will be notified in writing of the decision, including the reason for the decision, within a reasonable time after the student has submitted a request for reenrollment and required documentation.

E. A student not permitted to return may appeal the decision to the President of the College or their designee following the procedure in Section I(A)(8).

V. Related resources

As noted herein, students placed on involuntary leave of absence may have additional conditions or requirements they must meet prior to returning to the college, in addition to any college requirements applicable to all students returning from a leave. Students should consult the Registrar's webpage for generally applicable deadlines, information and resources.

Students who are placed on an involuntary leave of absence may want to consult with the following departments, where appropriate:

- Accessibility Services.
- Financial Aid.
- Residence Life.
- The Wellness Center.
- Student Success.
- International Programs.
- Center for Community Based Learning.
- Registrar.