

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: July 30, 2008

REGULATION TITLE:
Involuntary Medical Withdrawal

REGULATION NO.:
6C1-4.036

SUMMARY: This regulation amends the circumstances under which a student may be involuntarily withdrawn from the University and sets forth conditions for readmission. Students who pose a significant dangers of serious harm to themselves or others may be subject to an involuntary medical withdrawal from the University. Students subject to such withdrawal shall be provided written notice, an opportunity to be heard and the opportunity to appeal such decision. Students subject to involuntary withdrawal shall also have a hold placed on their records and may be required to meet certain conditions prior to readmission.

AUTHORITY: BOG Resolution dated January 7, 2003.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Patricia Telles-Irvin, Vice President for Student Affairs.

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS~~RULES~~ OF
~~DEPARTMENT OF EDUCATION~~
~~DIVISION OF UNIVERSITIES~~
UNIVERSITY OF FLORIDA

6C1-4.036 ~~Student Affairs:~~Involuntary Medical Withdrawal.

(1) The University will make reasonable accommodations for students with disabilities as determined under applicable law. However, students are considered adults when attending the University, and students have a responsibility to not cause harm to themselves or others and to participate in University life safely. A student who poses a significant danger of ~~imminent or~~ serious ~~physical~~ harm to himself/herself or others at the University will be involuntarily withdrawn from ~~attendance at~~ the University by the Dean of Students or designee.~~Vice President for Student Affairs or his/her designee~~ Such action will be taken only after~~upon~~ appropriate consultation with the Director of the Student Health Care Center or; the Director of the University Counseling Center ~~and the Dean of Students or their respective designees.~~

(2) A student subject to involuntary withdrawal shall be accorded~~furnished~~:

(a) written nNotice of the University's decision~~intent~~ to act~~remove the student~~ under~~pursuant to~~ this regulation~~rule~~ stating the reasons for the action;

(b) the opportunity to respond to~~An advisor designated by~~ the Dean of Students or designee;

(c) ~~the~~^{An} opportunity to appeal the decision to the Vice President for Student Affairs within 10 days~~present relevant information for consideration of his/her case personally or by representation.~~

(3) Should circumstances warrant, a student may be subject to an immediate temporary withdrawal, pending a further determination. A student subject to an immediate temporary withdrawal shall be provided notice of such withdrawal stating the reasons and an opportunity to respond to the Dean of Students or designee as soon as reasonably possible after such withdrawal. After so responding, the temporary withdrawal will be rescinded or made final and notice shall be given to the student.~~If at any time the Vice President for Student Affairs or his/her designee determine, upon a review of all available information and surrounding circumstances, that any student's condition presents a danger of significant harm to the student or others, the student will be subject to a temporary withdrawal, pending a further determination. A student subject to such withdrawal shall be offered an opportunity to meet with the Vice President for Student Affairs or his/her designee, immediately prior thereto, to discuss the matter and shall be offered the opportunity to provide credible documentation from an appropriate healthcare provider who has conducted a reasonable assessment of the student and concluded that the student does not pose a significant present or imminent threat to himself/herself or others.~~

(4) Failure of a student to take the opportunity to respond at the time and in the manner provided by the University shall not affect the validity of or delay any decision made under this Regulation.

(54) A student subject to involuntary withdrawal shall receive a refund of fees as provided in University of Florida Regulation Rule 6C1-3.0371, ~~F.A.C. Applications or petitions for readmission by students subject to involuntary withdrawal shall be considered and evaluated.~~

(6) A student who is involuntarily withdrawn shall have a hold placed on his/her records, and the University may impose conditions for readmission, including but not limited to one or more of the following:

(a) requiring the student to provide the Dean of Students a complete written assessment (using the form provided by the University) from student's treating physician or independent licensed psychiatrist or other licensed mental health provider that the student is ready and able to safely return to his/her educational pursuits;

(b) determination from an outside independent licensed psychiatrist or other licensed mental health provider retained by the University that student is ready and able to safely return to the University;

(c) a written agreement from the student to attend and participate in any treatment/programs/meetings to the extent recommended by student's treating physician or licensed mental health provider and/or an independent licensed psychiatrist or other licensed mental health provider retained by the University; and/or

(d) determination by University officials that student has met conditions for readmission and that the University has appropriate resources to support and meet any ongoing needs of the student.

Specific Authority BOG Resolution dated January 7, 2003~~240.132(1), 240.227(1),~~
~~240.261 FS.~~

~~Law Implemented 120.81(1), 240.132, 240.133, 240.202, 240.261(2), 240.262 FS.~~

History--New 2-11-82, Formerly 6C1-4.36, Amended 10-31-99, .