

SUNY Geneseo Involuntary Leave of Absence Policy

I. Involuntary Leave of Absence

Requiring a student to take a leave of absence is rare and only happens when current medical knowledge and/or the best available objective evidence indicates to the Dean of Students (or designee) at the specific College or University that there is a significant risk to the student's health or safety, or the health or safety of others in the campus community, or the student's behavior severely disrupts the College or University environment, where no reasonable accommodations can adequately reduce that risk or disruption.

Consistent with the SUNY's [Nondiscrimination Policy](#), SUNY prohibits unlawful discrimination on the basis of any type of disability or any other characteristic protected by applicable Federal and/or State law in the administration of SUNY's programs and activities.

SUNY institutions offer a range of resources, support services, and accommodations to address the physical and mental health needs of students. However, on rare occasions, a student's needs may require a level of care that exceeds the care that the institution can appropriately provide. Where current knowledge about the individual's medical condition and/or the best available objective evidence indicates that a student poses a significant risk to their own safety not based on mere speculation, stereotypes, or generalizations, or where a student's behavior severely disrupts the College environment and the student does not want to take a voluntary leave of absence, the Dean of Students (or designee) has the authority to place a student on an involuntary leave of absence.

Before placing any student on an involuntary leave of absence, the College will conduct an individualized assessment, consulting with the Office of Accessibility Services to determine if there are reasonable accommodations that would permit the student to continue to participate in the College environment without taking a leave of absence.

The Dean of Students (or designee) may be notified about a student who may meet the criteria for an involuntary leave of absence from a variety of sources, including, but not limited to, the student, the student's academic advisor, Residential Life staff, an academic department, or a member of the College's behavioral intervention/CAREs team. If the Dean of Students (or designee) deems it appropriate, the procedures under this policy can be initiated.

II. Process for Placing a Student on an Involuntary Leave of Absence

1. The Dean of Students (or designee) at the campus will consult with the Accessibility Services Office prior to making a decision to impose an involuntary leave of absence.
2. The Dean of Students (or designee) will issue a notice to the student in writing that an involuntary leave of absence is under consideration. The written notice will include the reason(s) why the student is being considered for an involuntary leave of absence, contact information for the appropriate office that provides accessibility services on campus to students, which can provide information about potential accommodations, and a copy of this

policy. The notice will also provide name and contact information for a neutral advisor outside of the decision-making process under this policy (the “Advisor”), with knowledge of the campus’s involuntary leave of absence process who will serve as a resource to answer any student questions about the process from referral to return to SUNY Geneseo, including appeals. The Advisor shall be copied on all notices to the student after the student provides consent to have the Advisor as part of their process. In the written notice, the student will be encouraged to respond before a decision regarding a leave of absence is made and will be given seven (7) calendar days which to do so.

3. To the extent required by applicable law, the President’s designee must consider potential reasonable accommodations and/or modifications that could eliminate the necessity for an involuntary leave of absence. These may include, without limitation, a voluntary leave of absence, and/or academic/housing/dining accommodations(s). The campus must document all such considerations, accommodations, and related decisions.
4. The student may be asked to execute an Authorization for Release of Information Form providing certain campus personnel with temporary authority to obtain information from the student’s health care provider(s) regarding issues relevant and appropriate to the consideration of an involuntary leave of absence when there is a need for the campus to have access to that information as part of the interactive process and individualized assessment. If a student refuses to execute this document or to respond within the timeframe set by the Dean of Students (or designee), the Dean (or designee) may proceed with assessment based on the information in the President’s designee’s possession at that time.
5. The Dean of Students (or designee) may also confer, as feasible and when appropriate depending upon the matter, with individuals regarding the need for an involuntary leave of absence. Each case may vary, but conferring individuals can include:
 - Residence Life;
 - Faculty members;
 - Academic advisors;
 - Department head for programs that lead to professional licensure, as appropriate;
 - Representatives from the campus’s Health Center (with appropriate authorization);
 - The student’s treatment provider(s) or other health care professionals (with appropriate authorization);
 - Representatives from the campus’s Counseling Center (with appropriate authorization for any providers who have provided services to the student);
 - Member(s) of the campus’s CARE(s) team; and/or
 - Other individuals who may be appropriate in an individual matter.
6. When evaluating whether an involuntary leave of absence is appropriate, the campus will consider specific criteria, such as:
 - Whether current knowledge about the individual’s medical condition and/or the best available objective evidence indicates that a student poses a significant risk to the health or safety of a member of the campus community;

