



## **Involuntary Withdrawal Procedure**

**Procedure Number:** 610P

**Responsible Office:** Vice President, Student Affairs

**Forms:** [Student Code of Conduct Reporting Form](#)

**Effective Date:** 02/21/2024

**Date Last Reviewed:** 03/28/2024

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### **1. Purpose**

To provide a procedure for when and how a student may be involuntarily withdrawn from the College for demonstrating behavior that poses a direct threat to the health or safety of any member of the college community or others, or that substantially disrupts the learning environment and orderly operation of the college.

### **2. Definitions**

*Direct Threat:* Behavior that poses significant risk to the health or safety of any member of the College community or others.

*Significant Risk:* Behavior that has a high probability (not just a slightly increased, speculative, or remote risk) of substantial harm, given information concerning the behavior that is available at the time of consideration.

*Substantial Disruption:* Behavior that continually and considerably interferes with other students' participation in academic, work, extracurricular, or other college-related activities, or that impedes the orderly operation of College activities.

### **3. Procedure**

- i. Report
  - a. Any member of the NOVA community, guest, or visitor may submit a report about a student for demonstrating behavior that threatens the health or safety of any member of the college community or others, or that unreasonably disrupts the learning environment. Reports may be submitted via the [Student Code of Conduct Reporting Form](#).
- ii. Referral
  - a. When a report suggests that a student may pose a direct threat, the Threat Assessment Team (TAT) will conduct an assessment and make a recommendation to refer the matter to either the Office of Wellness and Mental Health Case Manager (OWMH) or the Director of Student Rights and Responsibility (OSRR). When the report involves substantial disruption without direct threat,

the Director of OSSR will manage the process but may consult with the OWMH Case Manager and Director of Accommodations and Accessibility Services as appropriate.

- b. The Director of OSRR, OWMH Case Manager, and Director of Accommodations and Accessibility will meet with the student to:
  - 1. Review available information concerning the behavior and/or incidents which have caused concern.
  - 2. Provide the student an opportunity to explain his/her behavior.
  - 3. Discuss options available to the student, including counseling, voluntary withdrawal, and evaluation for involuntary withdrawal.

iii. Evaluation

- a. If the student is unwilling to withdraw voluntarily from the College, and the Director of Student Rights and Responsibilities continues to have reasonable cause to believe the student meets one or more of the criteria for involuntary withdrawal, he/she may request that the student be evaluated by an appropriate health care professional or other appropriate professional.
- b. The evaluation must be initiated by the student within five business days after notification to the student.
  - 1. Prior to the evaluation, the student will be asked to sign a written release authorizing the exchange of relevant information among the health professional(s) (or other professional) and the College.
  - 2. Upon completion of the evaluation, copies of the evaluation report will be provided to the OWMH Case Manager and to the student.
- c. The evaluation shall include a determination of the nature, duration and severity of the risk posed by the student to the health or safety of himself/herself or others, the probability that a potentially threatening incident will occur, and whether reasonable modifications of policies, practices or procedures will sufficiently mitigate the risk. The student will also be required to follow any recommendations made by the evaluation.
- d. The OWMH Case Manager will review this information with the Threat Assessment Team and/or the Director of Student Rights and Responsibility. The College shall make an individualized and objective assessment of the student's ability to participate safely in the College's program, based on the best available objective evidence.
- e. If the student is unwilling to submit to an evaluation, the College will make its assessment based on the available information.

iv. Meeting with the Director of Students Rights and Responsibilities (OSRR)

- a. The Director of OSRR and the OWMH Case Manager will meet with the student in order to review the results of the professional evaluation, allow the student to present any relevant information, and determine whether involuntary withdrawal should be initiated.



