



## **Crisis Assessment Risk Evaluation (CARE) team Mandatory Withdrawal Policy**

The University of Denver's Crisis Assessment Risk Evaluation (CARE) team is committed to providing care and access to resources to promote a safe and secure environment for our campus community and to maintain the safety, health, and well-being of campus community members through a proactive, objective, supportive, and collaborative approach. To promote safe and productive living and learning conditions, the University must balance the needs of the individual and the community in determining when a student's behavior warrants removal of a student from the University.

Prior to initiating the Mandatory Withdrawal process, the University will:

- Determine on an individualized basis whether the University can implement reasonable accommodations through the Disability Services Program to allow the student to remain at the University;
- When practicable and appropriate, facilitate a voluntary withdrawal under the University's Leave of Absence or Medical Leave of Absence policies;
- Conduct an Individualized Assessment based on the opinions and recommendations of the student's treating healthcare provider(s), the opinions and recommendations of any healthcare professional(s) consulted by the University, any other information the student chooses to provide, and the best available evidence to the University;
- Protect the student's privacy by disclosing information only on a need-to-know basis, in accordance with applicable federal and state laws and regulations, and only requiring the student to provide a HIPAA release for access to medical documentation that is reasonably necessary to complete an Individualized Assessment.

The University will initiate the Mandatory Withdrawal process only if, after the student has undergone an Individualized Assessment, (a) the University concludes that the student's continued participation in programs, courses or activities would require accommodations that would be unreasonable or fundamentally alter the nature of the programs, courses or activities; (b) the student rejects all reasonable accommodations offered and cannot meet the essential eligibility requirements of the programs; (c) even with all reasonable accommodations offered, the student cannot meet the essential eligibility requirements of the programs; or (d) the student is unwilling to carry out substantial selfcare obligations and/or poses a significant risk of serious harm to their own safety. If the student refuses to participate in an Individualized Assessment, the University may initiate the Mandatory Withdrawal process based on the factors set forth above.

### **Process for a Mandatory Withdrawal**

Except in emergencies (see *Temporary Removal*), the University will provide the student with at least five (5) business days advance written notice, including the following information:

- That the University is considering the student for a Mandatory Withdrawal;
- The basis for the possible Mandatory Withdrawal;
- The student's right to meet, either in person or remotely (at the sole discretion the Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee), with the Associate Vice Chancellor for Student Affairs or designee to respond to the basis for the possible Mandatory Withdrawal and to present additional information;
- The date, time, and location/manner of this meeting or instructions for scheduling this meeting;
- The student's right to have an advisor or support person, who may not speak on behalf of the student, with them during the meeting;
- A statement that the student's failure to attend this meeting will not prevent the University from moving forward with this process; and
- A statement that, if the student decides to withdraw voluntarily, the University will suspend the Mandatory Withdrawal process.

The Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee will make a decision regarding continuance or withdrawal from the University, in consultation with, at a minimum the Executive Director of the Health and Counseling Center or designee and the Associate Director of Campus Safety or designee. If the Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee determines that (a) the student poses a substantial risk of harm to individuals within the University or to the University community as a whole, or (b) the student's behavior significantly disrupts the living and learning environment of other members of the University community, the Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee has the authority to place the student on a Mandatory Withdrawal.

The University will prepare a statement of rationale to be filed with the student's record for any decision requiring a student's Mandatory Withdrawal and will include the requirements for re-admission to the University.

### **Student Rights & Responsibilities**

The Office of Student Rights & Responsibilities oversees adherence to and has authority for resolving violations of the University of Denver Honor Code. Should a student be unwilling to cooperate with University administrators in addressing patterns and/or instances of concerning behavior, the University may move forward with reporting the concerning behavior and/or noncompliance to the Office of Student Rights & Responsibilities.

For more information regarding the Honor Code please see:  
<http://www.du.edu/studentlife/studentconduct/honorcode.html>.

## **Reconsideration and Appeal Process for Mandatory Withdrawal**

The appellate officer for students is the Vice Chancellor for Student Affairs or designee.

Students may appeal the Mandatory Withdrawal by submitting a written appeal within five (5) business days of the date of the decision. The student's submission must state the specific grounds for reconsideration/appeal. Where the reconsideration/appeal is on the grounds of new, previously unavailable information, the student must submit that information with the written appeal.