- Whether a student is unable or unwilling to carry out substantial self-care obligations and poses a significant risk to their own safety, not based on mere speculation, stereotypes, or generalizations; and/or
 - Whether a student's behavior severely disrupts the campus environment.
The individualized assessment for each factor, based on reasonable judgment that relies on current medical knowledge to the extent that information is available, or the best available objective evidence, should capture:
 - the nature, duration, and severity of the risk or disruption;
 - the probability that the risk or disruption will actually occur; and
 - whether reasonable modifications of policies, practices, or procedures will appropriately mitigate risk or disruption, thereby eliminating the need for an involuntary leave of absence.
7. The Dean of Students (or designee) for the campus will give significant weight to the opinion of the student's treatment provider(s) identified by the student and after appropriate authorizations regarding the student's ability to function academically and safely at the campus with or without reasonable accommodations. If the Dean of Students (or designee) determines that the information provided by the treatment provider(s) is incomplete, requires further explanation or clarification, or is inconsistent with the other information in the student's record, the Dean of Students (or designee) for the campus (with appropriate authorization) may contact the treatment provider(s) to obtain additional information. In certain circumstances, the campus may request the student to undergo an additional evaluation by an independent and objective professional designated by the campus, if the Dean (or designee) believes it will facilitate a more informed decision. The campus should appropriately document the reasoning for such a decision, if warranted.
 8. Following the Dean of Students' (or designee's) consultations and review of the relevant documentation and information available, the Dean (or designee) shall make a decision regarding whether the student should be placed on an involuntary leave of absence, and shall provide written notice of the decision to the student. This written notice of decision shall include information about the student's right to appeal the decision and information about reasonable accommodations available during the appeal process. The review and notice of decision shall be performed in a reasonable and timely manner.
 9. Where students have been asked to remain away from the campus while the review is being conducted, every effort shall be made by the President's designee to reach a decision within seven (7) calendar days, provided that the student responds in a timely manner to requests for information, and if appropriate, evaluation. If there are delays, the campus shall document the reason for such delays in writing.

III. Decisions on Involuntary Leaves of Absence

1. ***If an Involuntary Leave of Absence is Imposed:*** The written notice of any decision concerning the student shall set forth the basis for the decision; a timeframe for when the student must leave the campus; the student's right to appeal the decision; and information

about reasonable accommodations available during the appeal process. This notice shall also set forth when the student may be eligible to return to the campus and the conditions and/or requirements the student will need to satisfy to be eligible for return. This written notice shall also inform the student of their right to reasonable accommodations in the return process and will provide contact information for Accessibility Services for students requiring reasonable accommodations. The length of the student's leave will be determined on an individual basis. The student's Advisor shall be copied on all notices concerning all decisions related to the student if the student so designates and consents.

2. ***If An Involuntary Leave of Absence is Not Imposed:*** The Dean of Students (or designee) may impose conditions and/or requirements under which the student is allowed to remain at the campus using the least restrictive appropriate means possible.

