



# Policy Concept Form

All policy proposals including new policy concepts, recommendations to revise, or requests to repeal must be submitted via this form to the University Secretary. The Secretary will forward completed concept forms to the President's Policy Advisory Council for consideration pursuant to I.03.01 Policy on University Policies. When submitting a policy concept form, please keep the following university definition of "policy" in mind:

*A University Policy ("Policy") is a policy that (1) has broad application or impact throughout the University community, (2) must be implemented to ensure compliance with state or federal law, (3) is necessary to enhance the University's mission, to ensure institutional consistency and operational efficiency, or to mitigate institutional risks; or (4) is otherwise designated by the Board or the President as a University Policy subject to the Policy- Making Process authorized in section 4. A policy establishes rights, requirements or responsibilities. Excluded from this definition are things such as, but not limited to, implementation guides, operating guidelines, internal procedures, and similar management controls and tools.*

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**Policy Subject Matter** (please included existing policy number(s) if available)

Medical Leave Policy 571.023

**Statement of Need and Desired Result** (please describe what we accomplish with the proposed action)

Original policy was written many years ago. It needed to be revised to update current standards, conform to state and federal guidelines and best practices, correct errors, and be more transparent.

**Affected Policy Stakeholders** (please list all known impacted stakeholders and the nature of those impacts)

Students are the primary stakeholders. The proposed revised policy was reviewed by the Counseling and Testing Center student advisory board and by the ASUO President and ASUO External Director of Staff .  
*Reviewed by GC*

**Proposed Action** (i.e., new, revision, repeal)

Revision

# Student Medical Leave

## Reason for Policy:

This policy outlines matters relating to student medical leave.

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## Responsible Office:

For questions about this policy, please contact the Vice President for Student Life: (541) 346-1137.

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## Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 3, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 571 Division 23.

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## Policy:

### A. Definitions

(1) "Dean's Consultation" occurs when the ~~Vice President~~ Dean of Students convenes a group of professionals to recommend actions and strategies to respond to a student's failure to meet the University's Standards of Responsibility and Self Care.

(2) "Medical Leave" means leave during an academic term, resulting from a student's medical or mental health condition that requires the student to interrupt their enrollment.

**Commented [SK1]:** Noticed one place where I didn't make the change from VP SL to Dean of Students.

(3) "Standards of Responsibility and Self Care" means that a student in the University community is experiencing a serious medical or mental health condition or emergency that substantially threatens the welfare of self or others and/or significantly disrupts the functioning of University operations.

(4) "Vice President" means Vice President for Student Life or successor or designee.

(5) "Dean of Students" means the Associate Vice President & Dean of Students or successor or designee.

### B. Voluntary Medical Leave

A student who wishes to be placed on Voluntary Medical Leave from the University shall ~~contact the Dean of Students and, if requested, shall~~ present a recommendation to that effect from a physician or psychologist ~~to the Dean of Students.~~

The Dean of Students ~~will~~ may request the Executive Director of the University Health Center (if the request for leave is based on a medical condition) or the Director of the University Counseling and Testing Center (if the request for leave is based on mental health conditions) or both (if the Dean of Students believes information from both directors would be useful) evaluate the information provided.

~~Upon the affirmative written recommendation of the director conducting the evaluation, the~~ Once the Dean of Students ~~shall immediately grants~~ the student's request, ~~they and~~ will work with the student on a plan for return and plan for success upon such return, as appropriate, in accordance with Section I below, regarding Resumption of Student Status.

### C. University Duties of Refund ~~and and Notification~~ Other Academic Alternatives

If a student is placed on leave from the University pursuant to the provisions of UO Policy 571.023(B) or (G), the Dean of Students is authorized to instruct the University Registrar, ~~when necessary,~~ to withdraw the student immediately and to initiate the appropriate tuition and fee refund according to the University refund schedule, or ~~explore and/or~~ implement alternative or additional reasonable accommodations, as may be warranted in the circumstances.

**Commented [SK2]:** This information was revised subsequent to feedback from the Registrar.

**Commented [SK3]:** Not all Voluntary Leaves require the involvement of the Registrar. Involving the Registrar usually takes place when Mandatory Leave is involved and once in a while for Voluntary Leave when unique circumstances warrant doing so. This change makes it more clear that the Registrar will only be involved when necessary.

### D. Standards of Responsibility and Self Care

(1) A student in the University community who does not meet University Standards of Responsibility and Self Care, unless such a student elects voluntary leave, may be referred for a professional assessment or placed on Emergency Temporary Medical Leave or Mandatory Leave.



In evaluating whether a student does not meet University Standards of Responsibility and Self Care, the University will make an individualized and objective assessment of the student's ability to participate in the University's programs and activities, based on reasonable medical judgment or the best available objective evidence. The assessment will determine the nature, duration and severity of the risk, the probability that the potential harm will actually occur and, if a qualifying disability exists, whether reasonable accommodations can be implemented to mitigate the risk sufficiently to allow the student to continue to access University programs and activities.

The involuntary Emergency and Mandatory Leave processes are not a substitute for disciplinary action when there is a violation of the Student Code of Conduct, and the disciplinary process is separate from the process outlined here. Because conduct that gives rise to Emergency or Mandatory Leave might also result in Student Conduct sanctions, it is possible that a student who has met the designated conditions for reenrollment following an Emergency or Mandatory Leave may not be eligible for reenrollment based on the conduct sanction administered.

