Involuntary Leave of Absence Policy

Reason for the Policy

The College has an obligation to protect its community members from the risk of harm and preserve the integrity of its educational environment. Some student behaviors which threaten health and safety and disrupt the learning environment may prove to be caused by treatable medical or mental health conditions which are classified as disabilities under State and Federal discrimination laws. While Ramapo College of New Jersey reasonably accommodates students with disabilities in the College’s educational facilities and programs in compliance with Section 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 2008 (ADAAA), and any applicable State regulations, the College has an obligation to assess whether the student who is exhibiting harmful behavior can be reasonably accommodated in the College learning environment without unacceptable risk to others. Pursuant to this policy, an Involuntary Leave of Absence may be imposed when a student behaves in a way which threatens harm to others, or when the student is unable to effectively function, or when the student’s behavior significantly disrupts the educational environment of others. When determining whether and when the student can return from the Involuntary Leave of Absence, the College will consider evidence of the student’s medical or mental health conditions, disabilities, and other facts and circumstances contributing to the student’s behavior, and make an individualized assessment of the student and the health and safety risks posed by the student’s behavior.

Purview of this Policy

An Involuntary Leave of Absence is issued by the Associate Vice President for Student Affairs (or designee), in consultation with the Center for Health and Counseling Services staff, following the issuance of an Interim Suspension, in which a student was immediately suspended from the entire campus pending further evaluation of the circumstances that led to the suspension and an Interim Suspension hearing. At the Interim Suspension hearing, the Associate Vice President for Student Affairs (or designee) met with the student in person, and made an individualized assessment of the student’s behavior based upon the information available at the time of the hearing. At or after an Interim Suspension Hearing, an Involuntary Leave of Absence may be issued when it has been determined by the Associate Vice President for Student Affairs (or designee) that the student demonstrated any or all of the following behaviors:

a. engages, or threatens to engage, in behavior(s) which poses a danger of causing harm to others;

b. exhibits behavior(s) that renders the student unable to effectively function in the residence areas and/or the College;

c. exhibits disruptive behavior(s) that significantly interferes with the educational pursuits or living environment of others.

Procedure

1. A student who is placed on an Involuntary Leave of Absence following the Interim Suspension hearing will remain suspended from the entire campus and will not be allowed to:
a. attend classes on campus;

b. represent the College in any way as part of a team, student organization, etc.;

c. take tests on campus without prior permission of the Associate Vice President for Student Affairs (or designee);

d. hand in work in person without prior permission of the Associate Vice President for Student Affairs (or designee);

e. be on any part of campus for any reason without prior permission of the Associate Vice President for Student Affairs (or designee);

f. use any of the College’s services (e.g. academic or student services) in person without prior permission of the Associate Vice President for Student Affairs (or designee);

g. work at an on-campus job or at an off-campus internship, co-op or other experiential learning placement arranged by the College.

2. The student will be required to submit any or all of the following documents and evidence required for an individualized assessment of the student:

   a. a written psychological evaluation by a New Jersey or New York licensed psychiatrist, psychologist, or clinical social worker of the student’s own choosing and at that student’s expense;

   b. a written medical evaluation by a New Jersey or New York licensed physician of the student’s own choosing and at the student’s expense;

   c. psychological testing (including intelligence, and/or personality and/or projective testing);

   d. treatment records for the prior three years regarding treatment of the student for any injury, illness, substance abuse, medical or mental health condition which the student claims may have contributed to the incident and the behavior which resulted in the imposition of the Involuntary Leave of Absence;

   e. relevant background checks on the student for i) criminal record; ii) record of domestic violence; iii) record of neglect or abuse of minors; iv) record of discipline for misconduct by another educational institution or a public employer.

A student referred for evaluation and/or requested to consent to background checks and/or requested to disclose treatment information will be informed in writing by the Associate Vice President for Student Affairs (or designee) either by hand delivery, email, or certified mail via the Notice of Involuntary Leave of Absence form. The student and all evaluators or treatment professionals required to submit documentation will be provided a copy of this policy and the Notice of Involuntary Leave of Absence form.
The College will furnish the selected health professional(s) with collateral information which pertains to the reasons why an Involuntary Leave of Absence was issued. These may include, but are not limited to, information from the Emergency On-Call Counselor, On-Call Administrator, Public Safety officer, emergency room visit, College disciplinary records, medical, psychological or psychiatric evaluations, and eye witness accounts. The health professional(s) will be provided this information in connection with an assessment that is considered to be a health and safety emergency under the Family Educational Rights and Privacy Act (34 C.F.R. Section 99.31 (a) (10)).

The Involuntary Leave of Absence will continue in effect until the requested documentation is submitted, has been reviewed by the Director for the Center for Health and Counseling Services (or designee), and the Associate Vice President for Student Affairs has made a determination regarding the student’s status (See Paragraph 5 below).