IV. Appeals

1. Within seven (7) calendar days of receiving the decision from the Dean of Students (or designee) at the campus, the student may submit an appeal of the decision in writing to the Dean (or designee) for appeals under this policy. The appeals shall be heard by a three (3) person Board of Appeals. The decision-maker who imposes an involuntary leave of absence shall not hear appeals or render decisions on appeals. The individuals chosen to oversee appeals cannot have been involved in the original decision-making process. The written request for appeal must specify the particular substantive and/or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the decision of the Dean of Students (or designee). While the appeal is pending and being heard by the Board of Appeals, the original decision will remain in place. All appeals decisions will be issued within seven (7) calendar days of submission.
2. The criteria for appeal will be limited to the following:
 - ***Disproportionate Findings:*** if there is any information not previously considered that would allow the student to remain with a reasonable accommodation and may change the outcome of the decision;
 - ***New Information:*** if there is any new information not previously available to the student that may change the outcome of the decision making process;
 - ***Procedural irregularities:*** if there were any procedural irregularities that materially affected the outcome of the matter to the detriment of the student who appealed the decision.
3. After reviewing the matter fully, the Board of Appeals will issue a written decision affirming, modifying, or reversing the decision to place the student on an involuntary leave of absence. The Board of Appeal's decision shall be final, and no other appeals or grievance procedures are available at the campus level.

V. Implications of an Involuntary Leave of Absence

1. ***Student status:*** Students on a leave of absence generally retain their admitted student status during the period of the student's leave; however, they are not registered and therefore, do not have the rights and privileges of registered students. Generally, all leaves of absence are for a maximum of 2 consecutive semesters where a student is allowed to be away from the campus without enrolling in coursework.
2. ***Housing:*** Students assigned to a campus residence are subject to the terms and conditions of the SUNY Geneseo Housing License. Students who leave the campus before the end of a term may or may not be eligible to receive refunds of portions of their housing charges, per SUNY and Geneseo Policy. As Geneseo has a 2-year residency requirement, students who depart campus on a leave may be required to complete their residency obligation on return. Students should review their status with Residence Life, then submit a "Release from Housing/Residency Waiver," as appropriate.
3. ***Effective date(s) of leave:*** A student must leave the College within the timeframe set forth by the Dean of Students (or designee) or Board of Appeals, as applicable, in the decision to impose an involuntary leave of absence. The leave will remain in effect until:
 - The Dean of Students (or designee) has determined after an individualized assessment the parameters of which shall be set forth in the written decision of the Dean of Students (or designee) or the Board of Appeals, as applicable, that the student is able to return to the campus with or without reasonable accommodations, and
 - The student has complied with any campus requirements applicable to all students returning from a leave and all the conditions mandated by the Dean of Students (or designee) or Board of Appeals, as applicable.

Students are not permitted to return mid-semester if placed on an involuntary leave of absence. There are deadlines to request returns (e.g., the first week in January or August), but you can request a return in advance of that, with your provider's support, to allow you to register for classes for the semester of your return (your time ticket depends upon your return being cleared by the DOS). The Dean of Academic Planning and Advising office can also assist students with registration if Geneseo needs to wait to approve returns. Campuses shall clearly identify and state deadlines for all requests to return, which will align with the start of each academic term per year.

4. ***Notification:*** At any time while the student is on leave, the President's designee may notify a student's parent, guardian, emergency contact, or other individual, consistent with the law, if notification is deemed appropriate under the circumstances.
5. ***Association with the Campus while on leave:*** Unless expressly permitted by the President's designee in writing, or Board of Appeals, as applicable, students on an involuntary leave of

absence are not permitted to be present at the campus and are not permitted to engage in any campus-related activities, including on-campus employment.

6. ***Coursework taken while on leave:*** Consistent with the College's policies and procedures, academic credit for work done elsewhere may be allowed toward a Geneseo degree. Students should consult with the Academic Planning and Advising Office, Registrar's Office and their academic department prior to taking any coursework while on an involuntary leave of absence.
7. **Access to Student Accounts while on leave:** Unless expressly prohibited in writing by the President's designee, students on leave generally may retain their student ID privileges, including their campus email account.
8. **Tuition and Fees:** Consistent with SUNY's and the College's policies and procedures, students who leave the campus before the end of a term may or may not be eligible to receive refunds of portions of their tuition. See the [SUNY Tuition Refunds Policy](#) for a schedule of refunds.
9. **Meal Plan:** Students who leave the campus before the end of a term may or may not be eligible to receive refunds of portions of their meal plan charges, per SUNY, Geneseo, and Campus Auxiliary Services (CAS) Policy.
10. **Visa Status:** International students (F-1 and J-1 Visa holders) placed on an involuntary leave of absence must speak with the Director of the International Student and Scholar Services (or designee) who works with international students regarding their Visa status and the effect an involuntary leave of absence may have on that status.

