

INVOLUNTARY LEAVE OF ABSENCE AND RETURN POLICY

Involuntary Leave of Absence and Return Policy

In effect as of January 4, 2020

Stanford University is committed to the safety, health and well-being of the campus community. The University recognizes that students may experience situations that significantly limit their ability to function successfully or safely in their role as students. In such circumstances, students should consider requesting a leave of absence. A leave of absence permits students to take a break from the University and their studies, so that they may address the issues that led to the need for the leave and later return to the University with an enhanced opportunity to achieve their educational goals. Students will be given the option to take a voluntary leave of absence before a decision is made with respect to an involuntary leave.

1. Involuntary Leave of Absence

Requiring a student to take a leave of absence is rare and, subject to Section III, only happens when current medical knowledge and/or the best available objective evidence indicates to the Senior Associate Vice Provost and Dean of Students or their designee (hereinafter, Dean of Students) that there is a significant risk to the student's health or safety or the health or safety of others, or the student's behavior severely disrupts the University environment, and no reasonable accommodations can adequately reduce that risk or disruption.

Consistent with Stanford's Nondiscrimination Policy (<http://exploreddegrees.stanford.edu/nonacademicregulations/nondiscrimination/>), Stanford prohibits unlawful discrimination on the basis of any type of disability or any other characteristic protected by applicable law in the administration of the University's programs and activities. Stanford offers a range of resources, support services and accommodations to address the physical and mental health needs of students. However, on rare occasion, a student's needs may require a level of care that exceeds the care the University 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 the health or safety of a member of the University community, where 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, or where a student's behavior severely disrupts the University environment and the student does not want to take a voluntary leave, the Dean of Students has the authority to place a student on an involuntary leave of absence. Before placing any student on an involuntary leave of absence, Stanford will conduct an individualized assessment, consulting with the Office of Accessible Education (OAE) to determine if there are reasonable accommodations that would permit the student to continue to participate in the University community without taking a leave of absence.

The Dean of Students may be notified about a student who may meet the criteria of an involuntary leave of absence from a variety of sources including, but not limited to, the student, the student's academic advisor, Residential Education staff, Graduate Life Office staff, an academic department, or a member of the University's threat

assessment team. If the Dean of Students deems it appropriate, these procedures will be initiated.

a. Procedures for Placing a Student on an Involuntary Leave of Absence

- i. The Dean of Students will consult with the Office of Accessible Education (OAE) prior to making a decision to impose an involuntary leave of absence.
- ii. The Dean of Students 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, contact information for OAE, which can provide information about accommodations, and a copy of this policy. In addition, the notice will provide contact information for the Process Resource, an administrator outside of the decision-making process with knowledge of Stanford's involuntary leave of absence process who will serve as a neutral process resource to answer any student questions about the process from referral through return to Stanford. 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 a specified time period within which to do so.
- iii. The Dean of Students will consider potential accommodations and/or modifications that could obviate the need for an involuntary leave of absence, such as the option to take a voluntary leave of absence, academic accommodations, housing and dining accommodations, and modifications to University policies, rules, and regulations. Examples of academic, administrative, and housing accommodations that may be facilitated through the Office of Accessible Education (OAE) can be found on the OAE (<https://oae.stanford.edu/>) website.
- iv. The student may be asked to execute an Exchange of Confidential Information Consent Form providing Stanford personnel temporary authority to get information from the student's healthcare provider(s) regarding issues relevant and appropriate to the consideration of an involuntary leave of absence when there is a need for the University to have access to that information as part of the interactive process and individualized assessment. If a student refuses to execute an Exchange of Confidential Information Consent Form or to respond within the timeframe set by the Dean of Students, the Dean may proceed with the assessment based on information in the Dean's possession at the time.
- v. The Dean of Students will also confer, as feasible and when appropriate in a particular matter, with individuals regarding the need for an involuntary leave of absence. Although each case will vary, conferring individuals could include:
 1. Residence Deans, or Graduate Life Office Deans;
 2. Faculty members;
 3. Academic advisors;
 4. With appropriate authorization, representatives from Stanford's Vaden Health Center (Vaden);
 5. With appropriate authorization, the student's treatment provider(s) or other health care professionals;
 6. Member(s) of the University's threat assessment team; and/or

7. Such other individuals as may be appropriate in an individual matter.

In each case, the Dean of Students will confer with a representative from the Office of Accessible Education (OAE) with expertise in mental health disabilities.

