

FAYETTEVILLE STATE UNIVERSITY

INVOLUNTARY WITHDRAWAL

Authority:	Issued by the Chancellor. Changes or exceptions to administrative policies issued by the Chancellor may only be made by the Chancellor.			
Category:	Students			
Applies to:	● Administrators	● Faculty	● Staff	● Students
History:	Revised – October 10, 2025 Revised - September 28, 2012 Revised - August 30, 2011 Approved - September 5, 2008			
Related Policies/ Regulations/Statutes	● Code of Student Conduct ● Threat Assessment ● Student Educational Records (FERPA) ● Regulation on Behavioral Threat Assessment and Management Teams [UNC Policy #1300.7[R]] ● Family Educational Rights and Privacy Act [20 U.S.C. §1232g] ● Family Educational Rights and Privacy Regulations [34 C.F.R. Part 99]			
Contact for Info:	Vice Chancellor for Student Affairs (910) 672-1211 Dean of Students (910) 672-1385			

I. PURPOSE

Fayetteville State University (University) is committed to the safety and welfare of its students and employees while maintaining a campus environment conducive to student learning, academic achievement, and respect for the rights and privileges of all members of its community. To protect members of the University community and preserve the integrity of its learning environment, it may become necessary to involuntarily withdraw or issue an interim involuntary withdrawal of a student who is engaging in behavior that either poses a significant danger of causing imminent physical harm or of directly and substantially impeding the lawful activities of other members of the campus community. The purpose of this policy (Policy) is to set forth the conditions and procedures in which a student may be involuntarily withdrawn from the University.

This Policy is intended to address serious observable behaviors exhibited by a student regardless of the student's disability status. This Policy should not be used to dismiss socially or politically "eccentric" students who have not otherwise engaged in behavior that poses a danger to others, or which substantially disrupts the campus community or its activities.

This Policy represents an administrative process; it is not a disciplinary process. This Policy is not intended to be punitive and does not take the place of disciplinary action under the Code of Student Conduct (Code) or other policies, nor does it preclude the discipline of students as a result of violations of the Code or other policies.

This Policy will be applied in a non-discriminatory manner consistent with applicable federal and state laws prohibiting discrimination based on disability and will be applicable to all University students who are enrolled in any classes at the University.

II. REPORTING BEHAVIORAL CONCERNS

A. Reporting

Individuals who have reason to believe that a University student may meet the standards outlined in Section IV.A. below are encouraged to make a report (Report), orally or in writing, to the Vice Chancellor for Student Affairs (“Vice Chancellor”) or the Director of Case Management, or online using [Maxient](#), the Division of Student Affairs’ online reporting system.

B. Coordinator

The Director of Case Management will act as the Coordinator of the Involuntary Withdrawal (IW) process and as Chair of the Student Behavioral Assessment Team (SBAT), with whom the Coordinator will regularly consult.

III. INTERIM INVOLUNTARY WITHDRAWAL

A. Implementation

An interim involuntary withdrawal may be implemented immediately by the Coordinator if the Coordinator determines that the student may be suffering from a mental disorder and the student’s behavior poses a significant danger of causing imminent physical harm or of directly and substantially impeding the lawful activities of other members of the campus community. The Coordinator will consult with the Vice Chancellor prior to issuing an interim involuntary withdrawal. If the student resides in a residence hall, the Coordinator will also consult with the Director of Housing and Residence Life prior to issuing an interim involuntary withdrawal.

A student placed under an interim involuntary withdrawal is prohibited from attending classes and from living in University housing. In addition, the University may trespass a student from campus or from any portion of campus if the University believes that a trespass order is warranted given the circumstances

B. Meeting with Coordinator

The Coordinator will provide a student with written notice (Notice) of an interim involuntary withdrawal. The Notice will include the effective date of the interim involuntary withdrawal and provide the student with an opportunity to meet with the Coordinator within two (2) business days from the effective date of the interim involuntary withdrawal. The following will be discussed at the meeting:

- the reliability of the information concerning the student’s behavior; and/or
- whether the student’s behavior poses a significant danger of causing imminent physical harm or of directly and substantially impeding the lawful activities of other members of the campus community.

