
Involuntary Leave of Absence

Policy Statement:

Bergen Community College (the “College”) has implemented provisions for normal disciplinary proceedings published under the Student Code of Conduct that can lead to the expulsion, suspension, or interim suspension of students. The policy stated below expands the scope of the Student Code of Conduct to include the involuntary withdrawal of students whose behavior requires emergency attention by the College administration. Emergencies referred to in this policy are incidences of extreme disruptive behavior by students that occur at on- or off-campus, including College-sponsored, events.

Reason for Policy:

The Involuntary Leave of Absence Policy is developed with the College community’s best interest in mind. This policy is meant to be utilized in cases where students display behavior(s) which showcase a deeper issue at the core of the matter which cannot be addressed by the Student Code of Conduct, personal counseling and/or any other resource and/or department on campus available to the student due to the urgency of the behavior being displayed.

Who Should Read This Policy:

Students; all employees within Student Services; college leadership.

Definitions:

N/A

The Policy:

Bergen Community College (the “College”) has implemented provisions for normal disciplinary proceedings published under the Student Code of Conduct that can lead to the expulsion,

suspension, or interim suspension of students. The policy stated below expands the scope of the Student Code of Conduct to include the involuntary withdrawal of students whose behavior requires emergency attention by the College administration. Emergencies referred to in this policy are incidences of extreme disruptive behavior by students that occur at on- or off-campus, including College-sponsored, events. The College reserves the right to implement normal disciplinary procedures in addition to the procedures set forth below if the circumstances warrant such action. These incidents can be medical and/or psychological in nature and/or conduct that poses security risks to the College community. A student may be placed on an Involuntary Leave of Absence from the College by the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee) if one or more of the following conditions are met:

- 1) The student engages, or threatens to engage in, behavior which poses a danger of causing physical harm to the College Community or College property; and/or
- 2) Exhibits behavior that interferes with the student's ability to function in an academic or residential setting and/or seriously interferes with the educational pursuits or living environment of others; and/or
- 3) Commits a violation of the College's Student Code of Conduct and lacks the capacity to comprehend and participate in the College's disciplinary process but continues to pose an imminent threat to the College community; and/or
- 4) Commits a violation of the College's Student Code of Conduct and did not understand the wrongfulness of the conduct at the time of the offense. Ignorance of the wrongfulness of the action is not an excuse.

Procedure:

A. PRELIMINARY PROCEDURE

Upon the occurrence of an incident that meets any one or more of the above conditions, a student will receive notice that he/she has been placed on an interim suspension by the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee) pending further investigation of the matter. The student will receive written notice of his/her suspension as soon as practicable. The student has a right to a conference with the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee) within five business days.

While a student is in an interim suspension status, the student is banned from entering the campus for any reason whatsoever without the permission of the Vice President of Student Affairs and Dean of Student Life & Judicial Affairs (or designee). If the student is found on College property without such permission, the student will be arrested for trespassing and

may be prosecuted by local officials if Bergen Community College believes it to be in the best interest of the College community. Should permission be granted by the Vice President of Student Affairs and Dean of Student Life & Judicial Affairs (or designee), the student shall report to Public Safety upon entering and leaving the campus.

If the information that led to the interim suspension is deemed insufficient to support this procedure, and does not suggest that the student may create an immediate danger to the College community or to College property, the student will be permitted to return to normal College activities.

B. EVALUATION BY THE CENTER FOR HEALTH, WELLNESS AND PERSONAL COUNSELING

If the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee) reasonably believes that the student meets one or more of the conditions set forth above, the student will be referred to the Center for Health, Wellness and Personal Counseling for an evaluation by an appropriate mental health provider. It is the student's responsibility to contact the Center for Health, Wellness and Personal Counseling and schedule the appointment for the evaluation. The evaluation may take place over several sessions and could include a mental health assessment. If such a determination must be at a time when one of the above named individuals is unavailable, the other may make such determination alone.

In conducting the assessment, the evaluator will take the following into consideration:

- (1) the nature, duration, and severity of the risk of harm;
- (2) the probability that the risky behavior will actually occur; and
- (3) whether reasonable accommodations requested by the student can be provided by the College to reduce the risk of harm.

Once the evaluation is complete, the Dean of Student Support Services (or designee) will submit a written recommendation to the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee).

Please be advised that any refusal to submit to, or participate in, the above evaluation procedure will be considered by the Center for Health, Wellness and Personal Counseling in completing its evaluation and preparing its written recommendation to the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee).

