

FLORIDA A&M UNIVERSITY BOARD OF TRUSTEES



NOTICE OF PROPOSED NEW REGULATION

DATE: June 11, 2016

REGULATION CHAPTER NO.: Chapter 2

REGULATION CHAPTER TITLE: Student Affairs

REGULATION TITLE AND NUMBER: Voluntary and Involuntary Withdrawal 2.007

SUMMARY OF REGULATION: The Dean of Students, in consultation with the University Assessment and Care Team (ACT), may involuntarily withdraw a student whose behavior poses a significant risk of harm to the health, safety and well-being of the University community or who is unable to engage in the basic required activities necessary to obtain an education even with reasonable accommodations. This Regulation is being revised to clarify that a student who does not request to meet with the Dean of Students regarding the proposed involuntary withdrawal or immediate temporary withdrawal has waived his/her opportunity to contest the withdrawal, and as a result, has agreed to withdrawal. Additionally, students who are approved to return to the University following an involuntary withdrawal must also comply with any terms of re-admission to the University's limited access programs.

AUTHORITY FOR REGULATION: § 1001.74(4), F.S., Law Implemented, § 1001.74(4)(10) F.S.

UNIVERSITY OFFICIAL INITIATING THIS REGULATION: Dr. William Hudson, Jr., Vice President for Student Affairs.

PROCEDURE FOR COMMENTS: Written comments concerning this proposed regulation shall be submitted within 14 days of the date of this notice to the person identified below. The comments must specifically identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Angela Alvarado Coleman, Ed.D., Associate Vice President for Student Affairs and Dean of Students, Florida A&M University, 308 Foote-Hilyer Administration Center, Tallahassee, FL 32307, Office: (850) 599-3183, Fax: (850) 561-2674, angela.coleman@famuedu, and Antoneia L. Roe, Esquire, Associate Dean of Students and Director of Student Conduct & Conflict

Resolution, Florida A&M University, 1628 S. Martin Luther King Blvd., 100 Student Union, Tallahassee, Florida 32307-3100, (850) 599-3541 voice, (850) 599-3281 voice, (850) 561-2169 fax, antoneia.roe@famu.edu.

FULL TEXT OF THE PROPOSED REGULATION: The full text of this new regulation follows:

Regulations of Florida A&M University



2.007 Voluntary and Involuntary Withdrawal.

- (1) **Voluntary Withdrawal.** A student who desires to voluntarily withdraw from the University must report to his or her assigned academic advisor and explain the circumstances which he/she feels necessitates the withdrawal. If the request is approved, a Request for Voluntary Withdrawal Form (Official University Withdrawal Form), which is incorporated herein by this reference, will be completed and signed by the student, academic advisor, academic department chair and academic dean. The Voluntary Withdrawal forms are available in the academic area.
 - (a) Once the voluntary withdrawal process has been initiated, the student is required to complete the Housing and Rattler Card Office cancellation forms. The student must relinquish all residence hall keys to the Residence Hall Director and his/her meal plan card to the Office of Auxiliary Services after completing the appropriate cancellation forms. The withdrawal form must then be submitted to the Office of the Registrar. Academic advisors should also refer students to the Office of Financial Aid for an exit interview if the student receives Financial Aid.
 - (b) No student will be permitted to file a Voluntary Withdrawal Form within the last five (5) weeks of the semester without receiving failing grades,

unless unusual circumstances exist, as determined by the University Voluntary Withdrawal Committee, are established.

- (c) Any student who voluntarily withdraws from the University during the registration or late registration period will not receive grades at the end of the semester. Those who officially withdraw after the last day to register will receive a grade of “W” at the end of the semester. A grade of “WF” for each course will be assigned to any student who leaves the University without filing the Voluntary Withdrawal Form with the University Registrar.
- (d) Advisors should refer students to Counseling Services for post-enrollment ~~treatment~~services if the student shows signs of distress.

(2) **Involuntary Withdrawal.**

- (a) Students have a responsibility to conduct themselves appropriately and participate in the University community safely. A student, who due to extenuating circumstances, engages in behavior that poses a significant risk of harm to the health, safety and well-being of himself/herself, the University community or property or who is unable to engage in the basic required activities necessary to obtain an education even with reasonable accommodations, may be involuntarily withdrawn from the University and/or from University Housing by the Dean of Students or his/her designee. Such action may also be taken in consultation with the University Assessment and Care Team (ACT). Involuntary withdrawal is not a disciplinary action. It is a remedial action taken to assist and protect

individuals.