- vi. Particular attention will be paid to the criteria for imposing an involuntary leave of absence, specifically:

1. 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 University community;
2. 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
3. whether a student's behavior severely disrupts the University environment.

The individualized assessment as to each factor, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, should ascertain: 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 adequately mitigate the risk or disruption so as to eliminate the need for an involuntary leave of absence.

- vii. The Dean of Students will give significant weight to the opinion of the student's treatment provider(s), including those identified by the student, regarding the student's ability to function academically and safely at the University with or without reasonable accommodations. If the Dean of Students determines that the information provided by the treatment provider(s) is incomplete, requires further explanation or clarification, or is inconsistent with other information in the student's record, the Dean of Students, with proper authorization, will contact the treatment provider(s) to obtain additional information. In certain circumstances, the University may require the student to undergo an additional evaluation by an independent and objective professional designated by Stanford, if the Dean of Students believes it will facilitate a more informed decision.

- viii. Following these consultations and based on a review of the relevant documentation and information available, the Dean of Students will make a decision as to whether the student should be placed on an involuntary leave of absence, and will provide written notice of this decision to the student. The written notice of decision will include information about the student's right to appeal and to reasonable accommodations during the appeal process. The review and notice of decision under this policy should be done in a reasonably timely manner. Where students have been asked to remain away from the University while the review is underway, every effort will be made by the Dean of Students to reach a decision within one week, provided the student responds in a timely manner to requests for information and, if appropriate, evaluation.

1. If an involuntary leave of absence is imposed. The written notice of decision to the student will set forth the basis for the decision and a time-frame for when the student

must leave the University and when they may be eligible to return to the University and the conditions and/or requirements the student will need to satisfy to be eligible for return. The written notice will also inform the student of their right to reasonable accommodations in the return process and will provide contact information for OAE and the Process Resource. The length of the leave will be determined on an individual basis.

2. If an involuntary leave of absence is not imposed. The Dean of Students may impose conditions and/or requirements under which the student is allowed to remain at the University.

- ix. Within one week of receiving the decision of the Dean of Students, the student may submit an appeal of the decision in writing to the Vice Provost for Student Affairs or the Vice Provost's designee, who may not be the Dean of Students. 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. The review by the Vice Provost for Student Affairs or the Vice Provost's designee will be limited to the following considerations:

1. Were the proper facts and criteria brought to bear on the decision?
2. Is there any new information not previously available to the student that may change the outcome of the decision-making process?
3. Were there any procedural irregularities that materially affected the outcome of the matter to the detriment of the appellant?
4. Given the proper facts, criteria, and procedures, was the decision a reasonable one?

After reviewing the matter fully, the Vice Provost for Student Affairs or the Vice Provost's designee will issue a written decision affirming, modifying, or reversing the decision to place the student on an involuntary leave of absence. The Vice Provost's decision shall be final, and no other appeals or grievance procedures are available.

