

COLLEGE of CHARLESTON

OFFICIAL POLICY

12.5.3

STUDENTS OF CONCERN COMMITTEE & INVOLUNTARY WITHDRAWAL STATEMENT OF POLICY

10/1/2020

Policy Statement

The Students of Concern Committee work to enhance and maintain a safe college environment conducive to academic achievement.

Policy Manager and Responsible Department or Office

Student Affairs

Purpose/Reason for the Policy

1.0 PURPOSE

1.1 The Student of Concern Committee (“SOC” or “Committee”) is a campus resource established to receive, collect, consider, and when it deems appropriate, act upon information on behavior of concern exhibited by a student or group of students. The College of Charleston (“College”) has established a Student Code of Conduct to facilitate the maintenance of a safe college environment conducive to the pursuit of academic achievement by all its students. The SOC objective is to support this purpose through

investigation, reasoned analysis, and the provision of supportive intervention services, when needed, to our students.

1.2 The Committee, operated within the division of Student Affairs, is formed under a delegation of authority from the College President to the Executive Vice President for Student Affairs, who functions as the Appointing Authority for the SOC. The SOC is chaired by the Dean of Students.

2.0 POLICY STATEMENT

2.1 The SOC works to maintain a safe College environment that is conducive to academic achievement while balancing its concern for individual students. In pursuit of this purpose, the Committee's mandate is to use reasonable discretion, based on a record of relevant materials, in order to make informed decisions that are in the best interest of the student involved and the entire College Community. This broad mandate allows the Committee to develop personalized plans of action, after considering a full range of suitable options, and selecting that one it believes is best tailored to the circumstances of a particular case. Action plans may fall across a wide continuum in relation to the progressive level of concern the Committee might have regarding a student's or students' behavior, safety, and the welfare of others. Plans developed may range from simply maintaining a confidential record of the reported behavior or, in severe circumstances, may progress to an involuntary withdrawal of a student from the College or a referral to a disciplinary panel. The majority of action plans developed will fall between these extremes. Throughout the evaluation process the Committee will attempt, in accordance with legal restrictions and College privacy policies, to keep all involved students appropriately informed of the actions of the Committee.

2.2 The Committee acts in compliance with College of Charleston Privacy Policy and all relevant provisions of state and federal law including, but not limited to, the federal Family Educational Rights and Privacy Act of 1974 (FERPA). The SOC does not release or share protected student information to any member of the College community unless the recipient has a legitimate interest for the use of that protected information to perform a service of carryout a responsibility within that person's scope of employment.

3.0 APPLICABILITY

The Students of Concern Committee is in place to support all departments and individuals on campus. This policy applies to all undergraduate and graduate students of the College.

4.0 MEMBERSHIP AND DECISIONAL AUTHORITY

4.1 The Committee, under the leadership of the Dean of Students as Chair, will work to reach a fully informed consensus among its members when making its decisions, recommendations, and formulating individual plans of action. SOC decisions represent the exercise of discretion and judgment based on the collective expertise, knowledge, and experience of the SOC members, the relevant facts of the situation under consideration, and the behavior of the student at issue. Each individual on the Committee, or their meeting designee, strives to contribute SOC Policy to the group's collective decision-making process by bringing to the task their professional training, experience, and perspective from years of working with college students. The SOC is made up of the following individuals from various areas of the College:

Dean of Students	Office of the Dean of Students
Case Manager	Office of the Dean of Students
Director	Counseling & Substance Abuse Services
Director	Student Health Services
Medical Director	Student Health Services
Director	Undergraduate Academic Services
Director	Residence Life & Housing
Deputy Director	Public Safety
Faculty Member*	Faculty

**Appointed by Speaker of the Faculty, approved by the EVP for Student Affairs*

4.2 In addition to drawing on the knowledge of the group members, the Committee may utilize the opinions and reports from other College personnel or outside independent professionals, such as licensed mental and/or medical healthcare providers, in an effort to obtain a better understanding of an individual situation. Examples of members of the College community that the Committee may seek out for interviews or reports include roommates, close friends, past and current teachers, coaches, trainers, counselors, RAs, RHDs, and disability services personnel. Legal advice may be solicited from the College's Senior Vice President for Legal Affairs.

