

THE CITADEL
The Military College of South Carolina
171 Moultrie Street
Charleston, South Carolina 29409

MEMORANDUM
NUMBER 2-021

23 August 2010

INVOLUNTARY WITHDRAWAL OF STUDENTS

1. PURPOSE

The Citadel considers the safety and welfare of its students, faculty and staff a top priority. It is committed to protecting its community from the risk of physical harm, and preserving the integrity of its learning environment. This Memorandum establishes procedures for responding to students manifesting serious medical or psychological disorders who are unable or unwilling to request a voluntary leave of absence.

2. REFERENCES

- A. Rehabilitation Act of 1973, Section 504 – 29 USC § 794, *et. seq.*
- B. Americans With Disabilities Act – 42 USC § 12131, *et. seq.*

3. POLICY

- A. The Blue Book and other Citadel regulations prescribe procedures to address conduct which constitutes disciplinary violations. These regulations include processes for conducting disciplinary proceedings which may result in separation of a student from The Citadel. The Citadel also encourages students to withdraw voluntarily when medical conditions or psychological distress make withdrawal necessary. When a student is unable or unwilling to voluntarily withdraw, The Citadel, acting through the Campus Assessment Team (CAT), may invoke these proceedings to involuntarily withdraw a student.
- B. Procedure.
 - i. The Commandant (for cadets) or the Associate Provost for Academic Affairs (for all other students), or designee, will notify the student that an involuntary leave is under consideration and will meet with the student to:
 - a. Review available information concerning the behavior and/or incidents, which have caused concern;

- b. Provide the student with a copy of this policy and discuss the implications of and procedures relating to an involuntary leave of absence;
 - c. Provide the student with an opportunity to explain his/her behavior; and
 - d. Discuss options available to the student, including counseling and voluntary withdrawal. Wherever possible and appropriate, the student will be encouraged to take a voluntary leave of absence.
- ii. Review of Medical Records/Evaluation. The CAT may inquire into the student's current condition, including requesting recent mental health information and records or referring the student for a mandatory evaluation by an appropriate mental health professional or other appropriate professional. The CAT must confine its inquiry to information and records necessary to make a determination. The CAT may not insist on unlimited access to confidential information or records.
 - a. The licensed health professional may be selected by The Citadel to evaluate the student, so long as there is no cost to the student for the evaluation.
 - b. Students referred or mandated for evaluation shall be provided written notice of the referral, and be given a copy of this policy.
 - c. Prior to the evaluation, the student will be required to sign a written authorization allowing the exchange of relevant information between the health professional conducting the evaluation and The Citadel.
 - d. The evaluation must be completed within five (5) business days from the date of the referral letter, unless an extension is granted by the CAT. The student may elect to have a licensed health professional of his/her choosing, accompany him/her to the evaluation. This individual is limited to observing the evaluation; he/she is prohibited from actively participating.
 - e. The health professional conducting the evaluation shall make an individualized and objective assessment of the student's ability to safely participate in The Citadel's program. This assessment shall include a determination of the duration, nature and severity of the risk posed by the student to the health and safety of himself / herself or others, the likelihood that the potential harm will occur, the imminence of the potential harm, and whether reasonable modifications

- of policies, practices or procedures will sufficiently mitigate the risk.
- f. Upon completion of the evaluation, the health professional shall issue a written evaluation report to the CAT. A copy of the report will be provided to the student, unless, in the opinion of the professional, it would be damaging to the student to do so.
- iii. Review and informal hearing. Prior to making its decision, the CAT will review the student's medical records, the report of the health professional identified in paragraph ii, and any other information from the student's education records it deems relevant. Unless waived by the student, the CAT will also provide the student the opportunity to appear personally before it and provide relevant information, in accordance with the following provisions. The CAT may conduct the hearing and reach a decision in the absence of a student who fails to appear after notice is given.
 - a. If the student has been temporarily suspended, the suspension shall remain pending completion of the informal hearing, but may be granted access to The Citadel campus to attend the hearing, or for other necessary purposes, upon written authorization by the Commandant of Cadets or the Provost, as appropriate.
 - b. The hearing shall be informal and non-adversarial. The student shall authorize, in writing, the disclosure of medical records, documents, and other information as deemed relevant to the CAT's determination. If the student refuses to provide authorization, the hearing may proceed, but the absence of such information shall be noted by the CAT during the hearing.
 - c. During the hearing, the student may be assisted by a family member and a Citadel faculty or staff member or a licensed health professional of his/her choice, whose role is to advise rather than actively represent the student. Advisors are not permitted to participate or speak directly to the CAT. The student may present relevant information and will be given the opportunity to ask questions of any individual appearing at the hearing.
 - iv. The CAT shall determine if (a) the student represents a direct threat to the health and safety of the student or others, and (b)

the risk cannot be eliminated or reduced to an acceptable level through accommodations. This assessment shall include a determination of the duration, nature and severity of the risk posed by the student to the health and safety of himself / herself or others, the likelihood that the potential harm will occur, and the imminence of the potential harm. In reaching its decision, the CAT shall consider all information before it, but is not required to rely solely on the opinion(s) of any medical or mental health professional.

- v. If the CAT concludes that a student should receive an involuntary withdrawal, it shall make such recommendation to the President, along with any stipulations it deems reasonable concerning:
 - a. Accommodations for withdrawal from classes and refund or credit of tuition or other fees,
 - b. Interactions with the campus community during the period of withdrawal, and
 - c. Conditions for return.
- vi. The student shall be provided written notice of the President's decision, stating the reasons therefor, and also advising the student of the right to request reconsideration.

C. Reinstatement

- i. A student who has been involuntarily withdrawn must submit a formal request for readmission, which shall be considered by the CAT pursuant to Memorandum 2-22. Among other information the CAT may require, the student shall provide competent medical evidence that:
 - a. The medical/psychological condition no longer exists;
 - b. The medical/psychological condition is sufficiently under treatment so as to remove any substantial likelihood of reoccurrence of the situation which caused medical review; or
 - c. The student is no longer a direct threat.
- ii. The CAT may also require the student, at the student's cost, to undergo a medical evaluation by a licensed mental health professional of the school's choosing. The results of such evaluation must be disclosed to appropriate Citadel personnel.

4. COMPLIANCE

A student who fails to comply with this policy may be withdrawn on an interim basis, and/or referred for disciplinary action.

5. NOTES

A. Dates of official enactment and amendments:

Approved by Director of The Citadel Staff on 23 August 2010

B. Responsible Department:

Provost

C. Responsible Official:

Provost

D. Cross References:

[2-23 Campus Assessment Team](#)
[2-9 Temporary Suspension of Students](#)

6. RESCISSION

None

FOR THE PRESIDENT:

OFFICIAL

JOSEPH W. TREZ
Colonel, US Army, Retired
Director of The Citadel Staff