3. If a written report concerning the student’s evaluation is requested by the College under 2(a) and/or (b) and/or (c) above, the evaluation must be submitted for review by the Director for the Center for Health and Counseling Services (or designee). Each written evaluation MUST be based upon an examination of the student by the health professional in–person, conducted on a date following the evaluator’s receipt of the collateral information furnished by the College (see above), must be submitted on professional letterhead, and must contain the following information:

   a. Diagnosis/presenting problem
   b. History of diagnosis
   c. Treatment history
   d. Medical history (include medications)
   e. Family history: include family mental health problems, domestic violence, attempted or completed suicide(s) of family members, and substance abuse history.
   f. Social history
   g. Academic functioning
   h. Substance use history
   i. High risk behavior: include incidents of suicidal ideation/behavior; suicide attempts; homicidal ideation; violent thoughts/behavior; sexual predation; self-mutilation; purging and/or self-starvation.
   j. Threat assessment: include nature, duration, and severity of risk; probability that due to the student’s medical or psychological condition that harm or threats of harm to others, inability to function effectively, or disruptive behavior may continue to occur or re-occur.
k. Risk Prognosis: whether the student’s adherence to a treatment plan and/or reasonable accommodations or modifications of policies, practices, or procedures will sufficiently mitigate the risk and allow the student to return successfully to College – i.e., academic course load (full-time or part-time status), living arrangements (on-campus with or without roommates, substance-free housing, at home, off-campus), academic support services (tutoring, etc.) and specify how each listed accommodation is intended to mitigate specific adverse impacts of a student’s medical or mental health condition or disability, and to improve the student’s ability to function on campus without significant disruption to the College.

l. Evaluation: a recommendation concerning an immediate return to College, a delay in return while treatment is underway, or a recommendation that the student not return given current circumstances. A statement concerning the ability of the student to successfully function in an environment where students must: i) pay attention in class and not interfere with the rights of others to learn; ii) complete assignments independently, relate to diverse individuals, and carry on personal business without supervision; iii) live under only very general supervision and in the company of one or more other students (if assigned to a campus residence); iv) maintain reasonable standards of personal hygiene; and v) refrain from violating provisions of the student Code of Conduct is essential.

m. Treatment Plan: continued medical or mental health treatment; rehabilitative or physical therapy; psychiatric or psychological counseling; treatment for substance abuse; adherence to a prescribed medication regimen; no alcohol or non-prescribed drugs, etc.; and the duration of such limitations must also be noted.

4. Following receipt of the evaluation and a signed release of information from the student allowing communication between the Center for Health and Counseling Services and the health professional(s), the Director for the Center for Health and Counseling Services (or designee) will review it, may consult with its writer directly, will meet with the student, and will then make a written recommendation to the Associate Vice President for Student Affairs (or designee) regarding the student’s continued attendance or withdrawal and any conditions which should apply to that attendance, including the matter of the student’s place of residence. If the evaluation report is deficient and cannot be adequately supplemented by conversations with the health professional(s), the Director may recommend that the Involuntary Leave of Absence continue, pending the College receiving and reviewing a supplemental evaluation report based upon an examination of the student performed by a New Jersey or New York licensed physician, psychiatrist, psychologist, or clinical social worker of the College’s choosing.

5. The Associate Vice President for Student Affairs (or designee) will meet with the student and the Director for the Center for Health and Counseling Services (or designee) to review the recommendations from the Director for the Center for Health and Counseling Services and all other documentation submitted under this policy, and to personally observe and individually assess the student’s functioning. After this meeting, the Associate Vice President (or designee) will prepare a written statement to the student within five (5) business days, indicating one of the following determinations:
a. the student may return to all normal College activities, without restrictions; recommendations for reasonable accommodations of any disability shall be referred to the College’s Office of Specialized Services;

b. the student may return to the College but with restrictions applied (e.g., on-campus residence is not permitted); recommendations for reasonable accommodations of any disability shall be referred to the College’s Office of Specialized Services;

c. the student shall remain on Involuntary Leave of Absence pending the student submitting to, and the College receiving and reviewing, a supplemental evaluation (contents as specified by the College) performed by a New Jersey or New York licensed physician, psychiatrist, psychologist, or clinical social worker of the College’s choosing;

d. the student may not return to the College at this time and remains on an Involuntary Leave of Absence.

6. A determination from the Associate Vice President for Student Affairs (or designee) that a student is not permitted to return to the College shall be issued in writing and shall assess the evidence supporting the determination including significant risks to the health, safety, and College operations posed by the student’s behavior which currently preclude the student’s return to the College. The student will be withdrawn from his/her classes; grade(s) of W will be administratively assigned, and will be recorded on the student’s transcript.

7. A registration hold will be applied to the student’s account. If the student has already registered for the subsequent semester the student will be deregistered.

8. Any student on Involuntary Leave of Absence status on the final day of the exam period in a semester will be withdrawn from his/her classes for that semester; grade(s) of W will be administratively assigned, and will be recorded on the student’s transcript. The Involuntary Leave of Absence restrictions will continue and the College Registrar will not enroll the student in any course(s) unless the documents and information requested on the notice of Involuntary Leave of Absence are submitted for review and a determination is made by the Associate Vice President for Student Affairs (or designee) based upon an individualized assessment of the student.

**Code of Conduct Violations**

Evidence of the student’s conduct which resulted in the imposition of an Involuntary Leave of Absence may be referred by the Associate Vice President for Student Affairs (or designee) to the College’s disciplinary process at any time during or following the Involuntary Leave of Absence, and may result in disciplinary action against the student under the College’s Code of Conduct.

**Notifications**

The College reserves the right to notify a student’s designated emergency contact that an Involuntary Leave of Absence has been issued due to a health and safety emergency. The student’s designated emergency contact may be asked to make arrangements for safe removal of the student from the college environment.