4.3 At times the SOC may request to review current or past medical or psychological records or care providers' reports as part of its evaluation process. The Committee may ask for independent and/or on-campus medical or psychological assessment by licensed professionals in an effort to obtain the most complete information on which to base its decisions. The SOC may consider ongoing or interim reports by such professionals as an essential monitoring aspect of the individual action plans the Committee develops.

4.4 The Committee will also determine on a case by case basis who within the College community or external to it, needs to be given information in order to better protect the health and safety of the individual student, the College Community, and/or others. When appropriate, the SOC will inform the individual involved of the Committee's intent to notify those people as a condition of an individual action plan.

4.5 A Committee member must abstain from making a decision on an individual case if that member has an actual or apparent conflict of interest, such as a prior professional relationship with the student. The full circumstances of any such conflict must be reported by the Committee member to the Chair of the Committee. In the event of a disagreement over the management of any apparent or actual conflict, a majority of the disinterested members of the Committee will finally decide the matter in a manner most appropriate to the particular situation.

5.0 MEETINGS OF THE STUDENTS OF CONCERN COMMITTEE

- 5.1 During fall and spring semesters when classes are in session, the Students of Concern Committee will meet weekly, or as otherwise determined by the SOC Committee Chair, to discuss new cases, existing cases, and other general topics related to SOC operations and best practices.
- 5.2 During summer sessions and when students are not in session during the fall and spring semesters, the SOC Committee Chair will schedule meetings as needed to discuss case activity as needed and/or general topics related to SOC operations and best practices.

6.0 REFERRALS

6.1 All referrals to the Students of Concern Committee are received by the Dean of Students, Case Manager, or the designee(s) of either. The SOC accepts referrals by phone, by email or electronic/online referral form, or in person from any individual or group of individuals who has “concern” about a College of Charleston student, as further described in Section 7.1 of this Policy.

6.2 Because access to the Committee is widely available, the Committee may receive information from time to time that is better processed and acted upon by another campus official(s) who has the specific authority to address and resolve the particular matter. In such instances the SOC may forward supplied information to what it deems to be the most appropriate group with the authority to address the situation. In that event, the SOC will not render a decision on the matter. For instance, the SOC might decide that an individual action plan is simply to allow the Dean of Students to act on the situation without further Committee involvement. In other cases the Committee’s sole action might be to refer the matter on to the disciplinary panel or the honor board.

6.3 Campus resources available to students and/or their family and friends include: The Center for Disability Services; Counseling and Substance Abuse Services; Office for Victim Services; Student Health Service; The Center for Student Learning (Tutoring and Skills Lab); Academic Advising and

Planning Center; and Undergraduate Academic Services. These campus resources provide supportive services to assist students in achieving academic and personal success. These resources may be sought voluntarily by a student, or the SOC may compel a referred student to utilize these resources as part of a proposed action plan, as further described in Section 7.3 of this Policy.

7.0 PROCEDURES

7.1 A referral to the Students of Concern Committee is received by the Dean of Students, Case Manager, or the designee of either. To meet criteria for an SOC intervention, the information received about an individual student must reasonably suggest that:

- (A)** The conduct of the student presents safety issues for the student or others; **or**
- (B)** The conduct may be a violation of the Student Code of Conduct and such conduct may hamper the student's ability to achieve essential academic requirements or meet expected standards of conduct; **and**
- (C)** The conduct in question may be evidence of emotional distress or a health condition.

7.2 In the event that information received includes a stated or implied threat to self, others, or the campus community, the Dean of Students, Case Manager, or a designee of either, before or after consultation with the SOC or a subgroup of the SOC, will pursue urgent mitigation of the known threat by notifying Public Safety.

