

# Section IV: Emergency Action Suspensions and Involuntary Administrative Total Withdrawals

## 1. Emergency Action Suspension

As the Chief Executive Officer of the University, the President holds the ultimate authority in matters of student discipline. Unless otherwise exercised or modified by the President, this emergency authority is delegated to the Dean for Special Student Services. On rare occasions, this authority may be exercised on an exigent basis to protect a student's own physical or emotional safety and well-being, University property and/or the health and safety of particular individuals and/or the University community, or to prevent the threat of disruption of, or interference with, the normal operations of the University. On such occasions, the President or Dean for Special Student Services may take emergency administrative action to immediately suspend a student's enrollment. The student will be notified in writing and/or orally of this action and the reasons for the suspension. An Emergency Action Suspension Hearing (EASH) will be held as soon as one can be convened, within thirty (30) days from notification of action. The purpose of the EASH will be to determine if the student may remain enrolled until a regular Disciplinary Hearing, as described in Section V of the Code, is held and a decision is rendered. The notice will include the time, date and place of the hearing.

## 2. Involuntary Administrative Total Withdrawals

In situations where the University cannot effectively monitor or control the conditions or behaviors of certain students, it reserves the right to effect an Involuntary Administrative Total Withdrawal. In circumstances where the mental, emotional and/or physical welfare of the student and the various elements of the University community are in jeopardy, or where the student's behavior and conduct becomes an imminent danger, it may become necessary to take emergency action to temporarily or permanently separate a student from the campus community. Further, the University reserves the right to contact the student's parent, guardian, or next of kin in the event of a medical emergency.

The Family Education Rights and Privacy Act (FERPA, 34 CFR 99.36) provides for the release of normally protected student information when it is believed that the student represents a health or safety risk to self or others.

This policy will be instituted in the event that a student (a) demonstrates behaviors or lack of good judgment, suicidal behaviors, self-destructive behaviors, or has untreated or uncontrollable medical or mental conditions which result in actual or possible imminent danger of injury to themselves or members of the University community; (b) demonstrates an inability, without adequate care, to satisfy personal needs, to include activities of daily living, nourishment and maintenance of shelter; (c) demonstrates a behavior due to mental, emotional, or medical incapacitation which poses an imminent danger of causing significant property damage, or directly and substantially impedes the lawful activities of others, interferes with the educational process or the orderly operation of the University; or (d) fails to comply with requirements to adhere to the instructions and guidelines of the clinical/medical staff of the University Counseling Service, Student Health Center or Howard University Hospital, as a result of an episode of mental or medical crisis intervention.

During the period of involuntary administrative total withdrawal, a student may be denied access to the campus, classes, residence halls, University activities, and denied privileges for which the student might otherwise be eligible, as the Dean for Special Student Services may determine to be appropriate. In making this

determination, the Dean for Special Student Services will consult with appropriate academic administrators and health care professionals, to include but not limited to the Dean for the University Counseling Service and the Medical Director of the Student Health Center.

## Timeline of Process

Howard University will schedule a hearing within thirty (30) days of the student's Emergency Action Suspension or Involuntary Administrative Total Withdrawal unless the student makes a written request asking that the hearing occur sooner than thirty (30) days. However, if the student submits a written request for an earlier hearing date, the hearing will not occur any sooner than ten (10) business days following receipt of the written request. The Dean for Special Student Services will notify the student in writing and/or orally indicate the reason for the Emergency Action Suspension or Involuntary Administrative Total Withdrawal and the date, time and place of the hearing. Appropriate University personnel may be present and/or consulted at this meeting. Parents, spouses, or any persons who would be of support to the student may, with the consent of the Dean for Special Student Services and the student, participate in the hearing.<sup>1</sup> At the hearing, the University will state its reasons for concern and the student will be given an opportunity to respond.

The Dean for Special Student Services will notify the student in writing of the decision and the basis for the decision within ten (10) business days of the hearing.

If it is determined that the student does not present a threat to himself/herself or others, the student will be permitted to continue as a student. If the decision is that the Emergency Action Suspension or Involuntary Administrative Total Withdrawal shall remain in effect, the communication will indicate what, if any, stipulations may govern his or her return to the University. Such stipulations may include providing certification from a healthcare professional indicating the student is able to return to the University. The Section 504 Coordinator may be involved when a student seeks a return to the University.

## Appeal

Students who wish to appeal Emergency Action Suspensions and Involuntary Administrative Total Withdrawals shall submit their appeal to the Dean for Special Student Services, who will forward the appeal through the Vice President for Student Affairs to the Provost or to the Senior Vice President for Health Sciences. In those cases where internal and/or external health professionals were consulted, a report of findings and response to the appeal will be obtained. In those cases, where internal and/or external health professionals were consulted, a report of findings and response to the appeal will be obtained.

In addition, the President or Dean for Special Student Services may require the student, at his or her expense, to obtain a psychiatric/medical evaluation from appropriate professionals external to the University to be presented. The Office of the General Counsel will be consulted for legal advice before a final decision regarding the appeal of an emergency action is reached. There shall be no further appeal of this decision.