If the student fails to meet with the Coordinator within two (2) business days from the effective date of the interim involuntary withdrawal, the Coordinator may schedule an involuntary withdrawal (IW) hearing, in accordance with Section IV.E below, based on available evidence.

C. Coordinator's Determination

Based on the discussion with the student, the Coordinator, in consultation with the Vice Chancellor and if applicable, the Director of Housing and Residence Life will decide one of the following:

- To continue the interim involuntary withdrawal and initiate the IW process in accordance with Section IV;
- To cancel the interim involuntary withdrawal and initiate the IW process in accordance with Section IV; or
- To cancel the interim involuntary withdrawal and take no further action.

If the Coordinator continues the interim involuntary withdrawal, it will remain in effect until the IW process has been terminated, the student voluntarily withdraws, or the student is involuntarily withdrawn.

IV. INVOLUNTARY WITHDRAWAL

A. Standards for Involuntary Withdrawals

A student will be subject to IW if the student's behavior poses a significant danger of causing imminent physical harm or of directly and substantially impeding the lawful activities of other members of the campus community.

In deciding on whether a student should be subject to IW, an individualized assessment should be made. The assessment should be based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence to ascertain the following:

- the nature, duration and severity of the risk,
- the probability that potential injury will occur,
- whether the University can sufficiently mitigate the risk without causing substantial disruption to University operations, and
- whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

Additionally, a student will be subject to IW if the student poses an actual risk to their own safety. An actual risk to a student's own safety may include situations in which the student is unable or unwilling to carry out substantial self-care obligations or the student has health needs requiring a level of care that exceeds what the University can appropriately provide. For example, IW will be considered after attempts to secure voluntary cooperation for a psychological evaluation or withdrawal have been exhausted, or if a student refuses to agree or adhere to reasonable conditions established for their continued enrollment at the University.

B. Initiation of IW Process

Upon the receipt of a Report, the Coordinator will conduct a preliminary, informal review of the matter to determine if the student meets the standard for involuntary withdrawal.

If, in the Coordinator's judgment the student may meet the standard for IW but does not require interim involuntary withdrawal, the Coordinator may initiate the IW process by meeting with the student.

If, in the Coordinator's judgment, the student does not meet the standard for IW, the Coordinator may, after consultation with the Vice Chancellor, Director of Counseling and Personal Development and, if applicable the Director of Housing and Residence Life, consider any other action deemed necessary or appropriate including, but not limited to, initiating disciplinary action, referring the student to the Counseling and Personal Development Center, or requiring a behavioral contract.

1. Meeting with the Student

If the Coordinator determines that a student may meet the standard for involuntary withdrawal, the Coordinator will provide the student with an opportunity to meet with the Coordinator. At the meeting, the Coordinator will provide the student with a description of the information contained in the Report and any other information regarding the student's behavior. The Coordinator will also provide the student with a copy of this Policy.

Additionally, the Coordinator will inform the student that the student must be evaluated by a designated mental health professional, sign a release form allowing for an evaluation, and provide the Coordinator with a copy of the evaluation within a specified time as set forth in Section VII below.

2. Mental Health Evaluation

Also, at the meeting with the student, the Coordinator will inform the student of the requirement to be evaluated by a third-party mental health professional.

The student (or, in the case of a minor student, the student's parent or legal guardian) will be required to sign a release authorizing the mental health professional to share the results of the evaluation with the Director of the Counseling and Personal Development Center and to discuss the results with the SBAT, if needed.

a. Mental Health Professional

The Director of the Counseling and Personal Development Center will select an appropriate mental health professional (licensed psychiatrist or psychologist) to evaluate the student. The cost of the evaluation will be borne by the University. The Coordinator will coordinate with the student and provide the student with the name of the mental health professional, along with the date, time, and place of the evaluation.

b. Evaluation Results

The Coordinator will inform the student that after the student meets with the mental health professional, the mental health professional will provide the results of the evaluation to the student and to the Director of the Counseling and Personal Development Center. The Director of the Counseling and Personal Development Center will share the results with SBAT. The student (or, in the case of a minor student, the student's parent or legal guardian) will be asked to sign a release authorizing the mental health provider to discuss the evaluation with the Coordinator and the SBAT, if needed.