VI. Request for Return

1. In addition to the general requirements all students must meet when returning to the campus after a leave of absence, as well as any conditions imposed by the Dean of Students (or designee) or Board of Appeals, as applicable, for return from an involuntary leave of absence as outlined in the decision, students seeking to return from an involuntary leave of absence imposed for reasons of personal or community health and safety may be required to submit additional documentation related to the factors set forth in Section III.6 as part of an individualized assessment. The Accessibility Services office will work with students to provide reasonable accommodations in the return process as appropriate.
2. A student must make a written request to the Dean of Students (or designee) to return to the campus. Generally, a student shall not be allowed to return until one full semester has elapsed or until the leave period in the involuntary leave of absence notification has elapsed, and all conditions and/or requirements have been met.
3. The Dean of Students (or designee) may require the student to provide evidence that the student, with or without reasonable accommodations, has sufficiently addressed the issues that previously established the criteria for imposing an involuntary leave of absence as set

forth in Section III.6, above. The Dean (or designee) may also ask, confer with, or seek information from others to assist in making this determination. The information sought may include:

- At the student's discretion, documentation of efforts by the student to address the issues that led to the leave;
 - Release of academic records to inform treating clinicians (with appropriate authorization);
 - Release of treatment information to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the leave (with appropriate authorization);
 - Consultation with the Geneseo student health center and/or counseling center to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the leave (with appropriate authorization); and/or
 - Consultation with Geneseo's Accessibility Services office.
4. All returning students must meet the essential eligibility requirements and any technical standards of the College and, if applicable, the relevant school or department, with or without reasonable accommodations. If the Dean of Students (or designee) determines that the student is ready to return to the campus, the student will be notified in writing of the decision, including the reason for the decision, within a reasonable time after the student has submitted a request for return and required documentation per this policy.
 5. A student not permitted to return may appeal the decision to the Board of Appeals under this policy, following the procedures in Section V.
 6. A student may be disenrolled after a certain period of inactivity.

VII. Scope of the Policy and Relationship to Other College Policies

A leave of absence is an administrative process; it is not a disciplinary process.

This policy is not intended to be punitive and does not take the place of conduct actions that are in response to violations of the campus's Student Code of Conduct, or other policies and directives, nor does it preclude the removal or dismissal of students from the campus or campus-related programs as a result of violations of other campus policies or school or department protocols.

This policy does not limit the campus's ability to place enrollment holds on students for reasons beyond the scope of this policy.

This policy does not relieve a student of any financial obligations to the campus that were incurred prior to the time the involuntary leave of absence was imposed.

Nothing in this policy limits the power of the campus to take administrative action to ensure the safety of the campus community in accordance with all appropriate laws and policies.

Nothing in this policy prevents the campus from engaging in a temporary suspension under its policies if necessary under the circumstances. Any such cases shall be appropriately reviewed per campus policy.

In emergency situations involving an imminent or ongoing threat of harm to the student or any other member of the campus community, the President's designee, in the exercise of his or her reasonable judgment, may require a student to be immediately prohibited from entering the campus or facilities utilized for campus programs or activities while such individualized assessment and review under this policy is taking place. Such students will receive written notice to this effect as quickly as possible.

VIII. Requests for Reasonable Accommodations

SUNY Geneseo is committed to providing equal access to all participants in College processes, including students with disabilities. Students with disabilities should contact the Accessibility Services office to request accommodations.

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