The University will consider reconsideration/appeals based on the following grounds:

- The existence of procedural error(s) including concerns of bias or discrimination on the part of the decision makers.
- Presentation of new and significant information that was not reasonably available at the time of the initial review and would likely alter the decision.

Mere disagreement with the decision is not grounds for reconsideration/appeal.

The appellate officer will issue their determinations in writing within five (5) business days of the submission of the appeal. In extenuating circumstances, the appellate officer may notify the parties in writing that additional time is needed to issue a determination. For concerns of bias and retaliation based upon a protected class, the student may file a report with the Office of Equal Opportunity & Title IX. Appeal determinations are final and are not subject to further review.

## **Returning from the Mandatory Withdrawal**

Any student subject to a Mandatory Withdrawal may submit a written request to return to the University in the term following the student's withdrawal subject to the University's re-entry policies, and the student must include, at a minimum, any appropriate documentation demonstrating compliance with the conditions for re-admission, if applicable. The University may require the student to sign all reasonable and relevant records releases authorizing direct communication between the University and any individual holding information relevant to this matter, including but not limited to the student's medical provider(s), whether on-campus or off-campus, the student's friends and family, and/or employees of previous institutions the student attended, as appropriate. For full consideration, the student must submit these materials at least 14 business days prior to the term in which the student is seeking to resume their studies. The student may also present any other relevant documentation or information that the student believes supports the request for return or re-admission.

The Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee, in consultation with at a minimum, the Executive Director of the Health and Counseling Center or designee and the Associate Director of Campus Safety or designee, will review the available information, the best available objective evidence, and, if applicable, current medical knowledge, to determine:

- whether the student has satisfied the conditions for re-admission, if applicable;
- whether the student can function appropriately in the living and learning environment of the University community;
- whether the student no longer poses a credible substantial risk of harm to individuals within the University or to the University community as a whole.

The Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee will notify the student in writing of the decision within five (5) business days of the receipt of the student's request unless the University can show good cause for the delay. If Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee approves the request for permission to return, the Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee may approve with the inclusion of additional recommendations or requirements.

If Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee denies the request, the University will include in the written communication what additional steps the student must take to meet the conditions for readmission. The Vice Chancellor for Student Affairs or designee will also include in the written communication information on appealing the denial.

The student may appeal the decision of the Dean of Students/Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee to the Vice Chancellor for Student Affairs or designee by submitting a written request and any supporting materials within five (5) business days of the date of the decision. The Vice Chancellor for Student Affairs or designee will promptly review all appropriate records and documentation and confer with appropriate campus professionals. The Vice Chancellor for Student Affairs or designee will then affirm, overturn, or modify the decision of the Associate Vice Chancellor for Student Affairs and Inclusive Excellence or designee and communicate the decision to the student in writing within five (5) business days, unless the University can show good cause for delay. This decision is final and is not subject to further review.

For students placed on a Mandatory Withdrawal for medical reasons, they will be required to go through the medical re-entry process as outlined in the [Medical Leave of Absence and Re-Entry policy](#).

### **Courses Dropped**

Each course that is dropped after the first week of the term will result in a withdraw notation ("W") on the student's transcript regardless of the reason for the drop. A "W" is an appropriate registration status indicating that a student withdrew after the first week of the quarter. "Ws" are not factored into the student's grade point average (G.P.A.).

### **Student Records**

Information the student provides to the University as part of the Mandatory Withdrawal process from classes will be considered protected by the Family Educational Rights and Privacy Act (FERPA).

**Financial Obligations**

The student must meet all financial obligations to the University by published deadlines. Failure to do so could mean that the student would not be eligible to register upon return to the University and/or to have transcripts/diplomas released until the student has met those obligations.

**Health Insurance Information**

All degree-seeking students enrolled for one (1) or more hours of graded credit and who are actively attending classes or completing other required course work toward a degree are eligible to enroll in the DU Student Health Insurance Plan. However, students must actively attend classes for at least the first thirty-one (31) days after the date for which coverage is purchased. Students subject to mandatory withdrawal from classes in the first thirty-one (31) days of class are not eligible for Student Health Insurance Plan coverage. If United Healthcare Student Resources (UHCSR), the current company underwriting the Student Health Insurance Plan, discovers that a student has not met the eligibility requirements, UHCSR's only obligation is to refund the premium.