

FSU – 3.0045 Involuntary Medical Withdrawal

(1) Introduction

Florida State University is committed to ensuring equality of education opportunity while cultivating an environment that is supportive of student learning and safe for all community members. The university has a comprehensive student behavior intervention structure that reviews, plans appropriate intervention and support, and monitors reports of concerning student behavior. The involuntary medical withdrawal process is reserved for those interventions when a student's behavior may present a significant risk of harm to the health or safety of another person or poses a significant disruption to university operations.

(2) Policy

(a) A student may be involuntarily withdrawn from the university if determined that a student's conduct, actions, or statements in totality may present a significant risk of harm to the health or safety of another person or poses a significant disruption to university operations.

(b) This policy will be applied in a nondiscriminatory manner, and determinations will be based on consideration of reported student conduct, actions, or statements in totality and not on knowledge or belief that a student has a disability. The university remains committed to reasonable accommodations for students with disabilities, and nothing in this policy should override or interfere with a student's right to reasonable accommodations under the Americans with Disabilities Act.

(c) An involuntary medical withdrawal should only be considered when any other administrative actions have been considered and are inapplicable, incompatible, or ineffective.

(d) A student subject to an involuntary medical withdrawal may receive a refund of tuition and fees.

(e) A student subject to involuntary medical withdrawal will have a hold placed on their records and enrollment pending fulfillment of any identified conditions for re-enrollment or re-admission.

(f) When a student's conduct, actions, or statements in totality are determined to pose a possible significant risk of harm to the health or safety of another person the student is subject to an immediate interim involuntary withdrawal.

(3) Procedural Standards

(a) Interim Involuntary Withdrawal.

1. The Dean of Students or designee makes this determination in consultation with members of the Behavior Intervention Team or Threat Assessment Team after an individualized assessment of information available as outlined in the Student Behavior Intervention policy.

2. The Dean of Students or designee will send the student written notification of the interim involuntary withdrawal status that includes the basis for the determination and

the opportunity to respond in writing to the action. The student has the responsibility of sharing information or justification that demonstrates that the basis of the determination does not support the action.

3. The Vice President for Student Affairs or designee will review the student's response within 3 business days and may rescind, modify, or affirm the interim involuntary withdrawal action pending further review as outlined in the next section for an involuntary medical withdrawal. The Dean of Students or designee will notify the student of the outcome in writing.

(b) Involuntary Medical Withdrawal. When a student's conduct, actions, or statements in totality are determined to pose a possible significant risk of harm to the health or safety of another person or a significant disruption to university operations the student is subject to an involuntary medical withdrawal.

1. The Dean of Students or designee makes this determination in consultation with members of the Behavior Intervention Team or Threat Assessment Team after an individualized assessment of information available as outlined in the Student Behavior Intervention policy.

2. The Dean of Students or designee will send the student written notification of the intention to involuntarily withdraw the student pending the outcome of the procedural standards outlined in this regulation. This notice may be included in the outcome of the review of an interim involuntary withdrawal outlined in the previous section, or as an independent notice without an interim action. Notice will include the basis for the determination and the opportunity to respond in writing to the action within ten business days of the notice. (If the student was subject to an interim involuntary withdraw review, they may provide any additional information available for review within the ten-day period.) Failure of a student to take the opportunity to respond to the notice by the deadline and in the manner instructed will not delay or negate any procedural standards or determinations.

3. The student's written response will be reviewed by the Dean of Students or designee in consultation with the Behavior Intervention Team or Threat Assessment Team as outlined in the Student Behavior Intervention policy.

4. A student will be notified in writing of the determination of the response review.

a. If the involuntary withdrawal is rescinded, the notice may include referral to other appropriate university processes such as student conduct or application for readmission, or university support resources. In addition, the student may be subject conditions for continued enrollment at the university.

b. If the involuntary withdrawal is affirmed, the notice will include any restrictions and requirements for readmission.

5. An involuntary withdrawal includes the following restrictions:

a. The student is not permitted to access or attend any university courses online or in person.

b. The student is not permitted to hold membership in any registered student organization, employment, or participation in university activity, event, or program.

c. The student is not permitted on any university property including residential assignment or place of employment.

d. Any communication is limited to the Dean of Students or designee regarding the involuntary withdrawal or in designated cases, FSUPD.

e. The student may not contact or approach any university personnel in person or come within 1000 feet of any personnel or personnel's residence.

6. Any relevant information will be shared with FSUPD and/or Student Conduct and Community Standards for review and any potential action at the appropriate time.

(c) Conditions for readmission.

1. The university may impose conditions for readmission, including but not limited to one or more of the following:

a. Requiring the student to provide the Dean of Students or designee a complete written assessment and recommendations from an independent, licensed mental health provider selected by the university, with competency in the relevant area of psychological or psychiatric assessment.

b. A written agreement from the student to attend and participate in any treatment, programs, or meetings to the extent recommended by the mental health provider retained by the university.

c. A determination by the Dean of Students or designee with consultation with the Behavior Intervention Team, Threat Assessment Team, and/or other university personnel that the student has met conditions for readmission and that the university has appropriate resources to support and meet any ongoing needs of the student.

2. Required assessment.

a. In cases that require a written assessment and recommendations from an independent, licensed mental health provider, the provider is identified and retained by a representative of Counseling and Psychological Services (CAPS).

b. The Director of CAPS or designee will work with the student to identify an appropriate provider and assessment specific to the circumstances that have led to the administration of the involuntary withdrawal process. All efforts will be made to identify an appropriate provider and assessment that is covered by the student's health insurance.

c. A signed authorization for the release of information (ROI) is required to grant permission of the exchange of clinical information between the Director of CAPS or designee and the provider.

d. The provider will be supplied all relevant information and circumstances leading to the administration of the involuntary withdrawal as well as a scope document that includes questions to be addressed or recommendations sought.

e. The student retains the responsibility for making all necessary arrangements with the provider including scheduling and payment agreement. (In situations in which a student does not have health insurance that covers the course of recommended assessment the student may request that the university consider whether the student's circumstances are such that the cost of the assessment will be covered by the university).

e. At the conclusion of the assessment, the provider will share a comprehensive report and recommendations with the student. That assessment must be released to the Director of CAPS or designee for review. The Director of CAPS or designee will review and interpret any recommendations outlined in the report to the Dean of Students and relevant university personnel to determine a student's eligibility to return to the university including any required participation in meetings, programs, or treatment.

f. The university retains the authority to require additional assessment, continued treatment, or the resolution of any pending university processes such as student conduct or application for admission before a student is eligible to return.

Authority: BOG Regulation 1.001, 6.001; Florida Statutes 1006.60, 1001.61
History: ~~Established~~ New 6/12/2014. Substantial Rewrite: September XX, 2023.