7.3 If the information reasonably suggests that the individual student meets the criteria above (7.1 (A) or (B) and (C)), the individual student will be afforded the opportunity to meet with the Dean of Students, Case Manager, or a designee of either, and express his or her point of view on the appropriateness and desirability of SOC intervention. Based on the information from the referral source, the information from the meeting with the student, and, if applicable, information from other sources, the Dean of Students, Case Manager, or designee, acting on behalf of the Students of Concern Committee, will consult with the SOC or a subgroup of the SOC and

propose a plan of action and/or remedial measures in writing for the student. The proposed plan will be shared with the entire SOC at the next regular meeting. SOC will grant approval of the plan or suggest modifications that will be promptly relayed to the student.

7.4 In a situation where the individual student meets the criteria above in Section 7.1, but is not available or not willing to meet with the Dean of Students, Case Manager, or a designee, then a proposed plan of action and/or remedial measures will, after consultation with the SOC or a subgroup of the SOC, be assigned to the student, in writing. This course of action may occur in situations in which a student has been transported to a medical facility due to behavior that reasonably appeared to put the student or others at risk. The proposed plan will be shared with the entire SOC at the next regular meeting. SOC may either grant approval or disapproval of the plan or suggest modifications to the plan that will be promptly relayed to the student.

7.5 If, after meeting with the Dean of Students, Case Manager, or designee, the student declines to accept the proposed remedial measure(s), the student may request to have a hearing with SOC members.

- (a)** In that event, the Dean will promptly arrange for the student to appear before a subgroup of Committee members. The Dean will advise the student of the matters that will be discussed at, and considered by the subgroup. This hearing is private and closed to the public
- (b)** The student has the option to appear at this hearing with his or her healthcare provider, if the student so desires. The provider will be afforded the opportunity to provide relevant information in support of the student's position. In the event that the provider cannot be present, the Committee will accept a written statement from the provider.
- (c)** The purpose of such a hearing is to assist the Committee in its evaluation of the individual's behavior and situation. This is NOT a disciplinary hearing. The subgroup will work to establish a thorough understanding of what has occurred and will formulate a recommendation that will take the form of an individualized plan of action based on the subgroup's interpretation of past behavior, as well as, the current situation and all relevant circumstances.
- (d)** The designated subgroup will then report to the full Committee, will supply a record of the hearing for the full Committee to review, and will make a recommendation to the Committee. If the Committee believes the recommendation is supported by the record, the Committee will

adopt the recommendation. Alternatively, the Committee may remand the matter to the subgroup for more investigation, modify the recommendation, or reject it altogether; however, the Committee must state a reasonable basis for taking such an action and that action must be based on the record.

- (e) The involved student must be timely informed of the Committee's determination and of the student's appeal rights (see **APPEALS**, Section 12.0 below).

7.6 In a situation when the individual student accepts the proposed remedial measure(s) comprising the plan but then fails to follow through with the measure(s), the SOC may apply additional measures that may include, but are not limited to:

- (a) Extended or expanded remedial measures,
- (b) A temporary hold on the student's registration until measures are completed, to be placed by the Dean of Students or designee,
- (c) A notice to the student that he/she has failed to follow-through with the proposed measures and that this will be considered in any future action plan should the student continue to exhibit behavior(s) of concern,
- (d) Involuntary removal from student resident housing,¹
- (e) an order issued by the Executive Vice President of Student Affairs, or other appropriate authority, limiting access to College property; and/or
- (f) Involuntary withdrawal² from the College.

7.7 In cases where Public Safety is not already fully informed, the Dean of Students, Case Manager, or designee, before or after consultation with the SOC or a subgroup of the SOC, will inform campus Public Safety of incidents or on-going situations that may warrant law enforcement intervention and/or community notice, or that may prompt Public Safety to request a convening of the Emergence Management Team. Such situations may include but are not limited to:

- (a) Threat to the campus and greater community;
- (b) Threat to specific individual(s) in the campus community;
- (c) Report that a residential student is missing for more than 24-hours; and
- (d) Suspicion of firearms or other deadly weapons on campus.