- (b) Evaluation - Prior to invoking involuntary withdrawal, the Dean of Students or ACT may refer the student for an evaluation by a campus or independent licensed psychiatrist or psychologist to determine if the student's behavior poses a threat to himself/herself or others. The evaluation must be completed within ~~five (5)~~ten (10) business days from the date of the referral. A student who fails to complete the evaluation and/or give permission for the results to be shared with the Dean of Students may be withdrawn on a temporary basis in accordance with section (3) below.
- (c) A student subject to involuntary withdrawal shall be notified in writing, including the reasons for the action. The student may request, in writing, to meet confidentially with ACT within three (3) business days from the date he/she receives the written notice to respond to the proposed involuntary withdrawal. ~~The student, at his/her own expense and initiative, may be assisted by an advisor of his/her choice during the meeting and the student is expected to speak for himself/herself. This meeting is informal, not subject to formal rules of process, procedures, etc. and shall be recorded. If the student does not arrange for request the meeting, then the student will have waived the opportunity, and as a result, assenting agrees to the temporary involuntary withdrawal.~~
- (d) Meeting - The Chair of ACT shall exercise active control over the meeting to achieve orderly completion. Any person who disrupts the meeting shall

be excluded. This meeting is informal, not subject to formal rules of process, procedures, etc. and shall be recorded.

(e) Advisor - The student, at his/her own expense and initiative, may be assisted by an advisor of his/her choice during the meeting; however, the student is expected to speak for himself/herself.

(f) The Dean of Students, in consultation with ACT shall render a decision in writing regarding the student's involuntary withdrawal within three (3) business days following the meeting.

(g) Appeal - The student has three (3) business days from the date of written notification of the decision to submit a written appeal to the Vice President for Student Affairs. The Vice President for Student Affairs will review the request for appeal, record of the meeting and supporting documents only to consider new information that was not available during the meeting or a significant deviation from this Regulation that affected the outcome. A final written decision will be issued within five (5) business days after receipt of the appeal or the Vice President for Student Affairs shall notify the student that additional time is necessary to consider the appeal.

(3) **Immediate Temporary Withdrawal**

(a) The Dean of Students may implement an immediate temporary withdrawal when necessary to protect the health, safety or property of a student or the University community or when a student fails to complete an evaluation or release the results thereof in accordance with section (2)(b) above.

(b) A student subject to immediate temporary withdrawal shall be notified in writing. ~~The student shall also~~ also and shall have the an opportunity to meet with the Dean of Students within three (3) business days from the effective date of the withdrawal provided in the written notice. Upon receipt of the written notice, the student should contact the Office of the Dean of Students to schedule the meeting. If the student does not arrange for request a meeting, then the student will have waived the opportunity, and as a result assenting agrees to the temporary withdrawal. The student would then have to fully comply with section (6) of this Regulation to return to the University.

~~The student, at his/her own expense and initiative, may be assisted by an advisor of his/her choice during the meeting and the student is expected to speak for himself/herself.~~

(c) Meeting- The meeting shall review the following issues only:

- (i) The reliability of the information concerning the student's behavior;
- (ii) Whether or not the student's behavior poses a danger of causing substantial, serious harm to the student or others; causing property damage; or directly impeding the lawful activities of others; and/or
- (iii) Whether or not the student has completed an evaluation and provided the results thereof in accordance with section (2)(b) above.

(d) Advisor - The student, at his/her own expense and initiative, may be

assisted by an advisor of his/her choice during the meeting and the student is expected to speak for himself/herself.

- (ee) The Dean of Students shall render a written decision on the immediate temporary withdrawal within three (3) business days following the meeting. This decision shall be final and is not subject to further appeal.
- (4) Failure of a student to take the opportunity to respond at the time and in the manner provided shall not affect the validity of or delay any decision made under this Regulation.
- (5) **Refund** - A student subject to involuntary withdrawal shall receive a refund of fees as provided in Florida A&M University Regulation 3.009(5).
- (6) **Return to the University.**
 - (a) A student who is involuntarily withdrawn shall have an administrative hold placed on his/her account, and the University may impose conditions for return to the University including but not limited to the following:
 - (i) A written assessment from the student's treating physician, independent licensed psychiatrist or psychologist stating that the student is ready and able to safely return to the educational community;
 - (ii) A written assessment from an independent licensed psychiatrist or psychologist of the University's choice stating that the student is ready and able to safely return to the University community;

- (iii) A written agreement from the student to attend and participate in any treatment, programs, meetings, etc. recommended by the student's treating physician, independent psychiatrist or psychologist; and/or
 - (iv) A determination by the Dean of Students and/or ACT that the student has met the conditions for return and that the University has appropriate resources to support and meet any ongoing needs of the student.
- (b) A student may submit a request to the Dean of Students at any time to return to the University. The request and all supporting documentation must be submitted at least thirty (30) days prior to the semester in which the student is seeking to return.
- (c) The Dean of Students, in consultation with ACT, will approve the request, provide additional stipulations for return or deny the request within fourteen (14) business days after receipt of the request. Approval to return to the University is not automatic readmission to the student's program of study. Students must also comply with any terms of re-admission to the University's limited access programs.
- (d) Students who remain on leave from the University for three (3) or more consecutive semesters will need to apply for re-admission to an ad hoc review board appointed by the Vice President for Student Affairs.

Specific Authority 1001.74(4), F.S.; Law Implemented 1001.74(4)(10), F.S. History—New 10-1-75, Amended 7-19-85, Amended 7-20-86, Formerly 6C3-2.07. Amended June 29,

| 2006, Amended 4-29-15, Amended _____, 2016.
Cf. Rule 6C3-4.008, General Catalog of the University regarding section on withdrawals.