1. The student may be accompanied by an advisor of their choice. The advisor's role is not to represent the student. The advisor may not speak for the student.
- b. Before initiating involuntary withdrawal, every effort will be made to encourage the student to withdraw voluntarily. The meeting may result in one of the following outcomes:
  1. If the evaluation results in a determination that the student's continued attendance presents no significant risk to the health or safety of any member of the College community, or to the educational processes and orderly operations of the College, no further action shall be taken to withdraw the student from the College.
  2. If the evaluation results in a determination that the continued attendance of the student presents a significant risk of direct threat to the health or safety of any member of the College community, or substantial disruption to the educational processes and orderly operations of the College, the student may be involuntarily withdrawn from the College.
  3. The student may agree to withdraw voluntarily from the College. Conditions for re-enrollment may apply.
- c. The student will be informed in writing within five business days of the outcome, of his/right to appeal the determination of involuntary withdrawal, and of any conditions necessary for re-enrollment.

v. Appeal

- a. The student may appeal the determination of involuntary withdrawal to the Associate Vice President for Student Support Services or designee. The appeal must be in writing and must be submitted within five business days of receiving the determination. The only grounds for appeal are:
  2. A procedural error occurred that significantly impacted the outcome.
  3. To consider new evidence, unavailable during the original assessment, that could substantially impact the outcome. A summary of this new evidence and its potential impact must be included.
- b. The Associate Vice President will issue a decision within five business days. That decision is final.

vi. Effect of Involuntary Withdrawal


- a. Students who have been involuntarily withdrawn from the College are not permitted to be present on College property or participate in College events without the permission of the Director of Student Rights and Responsibilities.
- b. A student who is involuntarily withdrawn after the census date will be given a grade of W for all currently enrolled courses. Standard College policies regarding tuition refunds and financial aid will apply.

vii. Interim Action

- a. The College may take interim action to remove a student from the College pending a decision on whether to initiate involuntary withdrawal if such action is deemed necessary for the safety of the College community. Interim action may be deemed necessary when there is imminent danger of serious physical harm to any member of the College community or others.
- b. When possible, alternative arrangements will be made for the student to continue to meet academic requirements during an interim removal.

viii. Re-Enrollment

- a. After gathering information, the Threat Assessment Team will determine whether the admission or continued enrollment of the person poses a serious threat to the College community, property, or operation of the College and its functions. If so, the Threat Assessment Team may recommend to the Associate Vice President for Student Support Services conditions for enrollment or denial or revocation of admission.
- b. For Prospective Students
  - 1. If the Threat Assessment Team recommends denial of admission to a prospective student based on threat to the College community, the Associate Vice President for Student Support Services will recommend that the XTA service indicator be placed on the student record by the Vice President for Student Affairs and the AVP will inform the current or prospective student of their ineligibility to enroll.
  - 2. If the Threat Assessment Team recommends conditions for enrollment, the Associate Vice President for Student Support Services or designee will inform the prospective student of those conditions and how compliance will be monitored.
- c. For Current Students
  - 1. If the Threat Assessment Team determines that a current student may pose a serious enough threat to warrant revoking the student's admission, the student will be afforded an interview with a representative from the Threat Assessment Team.
  - 2. The Associate Vice President for Student Support Services or designee will schedule the interview and send a notice to the student.
  - 3. The student shall be given a minimum of ten working days' notice of the interview. If the student chooses not to participate in the interview, the team will proceed to make a decision without the student's input.
  - 4. The student may have an advisor present at the interview, but the advisor may not speak.
  - 5. The student may present no more than two, character witnesses or letters of recommendation. If the student intends to call any character witnesses, the student must notify the Associate Vice President for Student Support Services or designee at least three working days in advance of the interview. Similarly, letters of recommendation must be presented at least three working days in advance of the interview.

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6. The Associate Vice President for Student Support Services or designee will notify the student of the TAT's decision within ten working days after the interview.
  7. If the student's admission is revoked, the Associate Vice President for Student Support Services or designee will put a service indicator on the student's record (if one exists) to prevent future enrollment.
- d. Appeal of Decision for Current Students
1. A current student whose admission is revoked will have the opportunity to appeal the decision to the Vice President for Enrollment Management and Student Services within ten days of the email postmark of the notification. The only grounds for appeal will be procedural error or new evidence not available at the time of the original decision. The decision of the Vice President for Enrollment Services and Student Services is final.
  2. If the determination to revoke a student's admission is upheld on appeal, termination of the student's status will be for an indefinite period. The conditions of readmission, if any, will be stated in the order of dismissal.