7.8 Willful failure of a student to respond or acknowledge the action plan proposed by the SOC shall not affect the validity of, or delay any decision

made under this policy.³

7.9 WHILE THE SOC WILL MAKE A GOOD FAITH ATTEMPT TO MONITOR AN ACTION PLAN, IT IS THE SOLE RESPONSIBILITY OF THE STUDENT TO FOLLOW THE PLAN AND TO COMPLY WITH ALL OF ITS TERMS AND CONDITIONS INCLUDING, BUT NOT LIMITED TO, SEEKING MEDICAL CARE, FOLLOWING MEDICAL ADVICE, AND HONESTLY REPORTING THE STUDENT'S PHYSICAL AND MENTAL CONDITION TO HER/HIS HEALTHCARE PROVIDER(S). THE SOC IS NOT A SUBSTITUTE FOR A STUDENT'S PERSONAL HEALTHCARE PROVIDER; NOR SHOULD THE SOC BE CONSIDERED A PERSONAL "CAREGIVER." SOC INTERVENTION DOES NOT RELIEVE A STUDENT OF HIS/HER PERSONAL RESPONSIBILITY.

8.0 STANDARDS

8.1 The SOC will propose a remedial action plan of action based on the collective judgment and belief of a majority of disinterested members that it is more likely than not:

- (1) That the recommended plan, if followed, will have a positive effect on the student meeting his/her College responsibilities; and
- (2) The plan presents a reasonable option under the circumstances for achieving that purpose without imposing an undue hardship on the College or unacceptable risk of harm to self or the greater College Community.

8.2 Inherent to this decision-making process is the SOC's commitment to take into account an individual's past and ongoing medical or psychological condition which may have contributed to the exhibited behavior that is in question. The Committee, with the assistance of other College resources, as needed, will conduct an assessment to determine if the student is a qualified individual with a disability and whether a reasonable accommodation will allow that student meet his/her essential academic and College community responsibilities while maintaining a safe college environment for all students. This determination will involve an interactive process of give-and-take with the student.

9.0 ALTERNATIVE HOUSING WHILE ENROLLED

9.1 In the circumstance that a resident student cannot safely remain in his/her current housing situation, the College will make a reasonable effort to find alternate campus housing that would be appropriate under the circumstances.

9.2 In the circumstance that a resident student is not suspended or withdrawn, but cannot safely remain in College housing, the College may require the student to leave campus housing while enrolled. The College, in addition, may restrict the student from entering College housing to prevent a significant risk that the student may harm him/herself or others.

10.0 INVOLUNTARY WITHDRAWAL⁴

10.1 Involuntary withdrawal from enrollment, as a proposed plan of action by the SOC, is invoked only in extraordinary circumstances, when a student is unable or unwilling to request a voluntary leave of absence or 3 Language adapted from University of Florida, Regulation 6C1-4.035 Involuntary Medical Withdrawal. 4 Language from 10.2, 10.3, and 10.4 adapted from University of Florida, Regulation 6C1-4.036 Involuntary Medical Withdrawal. SOC withdrawal, and such a leave or withdrawal may be necessary because the student poses a threat to the safety of that student and/or others, or where the student's behavior unduly disrupts the College's learning and living environment. This may include, but is not limited to, such situations as unresolved, ongoing, and serious suicidal threats and gestures; self-starvation of a life-threatening nature; self-mutilation; inability to learn or function in a communal setting; and serious threats, gestures or indications of harm to others. Involuntary withdrawal is not a disciplinary action. It is a remedial action taken to assist and protect individuals.

10.2 Notwithstanding any other provision of this Policy, the Dean of Students maintains the authority to impose an immediate interim suspension at any time, if deemed immediately necessary to protect the student or others. Interim suspension procedures are outlined in the *Student Handbook*.

10.3 A student proposed for involuntary withdrawal shall be afforded:

- (a)** The opportunity to meet with the Dean of Students, Case Manager, or designee of either to express his/her point of view on the involuntary withdrawal

- (b) Written notice of the College's decision to act under this policy, stating the reasons for the action, and
- (c) The opportunity to appeal. See **APPEALS**, Section 12.0.