b. Implications of an Involuntary Leave of Absence

- i. Student status. Students on a leave of absence generally retain their admitted student status; however, they are not registered and therefore do not have the rights and privileges of registered students.
- ii. Housing. Consistent with Stanford's policies and procedures, students assigned to a University residence are subject to the terms of the University Residence Agreement. However, as set forth on the Registrar's Office Leave of Absence website, students with medical disabilities (including mental health disabilities) that require University medical services may petition to remain in campus housing for one term while on leave. Students who leave the University before the end of a term may be eligible to receive refunds of portions of their housing charges. Eligibility criteria for refunds are set forth in the Residence Agreement which is found on the Residence Agreement website (<https://rde.stanford.edu/studenthousing/apply/residence-agreement/>). (<https://rde.stanford.edu/studenthousing/apply/residence-agreement/>)
- iii. Effective date(s) of leave. A student must leave the University within the timeframe set forth by the Dean of Students. The

leave will remain in effect until (1) it is determined after an individualized assessment that the student is able to return to the University with or without reasonable accommodations and (2) the student has complied with any University requirements applicable to all students returning from a leave and all of the conditions mandated by the Dean of Students and/or the Vice Provost.

- iv. Notification. At any time during the leave process, the Dean of Students may notify a

student's parent, guardian, emergency contact, or other individual, consistent with the law, if notification is deemed appropriate.

- v. Association with the University while on leave. Unless expressly permitted by the Dean of Students in writing, students on an involuntary leave of absence are not permitted to be present at the University and are not permitted to engage in any University-related activities, including on-campus employment.
- vi. Coursework taken while on leave. Consistent with Stanford's policies and procedures, academic credit for work done elsewhere may be allowed towards a Stanford degree. Students should refer to the "Transfer Work (<http://exploreddegrees.stanford.edu/transferwork/>)" section of the Stanford Bulletin and consult with the Registrar's Office and their department prior to taking any coursework while on an involuntary leave of absence.
- vii. SUnet ID privileges. Unless expressly prohibited by the Dean of Students in writing, students on leave generally may retain their SUnet ID privileges, including their Stanford email account.
- viii. Transcript notation. Students on a leave of absence will have a notation on their transcript that reads "Leave of Absence."
- ix. Tuition and fees. Consistent with Stanford's policies and procedures, students who leave the University before the end of a term may be eligible to receive refunds of portions of their tuition. See the (<https://registrar.stanford.edu/students/tuition-and-fees/tuition-refund-schedule/>) Registrar's Tuition Refunds (<https://registrar.stanford.edu/students/tuition-and-fees/tuition-refund-schedule/>) page for a schedule of refunds.
- x. Meal Plan. Consistent with Stanford's policies and procedures, a meal plan refund is based on the date when a student moves out of University residence and is approved under conditions as specified in the Residence Agreement. Students with questions about residential meal plan refunds should contact the central office of Stanford Dining.
- xi. Visa Status. International students (F-1 and J-1 Visa holders) placed on an involuntary leave of absence must speak with a Bechtel International Center advisor regarding their visa status.

2. Request for Return

- a. For general requirements applicable to all students returning to Stanford after a leave of absence, undergraduate students should refer to the Returning to Stanford (<https://undergrad.stanford.edu/planning/academic-policies/returning-students/>) website. Graduate students should consult with their academic department and a Graduate Life Office Dean. In addition to the general requirements all students must meet when returning to Stanford after a leave of absence, as well as any conditions mandated by the Dean of Students and/or the

Vice Provost for return from an involuntary leave of absence as outlined below in section II.C, students seeking to return from an involuntary leave of absence for reasons of personal or community health and safety may be required to submit additional documentation related to the factors set forth in section I.A.6 as part of an individualized assessment. OAE will work with the students to provide reasonable accommodations in the return process as necessary.

- b. A student must make a written request to the Dean of Students to return to the University. Generally, a student will not be allowed to return until one full quarter has elapsed or until the leave period in the involuntary leave of absence notification has elapsed, and all conditions and/or requirements are met.
- c. The Dean of Students 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 I.A.6, above. The Dean of Students may also ask, confer with, or seek information from others to assist in making the 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
 - With appropriate authorization, 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 need for the involuntary leave
 - With appropriate authorization, consultation with Vaden to the extent necessary to determine if the student has sufficiently reduced the risk or disruption that led to the need for the involuntary leave
 - Consultation with OAE
- d. All returning students must meet the essential eligibility requirements and any technical standards of the University and, if applicable, the relevant school or department, with or without reasonable accommodations. If the Dean of Students is not satisfied that the student is ready to return to the University, 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.
- e. A student not permitted to return may appeal the decision to the Vice Provost for Student Affairs following the procedure in section I.A.9.

