

## **ADMINISTRATIVE MEDICAL OR PSYCHOLOGICAL LEAVE OF ABSENCE POLICY- 2014-2015**

*(Policy currently under review;)*

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### **I. Voluntary Administrative Medical or Psychological Leave of Absence**

A student may be granted a Voluntary Medical Leave of Absence from the University upon request with permission of the Vice President for Student Affairs (VPSA) or a designated member of the Vice President's staff (acting as necessary in consultation with the Medical Officer designated by the Dean of the College of Osteopathic Medicine). When a Voluntary Medical Leave of Absence is granted, the student and VPSA will agree upon the length of the Leave (which may be indefinite) and any conditions of return. The length of the Leave and any conditions of return will be set forth in writing and signed by the VPSA or designee, with a copy provided to the student. (see also section on "Change of Enrollment Status").

### **II. Mandatory Administrative Medical or Psychological Leave of Absence**

Examples of behaviors upon which the University may take action include, but are not limited to, the following:

- Acute decline in physical health;
- Suicidal threat, intent and/or behavior; self-injurious behavior;
- Destructive, threatening, or other disruptive behavior related to a medical or psychological condition;
- Drug and alcohol abuse, including overdose or misuse of over-the-counter or prescription medications;
- Eating disorders which are not responding to treatment and/or are posing safety concerns;
- Any physical or mental health problem that points to possible imminent or foreseeable danger to the student or another member of the University community, or requires intensive monitoring to prevent such danger.

### **III. Procedure**

1. The University's Medical Officer (defined for purposes of this section as the Medical Officer designated by the President of the University, the Director of Counseling, or the designee of either, as appropriate), in consultation with the VPSA, may place a

student on a Mandatory Medical or Psychological Leave of Absence, without the student's agreement or consent, if the Medical Officer determines that the student's condition presents a direct threat to the health or safety of him or herself or others.

2. As part of the Mandatory Medical or Psychological Leave of Absence process, the Medical Officer or the VPSA may inform the student's parents, guardians, or other appropriate person of the existence of a health and safety emergency.
3. Before any student is placed on a Mandatory Medical or Psychological Leave of Absence, the Medical Officer will make an assessment of the student's ability to participate safely in applicable University programs. In making this assessment, the Medical Officer will exercise his or her reasonable judgment based upon the evidence available, consultation with the VPSA, and his or her knowledge of the student's condition. The Medical Officer will provide the student (and the student's parents, guardians or other appropriate persons in the event they have been notified) an opportunity to address the evidence being considered, unless the Medical Officer determines in his or her discretion that the circumstances require immediate action before the consideration of additional information.
4. If the Medical Officer decides to impose a Mandatory Medical or Psychological Leave of Absence, the Leave will take effect immediately. The Medical Officer will thereafter explain the basis for the decision in writing, and may include conditions for the student's return, including a condition that the student grant permission for the Medical Officer to talk with his or her treating professionals. The written decision will be provided to the student. The Medical Officer's decision remains effective unless modified on appeal.
5. The student may request an appeal review within five days of the date of the Medical Officer's written decision by submitting a written request for a review to the VPSA. The written request for review must include a summary of the basis for the request for review. The VPSA will review the written decision of the Medical Officer and the summary of the basis for the request for review. The VPSA will determine whether (i) to dismiss the request for review as obviously without merit, (ii) to conduct the review him or herself or (iii) to appoint a hearing panel to conduct the review. If the VPSA opts to appoint a panel, the panel will consist of him or herself (or his or her designee) and two health care providers. The VPSA/hearing panel may retain legal counsel to advise it during the review hearing and deliberations.
6. If no timely request for an appeal review is submitted, the Medical Officer's decision is final.
7. The student may be accompanied at the review, but not the deliberations, by an Advisor, who shall ordinarily be a person from within the University community. The student may for good cause request that his or her Advisor be a parent, legal guardian, or other family member. This request will be reviewed and decided upon before the review by the VPSA or the hearing panel. The student may also be

accompanied by his or her health care provider(s), if the provider(s) will provide evidence at the review hearing.

8. At the review hearing, the Medical Officer will explain the basis of his or her decision on a Mandatory Medical or Psychological Leave of Absence.
9. The student may present evidence in opposition to the Medical Officer's decision. If the student has a proposal that is different from the Medical Officer's Mandatory Medical or Psychological Leave of Absence, the student is encouraged to present that alternative proposal at or before the review hearing. Information may be presented by telephone.
10. After the conclusion of the review, the VPSA/hearing panel will deliberate in private.
11. In reaching its final decision on a Mandatory Medical or Psychological Leave of Absence, the VPSA/hearing panel will determine, based on the evidence presented, whether the student's condition presented a direct threat to the health or safety of him or herself or others. The VPSA/hearing panel may affirm the Mandatory Medical or Psychological Leave of Absence, adopt any alternative proposed by the student, or develop its own terms and conditions, including terms and conditions for the student's return, which may include that the student grant permission for the Medical Officer to talk with his or her treating professionals.