The report from the mental health provider will include whether or not the student is fit to return to an in-person educational environment, and if applicable, if the student is fit to return to living in a University residence hall. The report may include recommendations to consider such as withdrawal, mandatory treatment, a behavioral agreement, or a reduced academic load. The recommendations are not binding on the Coordinator, SBAT, or the University.

c. Student's Response

If a student refuses to undergo an evaluation, does not attend the evaluation at the time it is scheduled, or refuses to sign a release authorizing the mental health provider to share/discuss the evaluation, the Coordinator will consider scheduling a hearing before the Hearing Panel based on the available evidence.

C. Student Behavioral Evaluation Team

1. Composition

The SBAT, which is a subcommittee of the University's Threat Assessment Team, will meet regularly, and as necessary, to discuss issues relating to student behavioral concerns. Meetings may also be attended by any University personnel deemed by the SBAT to be relevant to a particular discussion.

The members of the SBAT will be as follows:

- Coordinator (Chair)
- Director of Counseling and Personal Development
- Director of Student Health Services
- Director of Housing and Residence Life
- Director of Student Conduct
- Associate Vice Chancellor for Risk and Compliance
- Deputy Chief of Police
- Associate Vice Chancellor for Academic Affairs

2. SBAT Determination

Upon receipt of a mental health evaluation, the Coordinator will schedule a meeting with SBAT to review the evaluation and make a determination as to whether, based upon the available evidence, the student meets the standard for involuntary withdrawal as set forth in Section IV.A.

If SBAT determines that the available evidence, including the mental health evaluation, indicates that the student does meet the standard for an involuntary withdrawal, the Coordinator will meet with the student to discuss SBAT's determination.

If SBAT determines that the available evidence, including the mental health evaluation, indicates that the student does not meet the standard for involuntary withdrawal, the Coordinator, on behalf of the SBAT, may terminate the involuntary withdrawal process. The SBAT may direct the Coordinator to take any other action deemed necessary or appropriate including, but not limited to, initiating disciplinary action, referring the student to the Counseling and Personal Development Center, or requiring a behavioral contract. The SBAT will continue, through the Coordinator, to monitor the student and meet as needed on matters pertaining to the student.

3. Probationary Conditions

The SBAT may, in their discretion and at any point in this process, allow a student, including a student who meets the standard for involuntary withdrawal, to remain enrolled on a probationary basis under specified conditions which may include, but are not limited to, participation in an ongoing treatment program, acceptance of and compliance with a behavioral contract, a housing relocation, or a lighter academic course load. When making their determination of appropriate probationary conditions, SBAT may consult on an informal basis with faculty or other University officials.

The terms of continued enrollment will be set forth in a written agreement. The student will be provided with sufficient opportunity to review and consider such terms, but in any case, not fewer than two (2) business days.

If the student agrees to accept the terms of the proposed agreement, the student (or, in the case of a minor student, the student's parent or legal guardian) must sign the agreement in the presence of the Coordinator. The Coordinator will retain the agreement and provide a copy of the agreement to the student.

D. Review of SBAT's Determination

The Coordinator will notify the student in writing of the date, time and place of a meeting to review SBAT's determination. If SBAT's determination is that the student meets the standard for involuntary withdrawal, the Coordinator will inform the student of their right to a hearing before the Hearing Panel. Also, at the meeting, the Coordinator may offer the student the opportunity to waive the hearing and agree to a voluntary withdrawal. If the student decides not to voluntarily withdraw from the University within two (2) business days of meeting with the Coordinator, the Coordinator will schedule a hearing before the Hearing Panel. The hearing will be based upon the evidence currently available.

If the student fails to attend the meeting, the Coordinator may schedule a hearing before the

Hearing Panel.

E. Involuntary Withdrawal Hearing

An IW hearing will be held as outlined in this Policy.

1. Hearing Panel

The Hearing Panel will consist of the following:

- Assistant Vice Chancellor for Student Engagement and Leadership (Chair)
- Vice Chancellor for Enrollment Management
- Assistant Vice Chancellor for Student Affairs
- Two (2) University employees appointed by the Vice Chancellor who do not serve on the SBAT.

The Coordinator will provide the necessary support for the Hearing Panel.

2. Hearing Notification

The Coordinator will provide Notice of the hearing to the student at least five (5) business days prior to the scheduled hearing date. The Notice will include the date, time and place of the hearing and include a copy of this Policy.