3. Scope of the Policy and Relationship to Other University Policies

A leave of absence is an administrative process; it is not a disciplinary process. This policy and these procedures are not intended to be punitive and do not take the place of disciplinary actions that are in response to violations of Stanford's Fundamental Standard or other policies or directives, nor do they preclude the removal or dismissal of students from the University or University-related programs as a result of violations of other University policies or school or departmental protocols. This policy does not limit the University's ability to place enrollment holds on students for reasons beyond the scope of this policy and nothing in this policy relieves

a student of any financial obligations to the University that were in place at the time the involuntary leave of absence was imposed.

Nothing in this policy limits the power of the University to take administrative action to ensure the safety of the Stanford community. In exceptional circumstances, where the health or well-being of any person may be seriously affected, or where physical safety is seriously threatened, or where the ability of the University to carry out its essential operations is seriously threatened or impaired, the President or the President's designee, may summarily suspend, dismiss, or bar any person from the University or University-related programs. In all such cases, actions taken will be reviewed promptly, typically within one week, by the appropriate University authority.

In situations involving an imminent or ongoing threat of harm to the student or any other member of the University community, the Dean of Students, in the exercise of his or her reasonable judgment, may require a student to be immediately prohibited from entering Stanford's campus or facilities utilized for University programs or activities while the individualized assessment and review described in section I.A. are taking place. Such students will receive the written notice described in section I.A.2 as quickly as possible.

bechtel.stanford.edu/immigration/visa-types/f-1j-1-student-visas/leave-absence/

The Process Resource will be available to assist all students who are placed on an involuntary leave of absence with their questions about the process to return and resume their studies and life at Stanford.

4. **Requests for Reasonable Accommodation**

Stanford is committed to providing equal access to all participants in University processes, including students with disabilities. Students with disabilities should contact the Office of Accessible Education (OAE) to request accommodations. Information about the support services OAE provides, types of accommodations offered, and appropriate documentation for accommodations, can be found on the OAE website: <https://oae.stanford.edu/>.

5. **Related Resources**

As noted herein, students placed on an involuntary leave of absence may have additional conditions and/or requirements they must meet prior to returning to the University, in addition to any University requirements applicable to all students returning from a leave.

- Undergraduate Students should consult the Returning to Stanford (<https://undergrad.stanford.edu/planning/academic-policies/returning-students/>) web page for generally applicable deadlines, information and resources.
- Graduate Students should consult with a Graduate Life Office (<https://glo.stanford.edu/>) Dean and their department for generally applicable deadlines, information and resources.

Students who are placed on an involuntary leave of absence may want to consult with the following offices, where appropriate:

- Office of Accessible Education (<https://oae.stanford.edu/>) (OAE) (<https://oae.stanford.edu/>)
- Financial (<http://web.stanford.edu/dept/finaid/>) Aid (<http://web.stanford.edu/dept/finaid/>)
- Student Financial (<http://web.stanford.edu/group/fms/fingate/students/>) Services (<http://web.stanford.edu/group/fms/fingate/students/>)
- University Housing (<http://web.stanford.edu/dept/rde/cgi-bin/drupal/housing/>)
- Vaden Health Center (<http://vaden.stanford.edu/>) (Vaden)
- Academic Advising (<https://undergrad.stanford.edu/academic-advising-stanford/>)
- Graduate Life (<https://glo.stanford.edu/>) Office (<https://glo.stanford.edu/>)
- Bechtel International (<https://bechtel.stanford.edu/immigration/visa-types/f-1j-1-student-visas/leave-absence/>) Center (<https://bechtel.stanford.edu/immigration/visa-types/f-1j-1-student-visas/leave-absence/>)