



RUTGERS POLICY

Section: 10.2.12

Section Title: Student Academic Regulations & Procedures

Policy Name: Safety Intervention Policy

Formerly Book: n/a

Approval Authority: Executive Vice President for Academic Affairs

Responsible Executive: Executive Vice President for Academic Affairs

Responsible Office: Vice Chancellor for Student Affairs

Originally Issued: 2/15/2008, 7/1/2013, 11/10/2014 (scope/name change)

Revisions: n/a

Errors or changes? Contact: Vice Chancellor for Student Affairs, felicia.mcginty@rutgers.edu

1. **Policy Statement**

The procedures described below establish a process for safety intervention and involuntary withdrawal of students who, pose a credible substantial risk of harm to individuals within the University or to the University community, or substantially impede the lawful activities, educational process, or proper activities or functions of other members of the University community.

2. **Reason for Policy**

A student will be subject to safety intervention and/or involuntary withdrawal if the student

- a. poses a credible substantial risk of harm to individuals within the University or to the University community as a whole; or
- b. substantially impedes the lawful activities of other members of the University community, or the educational processes or proper activities or functions of the University community.

3. **Who Should Read This Policy**

Deans
Directors
Department Heads
Faculty
Student Affairs Administrators
Mental Health Professionals
Medical Professionals

4. **Related Documents**

N/A

5. **Contacts**¹

New Brunswick: Senior Dean of Students, 848-932-2300

Newark: Associate Chancellor for Student Life, 973-353-5541

Camden: Associate Chancellor for Student Affairs, 856-225-2825

Rutgers Biomedical and Health Sciences,

Office of Academic Affairs, 973-972-4380

6. **The Policy**

10.2.12 SAFETY INTERVENTION POLICY

PROCEDURES FOR RISK ASSESSMENT, SAFETY INTERVENTION AND INVOLUNTARY WITHDRAWAL²

I. Mission

Rutgers, the State University of New Jersey (the "University") is committed to maintaining a learning environment where all persons feel safe to carry out the University's mission and goals. The University is an institution that values the safety of each individual in its community. As a result, each of the University's three (3) metropolitan campuses, and Rutgers Biomedical and Health Science, has developed a Threat Assessment and Safety Committee ("TASC"). The primary mission of each of the four (4) TASCs is to improve community safety through collaborative, coordinated, objective, and thoughtful approaches to the prevention, identification, assessment, intervention, and management of situations that pose, or may reasonably pose, a threat to the safety, security, and well-being of the campus community and its individual members. Therefore, each TASC will review and evaluate information regarding concerns or issues involving threats to the University community by Rutgers University students, and will act, as necessary, to protect the community and its members.

II. Purpose of and Criteria for Safety Intervention and Risk Assessment

The procedures for a Safety Intervention and Risk Assessment described below establish a fact-based investigative and analytical process for intervening with and assessing the risk presented by students who:

- pose a credible substantial risk of harm to individuals within the University or to the University community as a whole; or
- substantially impede the lawful activities, the educational process, or the proper activities or functions of other members of the University community.

Student conduct, judicial, academic or other proceedings may continue even when a student is subject to an intervention or involuntary withdrawal pursuant to this policy.

III. Interim Safety Intervention Or Involuntary Withdrawal

If safety is an immediate concern, the University is permitted and has the authority to take interim action to protect the well-being of all members of the University community, including contacting Public Safety. By interim involuntary withdrawal, the University may remove a student from any or all University premises when, in the professional judgment of the Chancellor or designee for

¹ For the purposes of this policy, the term "campus" refers to the four entities which comprise Rutgers University, including the three Rutgers University metropolitan campuses (New Brunswick, Newark and Camden), and Rutgers Biomedical and Health Sciences.

² These procedures draw extensively from similar procedures created by the following institutions: University of Michigan, Indiana State University, University of Connecticut and University of Illinois at Urbana-Champaign.

the campus, and considering all reasonably available information, a credible substantial threat of immediate harm to an individual or the University community is perceived to exist. Interim involuntary withdrawal is a preliminary action taken to protect the health and safety of the University community, and is not a penalty. Decisions to remove a student from University residences will be made by the Senior Housing and Residence Life Administrator or designee for the campus.

A student withdrawn on an interim basis shall be given an opportunity to personally appear before the Chancellor or designee for the campus within two (2) business days from the effective date of the interim involuntary withdrawal, in order to discuss the reliability of the information concerning the student's behavior. Following this meeting, the Chancellor or designee for the campus may either continue or cancel the interim involuntary withdrawal.

If the interim involuntary withdrawal is cancelled, the procedures described in this policy regarding Safety Intervention and Involuntary Withdrawal may still proceed.

An interim involuntary withdrawal may remain in effect until a final decision is made pursuant to the procedures outlined in this policy.