10.4 Willful failure of a student to respond or acknowledge a proposed involuntary withdrawal shall not affect the validity of, or delay any decision regarding that withdrawal made under this policy.

10.5 A student who is involuntarily withdrawn shall have a registration hold placed on his or her record and will be subject to conditions for re-enrollment.⁵ Re-enrollment may be contingent on satisfying conditions outlined by the Office of the Dean of Students and, if applicable, other offices on campus for the purpose of seeing that a student has demonstrated his/her ability to function safely and autonomously prior to returning to campus.

10.6 In the event that a student is subject to an involuntary withdrawal, and absent exceptional circumstances that, in the sole opinion of the Dean of Students, would establish a clear inequity, the student may pursue reenrollment to the College only after the lapse of at least two full semesters, not including the semester during which the student was subject to the withdrawal (for this purpose, the 10-week summer session is considered one semester).

11.0 RE-ENROLLMENT AFTER A VOLUNTARY OR INVOLUNTARY SEPARATION⁶

11.1 In the event of a voluntary separation (e.g., withdrawal or leave of absence), the College may require a student who withdrew for one or more reasons stated in Section 10.1 to demonstrate that he/she no longer continues to be subject to such conditions as a requirement for re-enrollment at the College. Conditions for the student's return will be outlined to the student by the Office of the Dean of Students, after discussion with the student, if practicable under the circumstances, at the time of the withdrawal or leave. The SOC or a subgroup of the SOC will be consulted for the purpose of evaluating the student's adherence to re-enrollment requirements. The re-enrollment decision will be shared with the entire SOC at its next regular meeting. SOC will grant approval or disapproval of the decision or suggest additional stipulations that will promptly be relayed to the student.

11.2 For students who have voluntarily separated from the College for a

mental health or behavioral concern, as described in Section 10.1, the Committee typically expects to review a period of at least three months of successful, autonomous functioning and amelioration of symptoms prior to the student's return. The Committee will consider 5 See section on **RE-**

ENROLLMENT AFTER A VOLUNTARY OR INVOLUNTARY

SEPARATION. 6 As stated in the College of Charleston's Undergraduate Catalog, page 19 and on page 24: "If a student discontinues enrollment from the College of Charleston, whether voluntarily or not, re-entry for future semesters may be contingent on satisfying conditions outlines by the Office of Student Affairs and Undergraduate Academic Services."

a separation of shorter duration if the student and/or the student's provider is (are) able to demonstrate significant improvement in functioning since the time of the withdrawal.

11.3 In a situation when the individual student is not recommended for re-enrollment by the SOC or a subgroup of the SOC (on the basis of inadequate treatment, lack of recovery progress, or demonstration of autonomous functioning), but where there is no evidence that the student poses a threat to himself or others or is incapable of adhering to expected standards of conduct at the College, the student may still re-enroll at the College, with additional remedial measures applied by the SOC. These may include, but are not limited to:

(a) Extended or expanded remedial measures,

(b) A temporary hold on the student's registration until measures are completed, to be placed by the Dean of Students or designee,

(c) A notice to the student that he/she has failed to follow-through with the proposed measures and that this will be considered in future action plan crafting should the student continue to exhibit behavior of concern, and/or

(d) Involuntary removal from housing.

11.5 A student applying to the College after voluntary or involuntary separation for a reason stated in Section 10.1, must satisfy all academic requirements, in addition to, the requirements put in place by the Dean of Students and/or SOC, if any, at the time of separation from the College.

11.6 Once the student has satisfied all re-enrollment conditions, the student will be notified, in writing by the Dean of Students, Case Manager, or a designee of either. Additional requirements of suggested recommendations

may accompany the re-entry approval notification. The Student may contest these additional requirements, as per the processes outlined in **APPEALS**, Section 12.

11.7 In the event that a student is denied re-entry, the processes outlined in **APPEALS**, Section 12.0, are available to the student.