#### E. Emergency Temporary Leave

(1) The Dean of Students may take emergency action to place a student on Emergency Temporary Leave when necessary to secure the health or safety of the student or others. At the time that the emergency action takes place, the Dean of Students shall (A) inform the student of the reason for the emergency action, (B) give the student the opportunity to explain why emergency action need not be taken, and (C) inform the student that the meeting outlined in the Mandatory Leave Procedure section below will take place within three (3) business days of the Emergency Action if the student is available, or if the student is unavailable for medical reasons, within three (3) business days after the student becomes available.

(2) Mandatory Leave. If the Dean of Students believes a student's medical or mental health issues substantially threaten the welfare of self or others and/or significantly disrupts the functioning of University operations, the Dean of Students may place a student on mandatory leave after following the procedures identified in Section I.

#### F. Involvement of ~~Emergency Contacts~~ Family Members

~~Although rare, the Dean of Students may need to contact a student's emergency contact for students who are experiencing medical or mental health emergencies. The decision to notify a student's emergency contact in the case of a medical or mental health emergency will be weighed carefully against the student's privacy rights and other relevant information and will be done consistent with the requirements of state and federal law and university policy.~~

~~The Dean of Students may seek the cooperation and involvement of family members of students who are experiencing medical or mental health emergencies. Involvement may include requesting family members to assist in persuading the student to seek appropriate professional assistance, such as an evaluation from an appropriate mental health or medical professional. The decision to notify a student's family members in the case of a medical or mental health~~

**Commented [SK4]:** Changed language to emergency contacts and removed language regarding contacting family members based on feedback from the Dean of Students and public comments.

~~emergency will be weighed carefully against the student's privacy rights and will be done consistent with the requirements of state and federal law and university policy.~~

### G. Mandatory Leave Procedure

(1) If the Executive Director of the University Health Center or the Director of the University Counseling and Testing Center believes the standard for mandatory leave has been met by a student's behavior, the director will recommend that the Dean of Students initiate mandatory leave. In some instances, both the Mandatory Leave and Student Conduct procedures may be triggered by the student's conduct. The Student may also be placed on emergency temporary suspension by the Dean of Students or designee in the interim, pursuant to the Emergency Action provisions of the Student Conduct Code or the Emergency Temporary Leave provision, discussed above. The director may confer with any individuals the director believes can assist in making a recommendation.

**Commented [SK5]:** This change was made to clarify that it is the Dean of Students – not the Health Center or Counseling Center director – that puts the student on emergency leave.

(2) The Dean of Students will request the director prepare a report containing a summary of the steps already taken to respond to the student's medical or mental health issues, a list of individuals who have relevant information regarding the student's medical or mental health issues, and the basis for recommending mandatory leave.

(3) The director will set a date and time for a meeting with the student prior to making a final recommendation regarding Mandatory Leave and provide the student written notice. The notice shall include:

(a) The date, time and place of the meeting;

(b) That the purpose of the meeting is to consider if the student should be placed on Mandatory Leave;

(c) That the standards for making the final decision are whether the student's medical or mental health issues substantially threatens the welfare of self or others, or significantly disrupts the functioning of University operations; and

(d) That the student has the opportunity to attend, to participate in the meeting, and to be accompanied by a personally-selected representative. Should the student elect not to attend the meeting, the process will proceed without the benefit of the student's input, with the director's evaluation based on the information otherwise available.

(4) The director shall conduct the meeting in an informal manner that provides the director with an opportunity to gather information relevant to the final decision and provides the student with an opportunity, if the student wishes, to provide information the director or student believes will be useful in making a final recommendation. The student's opportunity to participate in the meeting shall include the opportunity to provide information from others who may have knowledge regarding whether the student's medical or mental health issues substantially

threatens the welfare of self or others and/or significantly disrupts the functioning of University operations.

(5) If the director concludes that the student's medical or mental health condition does not substantially threaten the welfare of self or others, nor significantly disrupts the functioning of University operations, the director will so advise the Dean of Students in writing. The Dean of Students will decide whether to enforce the mandatory leave and inform the student of the decision.

(e) If, following the meeting with the student, the director concludes that the student's medical or mental health condition substantially threatens the welfare of self or others, or significantly disrupts the functioning of University operations the director will so advise the Dean of Students in writing, and may recommend the student be placed on mandatory leave. The Dean of Students will decide whether to enforce the mandatory leave and inform the student of the decision.

(f) A student may appeal the Dean of Student's determination regarding Mandatory Leave or the conditions placed on the Student's return, pursuant to I below, to the Vice President. Such an appeal must be filed within 14 days. The Vice President shall review all available information provided by the Dean of Students and the affected student and may request an opportunity to request additional information from the Dean of Students and the affected student. The Vice President's decision is final.

#### **H. Resumption of Student Status**

(1) Prior to returning to the University or enrolling at the University, a student who has been placed on leave as a result of emergency procedures, voluntary leave, or mandatory leave must produce a plan in writing that delineates how the student will resume their status at the University.

(2) The plan must respond to the condition that gave rise to the need for the student's leave (i.e., need for ongoing psychological or medical care; ability to maintain a standard of responsibility and self-care; ability to assume class participation.) If the student will reside in the residence halls, the plan must also state how the student will transition back into this community.

(3) The Dean of Students and counseling (for psychological conditions) or health (for medical conditions) center director or their designees will review the student's plan and meet with the student. The student will be asked to authorize the counseling or health center director or designee to consult with the student's recent/current mental health or medical providers about mental health issues relevant to the student's readiness to return to the University. After the Dean of Students and counseling or health center director have reviewed the student's plan, the Executive Director of the University Health Center (for behavior based on medical issues or emergencies) or the Director of the University Counseling and Testing Center (for behavior based on mental health issues or emergencies) or both (if the Dean of Students believes information from both directors would be useful) will make a recommendation to the Dean of

**Students, who will decide if the student's request to re-enroll at that time shall be granted or denied.**