C. REFERRALS FOR FURTHER EVALUATION

There may be instances in which the College or the Center for Health, Wellness and Personal Counseling mental health professional feel that an evaluation by an outside professional is warranted. In such instances, the student will be informed of this additional

requirement in writing and will be referred to an appropriate health care professional. One example of a situation in which this may occur is a situation in which the student has threatened to harm others in the College community.

The College or the Center for Health, Wellness and Personal Counseling mental health professional may deem it necessary to require the student to have an evaluation by a forensic psychologist or psychiatrist, of the College's choosing, who is specially trained to conduct evaluations and make recommendations in situations of this nature. In these situations, the College will cover the cost of the evaluation. Both the student and the evaluating professional will be given a copy of this policy. The evaluating professional will also be given instructions for submitting a written report including required content areas that must be addressed. A student will not be reimbursed for the cost of an evaluation that is completed by a forensic psychologist or psychiatrist that was not chosen by the College.

The Dean of Student Support Services (or designee) will review the report submitted by the evaluating professional and may consult with that person, if needed, and then make a final written recommendation to the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee).

Please be advised that any refusal to submit to, or participate in, the above evaluation procedure will be considered by the Dean of Student Support Services in making his or her final written recommendation to the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee).

The interim suspension will continue to be in effect during the entirety of this process. Upon receipt of the final written recommendation the Vice President of Student Affairs and the Dean of Student Life & Judicial Affairs (or designee) will meet with the student to review the written recommendations available to them.

D. STUDENT'S PLACEMENT ON AN INVOLUNTARY LEAVE OF ABSENCE

Within five business days of the follow up meeting between the Vice President of Student Affairs or the Dean of Student Life and Judicial Affairs and the student to review the final written recommendations, the Vice President of Student Affairs and/or the Dean of Student Life & Judicial Affairs (or designee) will render a decision, including one of four possible determinations:

- 1) The student may return to all normal campus activities without restrictions;
- 2) The matter of the student's conduct will be referred back to the normal disciplinary processes of the College from which the diversion occurred because the behavior observed is not deemed to have fallen within the parameters of this policy;

- 3) The student may return to the College but with restrictions (e.g. applied mandated withdrawal from one or more classes, psychotherapy must continue on a regular basis, etc.).

The student is placed on an indefinite Involuntary Leave of Absence and may only return to the College when the procedures and conditions for reenrollment have been met.

Depending on the course requirements of each course that the student is enrolled in, the student's academic status may be affected as a result of being placed on an Involuntary Leave of Absence. The student may or may not be permitted to complete all courses upon his/her return from an Involuntary Leave of absence even if the student returns within the same semester of original enrollment in a particular course. It is the student's sole responsibility to address his or her academic status as result of being on an Involuntary Leave of Absence.

The student has three (3) business days from the date he/she was informed of the decision to file a written appeal to the Vice President of Student Affairs.

Students who are placed on an Involuntary Leave of Absence will not be eligible for tuition reimbursements except as permitted by normal College procedures. It is the student's sole responsibility to ensure that his/her account with the College or third party lender is in good standing. If a student is required to withdraw from some or all classes, a grade of W, administratively assigned, will be reflected on the transcript in those courses from which he/she is required to withdraw.

A student that is on an Involuntary Leave of Absence will be arrested for trespassing and may be prosecuted by local officials if the College believes it to be in the best interest of the College community to do so. A student that has been granted permission to be present on any of the College campuses from the Vice President of Student Affairs or the Dean of Student Life & Judicial Affairs (or designee) shall report to Public Safety upon entering and leaving the campus.

E. RETURN FROM INVOLUNTARY LEAVE OF ABSENCE

It is expected that time away from the College will be used for treatment and recovery and that this will be documented prior to return. The College reserves the right to demand documentation from a medical provider that the student is fit to return to an educational environment as a condition of reenrollment. Procedures and conditions for reinstatement from an Involuntary Leave of Absence will be provided to students in writing at the time the student is placed in Involuntary Leave of Absence status. A registration hold will be placed on the student's record to ensure that the student satisfies the criteria to reenroll in accordance with this policy. When a student is approved to reenroll, the Vice President of Student Affairs and Dean of Student Life & Judicial Affairs (or designee) will work with the

Registrar to remove the registration hold. A student who fails to request reenrollment once all criteria for reenrollment have been met may be denied reenrollment at a later time and be required to reapply for admission.

Other academic concerns that may arise because of the application of this policy will be addressed on an individual basis.

Current College withdrawal policies will be followed should the student decide to pursue Official or Late Withdrawal upon being placed on Involuntary Leave of Absence.

Related Documents/Policies:

N/A

Policy History: (adopted/amended)

Adopted: 07/10/2002

Amended: 06/02/2015