IV. Threat Assessment and Safety Committee

TASC for each campus assists in evaluating whether students meet the criteria for Safety Intervention and/or Involuntary Withdrawal.

Each campus' TASC will often include representatives from the Chancellor, Dean or Associate Dean of Students, the Dean of the Graduate School, Health Services/Counseling and Psychological Services, Housing and Residence Life, Public Safety, the dean of a student's school of enrollment, and the Office of General Counsel. Other members may be added in the discretion of the Chancellor, Senior Student Affairs Administrator or their designees for the campus. The composition of the team for each particular case will depend upon the specific circumstances; however, the participation of an appropriate health professional, and a representative of the Chancellor or designee, or Dean of the Graduate School or designee, for the campus is mandatory in any review.

In addition to evaluating whether students meet the criteria for Safety Intervention and/or Involuntary Withdrawal, the TASC may also act as a resource, consultant, or advisor to any academic department, school, college or program in determining whether an individual is qualified to perform the essential functions of an academic program, and/or to provide other guidance regarding an individual student's access to the University's educational opportunities.

V. Safety Intervention and Involuntary Withdrawal Process

Any member of the University community who has reason to believe that a student poses a violent threat or a threat to public safety should contact the Public Safety office or the local police department.

Any member of the University community who has reason to believe that a student poses a credible substantial risk of harm to the University community and thus may meet the criteria for Safety Intervention and/or Involuntary Withdrawal may contact the Chancellor or designee for their campus who will conduct an informal review of the information presented. All reports made pursuant to this policy will be handled in a confidential manner, with information released only on a need-to-know basis in accordance with applicable federal and state laws and regulations.

Upon completion of the informal review, the Chancellor or designee for the campus may recommend that a student be subject to an intervention or involuntary withdrawal for reasons under the criteria set forth in Section II above. In determining whether the student presents a credible substantial risk of harm to the University community, the Chancellor or designee for the campus will make an individualized assessment based on a reasonable judgment that relies upon current medical or other specialized knowledge or the best available evidence to ascertain:

the nature, duration, and severity of the risk; the probability that potential injury and/or harm will occur; whether the student substantially impeded the educational process or functions of other members of the University community; and whether reasonable modifications of policies, practices or procedures significantly mitigate the risk. In making this individualized assessment, the Chancellor or designee for the campus may consult with the TASC.

As part of this individualized assessment, the student may be required to undergo an evaluation, including a medical or psychological evaluation, by an independent and objective health professional, including the University's Counseling, ADAP & Psychiatric Services ("CAPS"), designated by the University. The student may also be required to execute necessary releases so that the report from the evaluation may be provided to the TASC, and other administrators if appropriate, for the purposes of determining whether the student should be subject to an intervention or involuntary withdrawal.

In addition, the Chancellor or designee for the campus will consider any medical or other relevant information submitted by the student, including but not limited to a medical or psychological evaluation by a health professional of the student's choice.

Inherent to this decision-making process is the University's commitment to consider an individual's past and ongoing condition, which may have contributed to the risk of harm that is in question. The Chancellor or designee for the campus may seek the assistance of the TASC or other resources, as needed, to determine if the student is a qualified individual with a disability and whether a reasonable accommodation will allow that student to meet his/her essential academic and College community responsibilities, while abating the risk of harm and maintaining a safe college environment for all students. This determination shall also evaluate whether such accommodation can be provided without fundamentally altering the essential functions of the educational program provided by the University, or lowering academic standards, and/or creating undue hardship to the University.

Moreover, whether or not the student is a qualified individual with a disability, the Chancellor or designee for the campus will generally attempt to engage in an interactive dialogue with the student to discuss the manner in which the student plans to abate the risk of harm presented by the student. As part of this interactive process, the student and/or his medical provider are encouraged to suggest possible methods to abate the risk of harm, and the Chancellor or designee for the campus will generally actively seek the student's suggestions. The Chancellor or designee for the campus and student may also choose to engage professionals or University administrators in formulating a proposed plan. The Chancellor or designee for the campus may then further consult with the TASC to determine if the proposed plan devised as a result of the interactive dialogue appropriately addresses the risk of harm that formed the basis for the decision to intervene with or involuntarily withdraw the student. If the TASC finds the proposed plan is inappropriate or insufficient to address the risk of harm, the Chancellor or designee for the campus may resume the interactive process with the student.

The Chancellor or designee for the campus may communicate with essential personnel regarding the proposed plan and will take necessary steps to ensure its implementation and/or any necessary monitoring.

If a student is subject to an intervention or is involuntarily withdrawn pursuant to this policy, to the extent appropriate and practicable, conditions for readmission may be specified in writing by the Chancellor or designee for the campus.