12.0 APPEALS

12.1 A student has the right to file a written appeal challenging any SOC decision directly affecting that student. Such an appeal must be directed to the Executive Vice President for the Division of Student Affairs within 5 working days of SOC decision being challenged. The Executive Vice President for Student Affairs is the final level of appeal within the College for any matter brought before the SOC. The appeal must state the action complained of, the basis for the appeal, and the remedy sought.

12.2 The only grounds for a reversal of the Committee's decision are

- (a) A significant deviation from procedures that affected the outcome of SOC's deliberations;
- (b) New evidence that was not available at the time of the Committee's decision; or
- (c) Discrimination against the student in violation of the College Policy entitled, *Prohibition Of Discrimination and Harassment, Including Sexual Harassment and Abuse*.

13.0 RECORDS

13.1 The SOC shall maintain such records as may be necessary and appropriate to carry out its responsibilities under this Policy. SOC records will be maintained in such place or places as may be directed by the Dean of Students.

13.2 At minimum, the Dean of Students shall:

- (a) Ensure that all of its records are stored in a safe place and under lock

while not in use; SOC

(b) Take reasonable precautions to ensure that its records are accessible only as provided for in this Policy; and

(c) Provide for the destruction of its records in accordance with a records retention policy that is approved by the College Institutional Records Officer.

14.0 ASSESSMENT OF SOC OPERATIONS

14.1 The Students of Concern Committee will develop relevant assessment criteria to periodically review and evaluate the effectiveness of the College's plans and procedures to assist students of concern. In gathering information relevant for assessment, the Students of Concern Committee shall, among other things:

- (a) Add questions to such surveys distributed to students and employees as may be appropriate in an attempt to detect awareness levels of this Policy held by students and employees; and
- (b) Track annually of the number and type of cases referred to and processed by the Students of Concern Committee.

15.0 SOC AND THREAT ASSESSMENT

15.1 During SOC review of cases, attention will be made to identifying and characterizing behavior that reasonably appears to indicate an escalation of undesirable behavior patterns. In the event that reported behavior or actions reveals an escalation of threat to self, others, or property, the Dean of Students, Case Manager, SOC subgroup, or full SOC will adjust the student's plan of action. Special attention will be made to apparent escalation of dangerous, threatening or aggressive behavior.

15.2 In order to facilitate the threat assessment process, the Dean of Students, Case Manager, SOC subgroup, or full SOC will employ threat assessment tools commonly accepted in the arena of higher education. Such tools provide a framework by which the SOC can better judge an individual's prior and current behavior and develop an appropriate response and action plan.

15.3 In cases of imminent threat, Public Safety will be notified immediately. See 7.2 and 7.7.

16.0 RELATIONSHIP BETWEEN SOC EMERGENCY MANAGEMENT TEAM

16.1 The College of Charleston Emergency Management Team (EMT) includes members of the Students of Concern Committee but is a separate entity. The EMT is convened at the request of the Chief of Public Safety.

16.2 The SOC, a subgroup of the SOC, the Dean of Students, or the Case Manager, or designee, will be available to share information to the EMT in the event that a campus emergency involves a current or former student of concern.

17.0 RESPONSIBILITIES UNDER THE CLERY ACT

Nothing contained in this Policy shall be construed to modify, in any way, the College's responsibility under law (20 U.S.C. § 1092(f)) to make timely reports to the Campus Community on crimes considered to be a threat to students and employees that have been reported to campus security or local law police agencies.

18.0 AMENDMENTS

This Policy may be amended in accordance with the College's *Campus Wide Policy Making Procedures*.

19.0 RESPONSIBILITY

The Dean of Students shall be responsible for the maintenance of this Policy.

Departments/Offices Affected by the Policy

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Procedures Related to the Policy

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Related Policies, Documents or Forms

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Issue Date:2/5/2016 Date of Policy Review:10/1/2020	Next Review Date:10/5/2025
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POLICY APPROVAL
(For use by the Office of the Board of Trustees or the Office of the President)

Policy Number: 12.5.3

President or
Chairman, Board of Trustees  Date: 10/1/2020