3. The Hearing

a. Closed to Public

The hearing will be closed to the public, and the testimony and other evidence presented will be considered confidential.

b. Audio Recording

The Coordinator will ensure that an audio recording is made of the hearing. After the hearing, the audio recording will be made available to the Hearing Panel, the student (upon written request), the Coordinator, the Vice Chancellor and any decision-maker involved in an appeal. Any other recording of the hearing is strictly prohibited.

c. Evidence

At the hearing, the Coordinator will provide the Hearing Panel with all evidence relevant to whether the student is subject to involuntary withdrawal. The evidence may include witnesses, written reports, documents, or written statements, and the mental health professional's written evaluation, if available.

The Hearing Panel may request such evidence, including witness testimony, that it deems relevant. Although formal legal rules of evidence will not apply at the hearing, the chair of the Hearing Panel may exclude evidence that in the chair's discretion is not relevant or is cumulative.

d. **Witness Testimony**

The Coordinator may obtain witness statements or testimony from faculty, Housing and Residence Life staff, students, or other relevant individuals whose input would be helpful to the Hearing Panel. The members of the Hearing Panel may ask questions of witnesses and also exclude prospective witnesses other than the student.

Written statements by a witness in lieu of appearance and testimony at the hearing may be admitted into evidence if the witness is unavailable. For a witness to be considered unavailable, it must be clearly demonstrated that the witness's attendance would result in significant and unavoidable personal hardship or substantial interference with normal University activities. A witness's desire to avoid "cross-examination" may not be used to demonstrate "personal hardship." To be eligible for admission into evidence, such written statements must be signed by the individual writing the statement and witnessed by the Coordinator or an individual approved by the Coordinator.

All participants at the hearing are required to give truthful testimony. Furnishing untruthful testimony may subject the student, an employee, or a student witness to disciplinary action.

e. **Student Hearing Rights**

The student is entitled to the following rights pertaining to the hearing:

- i. The right to be present, unless the student is disruptive.
- ii. The right to present relevant evidence.
- iii. The right to request the attendance of witnesses at the hearing.
- iv. The right to question all witnesses at the hearing and to comment upon all documents presented.
- v. The right to be accompanied by an advisor. The role of an advisor is limited to conferring with and advising the student. The person is not permitted to argue, make statements or question witnesses, but may respond to questions if asked by Hearing Panel members.

The student may also bring one (1) member of the student's immediate family (parent or other legal guardian, sibling, or spouse) to the hearing. Such family members are not permitted to argue, make statements, question witnesses, or otherwise represent the student unless the family member is serving as an advisor.

4. Hearing Panel's Recommendation

Within five (5) business days of the conclusion of the hearing, the Hearing Panel will submit a recommendation, in writing, to the Vice Chancellor. The Hearing Panel's recommendation will be based upon evidence presented at the hearing.

If the Hearing Panel concludes that the student does meet the standard for involuntary withdrawal, the Hearing Panel will include its reasoning in its recommendation. This written recommendation must be provided to the student, the Coordinator, and the Vice Chancellor.

If the Hearing Panel concludes that the student does not meet the standard for involuntary withdrawal, it will inform the student, the Coordinator, and the Vice Chancellor in writing.

5. Vice Chancellor's Decision

Upon receipt of the Hearing Panel's recommendation, the Vice Chancellor will review the recommendation and consider it in making a final determination on whether the student meets the standard for involuntary withdrawal.

If the Vice Chancellor determines that the student does meet the standard for involuntary withdrawal, the Vice Chancellor will, within five (5) business days after receiving the Hearing Panel's written recommendation, provide written Notice to the student, with a copy to the Coordinator, as to the terms of the involuntary withdrawal, including the conditions of readmission. Upon delivery of the Notice, the Coordinator will coordinate with all relevant University personnel to withdraw the student.

If the Vice Chancellor determines that the student does not meet the standard for involuntary withdrawal, the Vice Chancellor may terminate the involuntary withdrawal process. The Vice Chancellor may consider other action deemed necessary or appropriate including but not limited to referring the student to the Counseling and Personal Development Center or requiring a behavioral contract.

The Vice Chancellor's decision is final except as it may be appealed as outlined in this Policy.

