



MISSISSIPPI STATE
UNIVERSITY™

OP 91.113: ADMINISTRATIVE WITHDRAWAL AND READMISSION

POLICY

This policy governs voluntary and involuntary withdrawal of students from the University in extraordinary circumstances where such withdrawal is considered necessary to prevent harm to the University community.

Where a student poses a direct threat of harm to any member of the University community or is unable to meet reasonable standards of conduct, he or she may elect to withdraw voluntarily from the University. When a student declines to withdraw voluntarily and efforts to secure voluntary cooperation have proven ineffective, the University may initiate an involuntary administrative withdrawal. When a student seeks readmission after a voluntary or involuntary administrative withdrawal under this policy, the University may require evidence of his or her ability to comply with reasonable standards of conduct.

PROCEDURE

A. Grounds for Withdrawal under this Policy

Administrative withdrawal under this policy is appropriate where a student:

1. Engages in behavior that poses a direct threat of harm to any member of the University community; or
2. Does not comply with institutional standards of conduct, and there is significant reason to doubt the student's understanding of the inappropriate nature of the conduct, such that the normal disciplinary process would be inappropriate.

B. Voluntary Administrative Withdrawal

A student may initiate a voluntary withdrawal from the University via the procedures in Operating Policy 12.02. At the discretion of the Dean of Students or his or her designee, such a withdrawal may be designated as a *voluntary administrative withdrawal* under this policy if either of the conditions listed in Part A of this policy is present. Where such a designation is made, the student must comply with the procedures in Part G of this policy before seeking readmission to the University.

C. Involuntary Administrative Withdrawal

The University may initiate proceedings for *involuntary administrative withdrawal* where either of the conditions listed in Part A of this policy is present, and efforts to secure voluntary cooperation have been ineffective. Prior to initiating involuntary withdrawal proceedings, the University will offer the student the option of withdrawing voluntarily under this policy.

Involuntary withdrawal proceedings shall be initiated by the Dean of Students or his or her designee. The purpose of the proceeding shall be to conduct an individualized assessment to determine whether it is more likely than not that the student meets either of the two conditions listed in Part A of this policy. Where a student contends that a reasonable accommodation would allow him or her to comply with the standards in Part A, the University will give consideration to that contention.

As part of the proceeding, the University may require the student to undergo a mandatory assessment by a physician, psychiatrist, psychologist, licensed professional counselor, or social worker. The University also may require the student to provide relevant medical or other records. Failure to participate or cooperate in a required assessment or to provide records shall be grounds for involuntary withdrawal without any further proceedings.

The University will notify a student in writing that an involuntary withdrawal proceeding has been initiated, and will provide a copy of this policy. The student may request a hearing before the Dean of Students or his or her designee, but must do so in writing within two business days of notification of the proceeding being sent. If no hearing is requested, the Dean of Students Office will inform the student in writing of the final decision on involuntary withdrawal as soon as is feasible.

D. Involuntary Withdrawal Hearing

If a hearing is requested, it will be conducted not more than seven calendar days after the request is made, except in exigent circumstances. The student may be accompanied by an advisor, but absent accommodation due to incapacity, is expected to speak for him or herself.

The Dean of Students or his/her designee will review relevant evidence, including any medical assessments or records, and the student will have the opportunity to respond and/or ask questions about the evidence. If the student wishes to introduce any evidence or testimony at the hearing, he or she must inform the Dean of Students or designee in writing of the nature of the evidence and/or the identity of any witnesses at least twenty-four hours prior to the hearing. The Dean of Students or designee retains discretion to exclude any evidence or testimony as irrelevant or cumulative.

The Dean of Students Office will inform the student in writing of the determination regarding involuntary withdrawal within two business days of a hearing.

E. Appeal of Involuntary Withdrawal

If the University determines that involuntary administrative withdrawal is appropriate, the student may appeal to the University's Behavioral Intervention Team. Such an appeal must be submitted in writing within two business days of notification of the determination being sent. Appeals are limited to the following grounds:

1. Considering evidence that was unavailable at the time of the initial determination or was improperly excluded after being offered as evidence under this policy, and which could have altered the outcome; or

2. Correcting material deviation from written University policies or procedures, which could have altered the outcome.

The student will be required to provide a written statement explaining the basis for the appeal. The Behavioral Intervention Team will review the statement, along with any evidence considered in the initial determination. Only evidence considered in the initial hearing may be considered on appeal, except where the Behavioral Intervention Team determines that previously unavailable evidence or improperly excluded evidence could alter the outcome. No individual who conducted a hearing under Part D of this policy shall participate in deciding an appeal of said hearing.

As soon as is feasible, the Behavioral Intervention Team will inform the student in writing of its ruling. This ruling will be final.

F. Interim Measures

Prior to a final determination, the University may take interim steps to ensure safety, which may include but are not limited to prohibiting the student from entering campus or placing other limitations on privileges or access to University facilities or resources.

G. Readmission Following Administrative Withdrawal

A student seeking readmission to the University following a voluntary or involuntary administrative withdrawal under this policy must first receive approval from the Dean of Students Office. The University will conduct an individualized assessment in each case. Approval for readmission under this policy is not a guarantee of admission to the University. Rather, it means that the student is eligible to apply for readmission under the same standards as any other student.

As part of the readmission review process, the University may require the student to undergo a mandatory assessment by a physician, psychiatrist, psychologist, licensed professional counselor, or social worker. The University also may require the student to provide relevant medical or other records. Failure to participate or cooperate in a required assessment or to provide records shall be grounds for denial of approval without any further proceedings.

The student is responsible for contacting the Dean of Students Office in writing to request consideration for readmission. The student bears the burden establishing that:

1. He or she does not present a threat to any member of the University community; and
2. He or she is willing and able to comply with the University's standards of conduct.

The University will consider whether the student meets these standards with or without reasonable accommodation. The University may place conditions on approval for readmission. Such conditions will be limited to ensuring a student's continuing ability to meet the above-listed standards, with or without reasonable accommodation.

After contacting the Dean of Students Office, the student will be informed in writing of the right to request a hearing on approval for readmission and will receive a copy of this policy. The student may request a hearing before the Dean of Students or his/her designee, but must do so in writing within two business days of said notification being sent. If no hearing is requested, the Dean of Students Office will inform the student in writing of the decision concerning approval for readmission as soon as is feasible.

If a hearing is requested, it will follow the same timeline and procedures outlined above concerning hearings on involuntary withdrawal. Likewise, a student may appeal a decision denying approval for readmission under this policy, following the same timeline and procedures outlined above.

REVIEW

The Vice President for Student Affairs is responsible for the review of this operating policy every four years or as needed.

REVIEWED BY:

/s/ Regina Hyatt
Vice President for Student Affairs

06/09/2017
Date

/s/ Brett Harvey
Director, Title IX and EEO Programs

06/09/2017
Date

/s/ Joan Lucas
General Counsel

06/16/2017
Date

/s/ Timothy N. Chamblee
Assistant Vice President and Director,
Office of Institutional Research and Effectiveness

06/23/2017
Date

APPROVED:

/s/ Mark Keenum
President

07/02/2017
Date