VI. Appeal of Intervention and/or Involuntary Withdrawal

A student who is subject to an intervention or involuntarily withdrawn pursuant to this policy may make a written request to the Chancellor or designee for the campus, or if a student enrolled in a graduate program, as defined by the University, to the Dean of the Graduate School, for an informal proceeding to review the determination. To be timely, any such appeal must be RECEIVED by the Chancellor or designee for the campus or the Dean of the Graduate School within three (3) business days of the determination by the Chancellor or designee for the campus that an intervention is warranted or of the determination to involuntarily withdraw the student.

The Chancellor or designee for the campus or the Dean of the Graduate School, or designee shall conduct the informal proceeding within seven (7) business days of receipt of the written appeal. In no event will the same individual, who served as Chancellor's designee prior to the student's appeal, conduct this informal hearing, and at all times the individual holding the informal hearing shall hold a title superior to the individual who made the determination on appeal. The informal hearing is generally limited to sixty to ninety (60-90) minutes in duration, unless the Chancellor or designee for the campus, or the Dean of the Graduate School, or designee, in his or her discretion, determines that additional time is necessary.

The student will be provided by the TASC or the individual recommending the involuntary withdrawal with all of the following prior to the informal proceeding:

- a. a written statement providing a detailed explanation of the reasons for intervention or involuntary withdrawal and the information relied upon; and
- b. the opportunity to review the evaluations relied upon by the Chancellor or designee for the campus or the Dean of the Graduate School, or designee.

At the informal proceeding, the student may choose to be assisted by appropriate counsel, which may include a parent or guardian, a health professional of the student's choice, and/or a faculty or staff member. The student may also have legal counsel present for consultation purposes only during the informal proceeding. In addition, subject to an informal determination regarding relevancy by the Chancellor or designee for the campus, or Dean of the Graduate School, or designee, the student will be permitted to be heard, and to present witnesses and information to dispute the reasons for the intervention or involuntary withdrawal, or the information relied upon by the Chancellor or designee for the campus in making the determination.

The student shall provide to the Chancellor or designee for the campus, or the Dean of the Graduate School, or designee, and be responsible for identifying in writing those witnesses and the subject matter of their expected testimony five (5) days in advance of the informal proceeding. The Chancellor or designee for the campus, or the Dean of the Graduate School, or designee and the student will review that identification three (3) days before the informal proceeding and will agree upon a means of securing attendance of all persons that the Chancellor or designee for the campus, or Dean of the Graduate School, or designee, deem relevant and necessary. If it is agreed that the student will secure attendance of any witnesses, the student may contact such witnesses and invite them to attend the informal proceeding, but all such contact and requests for appearance must be done civilly, and in keeping with the University's Code of Student Conduct and [University Student Life Policy on Verbal Assault, Defamation and Harassment](#).

As to an involuntary withdrawal, following the informal proceeding, the Chancellor or designee for the campus, or the Dean of the Graduate School, or designee, shall determine whether to (a) uphold the withdrawal; (b) reinstate the student; or (c) reinstate the student subject to specified conditions that may include without limitation participation in an ongoing health treatment program, acceptance of and compliance with a behavioral contract, a housing relocation, reduced course load, or any combination thereof. The Chancellor or designee for the campus, or the Dean of the Graduate School, or designee may modify the conditions of readmission at any time.

The decision of the Chancellor or designee for the campus, or the Dean of the Graduate School or designee shall be final.

VII. Return to Campus or Readmission

A student who has been removed from campus or withdrawn pursuant to this policy, either voluntarily or involuntarily, who wishes to be considered for return to campus or readmission shall contact the Chancellor or designee for the campus and provide appropriate documentation to comply with the conditions of readmission, if any are imposed. The student may also present any relevant documentation or information which the student believes supports his or her request for return or readmission.

The Chancellor or designee for the campus will review the request for return or readmission as follows:

- a. review and investigate compliance with the conditions of return or readmission, if any;
- b. consult with the appropriate academic unit to determine whether the student is eligible for return or readmission based upon the student's academic record and the readmission policies and practices of the academic unit;
- c. consult with appropriate members of the TASC;
- d. consider any additional information or documentation presented by the student in support of return or readmission; and
- e. meet with the student.
 - (i) The Chancellor or designee for the campus will recommend to the student's intended academic unit of enrollment whether, in the professional judgment of the Chancellor or designee for the campus, the student should be allowed to return or be readmitted. The academic unit will make the decision regarding readmission.
 - (ii) A student denied readmission pursuant to this policy may make a written request to the Chancellor or designee for the campus, or the Dean of the Graduate School, or designee, for an informal proceeding to review the readmission or no-return determination. In no event will the same individual, who served as Chancellor's designee on the initial recommendation, conduct this informal hearing, and at all times the individual holding the informal hearing shall hold a title superior to the individual who made the initial recommendation. The informal proceeding to review the readmission or return determination will follow the same procedures outlined in Section VI of this policy.