6. Appeal Rights

Within ten (10) business days from receipt of the Vice Chancellor's decision, the student may submit a written appeal to the Chancellor. Any such appeal must be based upon claims that there were procedural errors and/or the Vice Chancellor's decision was not supported by the evidence. The appeal must separately state each ground upon which the student claims that there were procedural errors and/or for which the evidence does not support the Vice Chancellor's decision. Failure to submit a timely written appeal will render the Vice Chancellor's decision final.

The decision of the Vice Chancellor will remain in effect while the appeal is pending.

The Chancellor's review will be limited to a determination of whether there were procedural errors and/or whether the Vice Chancellor's decision is supported by the evidence. Within ten (10) business days of receiving the student's appeal, the Chancellor will inform the student of the Chancellor's determination. The Chancellor's determination may result in any of the following:

- affirmation of the Vice Chancellor's decision;
- returning the matter to the Vice Chancellor for further review;
- affirming the Vice Chancellor's findings, but alter the disposition from withdrawal to probational enrollment under specified conditions; or
- reverse the Vice Chancellor's decision and reinstate the student.

The Chancellor's determination will be final and there will be no appeal beyond the Chancellor.

7. Access to University Facilities/Grounds

During an involuntary withdrawal, students may be denied access to the University, including but not limited to residence halls and other on- or off- campus facilities and grounds. Also, during the period of the involuntary withdrawal, the student will not be allowed to attend University-sponsored activities, whether occurring on- or off-campus. A student who is found to have violated this section will be issued a trespass citation by the Department of Police and Public Safety.

V. VOLUNTARY WITHDRAWAL

At any point in this process, the student may present a request for a voluntary withdrawal to the Coordinator. If the request is granted, the involuntary withdrawal process will cease; however, voluntary withdrawal will not terminate any pending disciplinary action.

If the student's request for a voluntary withdrawal is granted, the student will be subject to readmission requirements as described in Section VI of this Policy.

VI. READMISSION

A student who is involuntarily withdrawn under this Policy will have the opportunity to re-enroll according to the time period specified by the Vice Chancellor in the Vice Chancellor's decision letter, but that period of re-enrollment may not be before the start of the next semester.

A student who voluntarily withdraws will have the opportunity to re-enroll according to the time period established by the Vice Chancellor. The Vice Chancellor shall notify the student of that time period within two (2) days of the student's decision to voluntarily withdraw.

Re-enrollment or readmission is contingent upon the student meeting any admission or enrollment requirements of the University and of the school or college in which the student plans to enroll. SBAT, in consultation with the Vice Chancellor, must approve a student's re-enrollment or readmission request. Approval may be granted only if SBAT determines, in their professional judgment, that the conditions that led to the withdrawal are no longer present. SBAT may require any documentation or evaluation that they deem necessary.

A student who is involuntarily withdrawn or voluntarily withdraws is not entitled to a hearing on the readmission determination.

VII. STUDENTS STUDYING ABROAD

University students studying abroad are subject to and will be afforded all rights pursuant to this Policy, with the understanding that reasonable adjustments may be necessary to accommodate cultural, language, and time differences and to allow for the distance between the study abroad site and the University. Such adjustments may include, but are not limited to, the substitution of an on-site advisor in the role of the Coordinator where deemed appropriate and the engagement of an on-site mental health professional to conduct any requisite mental health evaluations.

In addition to being subject to this Policy, University students who are studying abroad with another host institution may be subject to the involuntary withdrawal policies of that institution.

VIII. OTHER PROVISIONS

A. Notice

Any Notice referenced in this Policy will be delivered to the student by one of the following methods: first-class mail; certified mail, return receipt requested; hand delivery; electronic mail to the student's University email account, or in person, and it will become effective immediately upon deposit in the mail, the date sent by electronic mail or, in the case of hand delivery, upon receipt by the student.

B. Records and Financial Obligations

1. Records

All records concerning the proceedings under this Policy will be maintained for eight (8) years by the Coordinator and will be kept confidential in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and implementing regulations of the U.S. Department of Education, 34 C.F.R., Part 99.

2. Financial Obligations

The policies and procedures for academic and financial obligations, as described in appropriate University policies and catalogs, will apply to students who withdraw, voluntarily or involuntarily, under this Policy.