

University Leave of Absence and Retroactive Withdrawal Policy

Subject: Students

Policy: University Leave of Absence and Retroactive Withdrawal

Effective: October 2001

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Responsible Party: Dean of Students

100.00 INTRODUCTION AND PURPOSE

Montana State University is committed to the health, safety, and well-being of individual students and the campus community. Occasionally, students may experience situations that significantly limit their ability to function successfully or safely in their role as students. In such circumstances, students may be eligible for a leave of absence or a retroactive withdrawal. A leave of absence permits students to temporarily withdraw from the University and their studies so they may address the issues that led to the need for leave. Similarly, a retroactive withdrawal may be available for students who were unable to request a timely leave of absence, but who were forced to leave the University due to a health or safety emergency, or who experienced a mental or physical illness, injury, or other extraordinary circumstance.

Students who wish to explore leave of absence or withdrawal options should confer with the Office of the Dean of Students and their academic advisor. Students should discuss their situations and tentative plans with the following offices, where applicable: Office of Disability Services, Office of the Registrar, the Office of Financial Aid Services, Student Accounts, the Graduate School, and the Office of International Programs. The University also offers reasonable accommodations to qualifying students through the Office of Disability Services that may complement or affect the need for a leave of absence.

The University offers different options for a leave of absence including voluntary medical leave, involuntary leave, and a retroactive University withdrawal.

Requiring a student to take an involuntary leave of absence is rare and only occurs when current medical knowledge or the best available objective evidence indicates that:

1. There is a significant risk to the student's health or safety or the health or safety of others, or
2. The student's behavior severely disrupts the University environment, and no reasonable accommodations are available that can adequately reduce that risk or disruption.

Students will be given the option to take a voluntary medical leave of absence before a decision is made with respect to an involuntary leave of absence.

Nothing in this policy shall be construed as a limitation on the Office of Institutional Equity to implement remedies or interim measures in accordance with the [Discrimination, Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, Stalking and Retaliation Policy](#) and [Grievance Procedures](#).

200.00 NONDISCRIMINATION AND REQUESTS FOR REASONABLE ACCOMMODATION

Consistent with its [Non-Discrimination Policy](#), Montana State University prohibits discrimination on the basis of any type of disability or any other characteristic protected by applicable law in the administration of the University's programs and activities. The University is committed to providing equal access to all participants in University processes, including students with disabilities. Students with disabilities, temporary injuries, and other medical conditions should contact the [Office of Disability Services](#) to request accommodations.

300.00 VOLUNTARY MEDICAL LEAVE OF ABSENCE

300.10 Policy

Students may request a voluntary medical leave of absence if they:

1. Experience a significant mental or physical illness, injury, or other extraordinary circumstance that significantly limits their capacity to function successfully or safely in their role as a student (this extraordinary circumstance may include the birth/adoption of a child); or
2. The student has experienced an abrupt health or safety emergency, or some other type of extenuating circumstance, within their immediate family including an individual whose close association with the student is the equivalent of a family relationship.

The severity and duration of the circumstance must be such that it would not be reasonable to expect the student to complete the semester or be able to make up any missed work.

A voluntary medical leave of absence may not be used in lieu of disciplinary action to address any violations of University rules, policies, or the Code of Student Conduct; rather, a leave of absence and disciplinary action are independent processes that may run separately and independently.

300.20 How to Apply For a Voluntary Medical Leave of Absence

To apply for a voluntary medical leave of absence, students must submit a written request that includes their name, student identification number (GID), the semester for which the leave is requested, and the reason for the leave request. Family members submitting information on behalf of a student must abide by applicable privacy laws and requirements, including the Family Educational Rights and Privacy Act (FERPA). Information regarding student privacy rights under FERPA can be found at: <https://www.montana.edu/registrar/ferpa/>. If the leave is due to a medical issue, the student may be requested to provide documentation from a medical or

mental health provider when such documentation is necessary to establish a basis for the requested leave and any potential considerations related to the student's return to the University. Medical or mental health documentation, if requested, must be current. If the student chooses not to provide medical or mental health documentation, when requested, the Dean may proceed with the individualized assessment based on information in the Dean's possession at the time.

The Dean may request a consultative review of the medical or mental health documentation by a University health professional at either UHP Counseling and Psychological Services for mental health concerns or Medical Services for physical health concerns.

As part of the voluntary medical leave of absence approval process and individualized assessment, the Dean may create an individualized plan for the student's future return to campus life and academic courses, where appropriate. This individualized plan will focus on addressing the reason for the medical leave of absence with the goal of creating a plan to prepare the student for re-engaging with the campus community safely and with a reasonable likelihood of success. The plan may also include information on resources available to students, including the Office of Disability Services and UHP Counseling and Psychological Services, among others. Failure to adhere to the individualized plan may result in a delay or denial of the student's future enrollment on campus.

The Dean will render a decision on the request for a voluntary medical leave of absence after a review of the submitted written request and other documents provided along with any consultations with appropriate University administrator(s), faculty, and others relevant to the student's request. The student will be notified in writing of the University's decision on whether the requested leave is granted or not. Students shall have five business days following approval of the leave of absence to withdraw their request for leave or to appeal the denial of their request pursuant to the Appeal Process described herein.

Students may request a voluntary medical leave of absence at any time during the semester but must complete such requests, including any provider documentation and submission of related paperwork, no later than the last day of the semester.

300.30 Where to Submit a Request For a Voluntary Medical Leave of Absence

For undergraduate students: The request for a voluntary leave of absence and all supporting documentation must be submitted to the [Office of the Dean of Students](#).

For graduate students (degree or non-degree): The request for a voluntary leave of absence and all supporting documentation must be submitted to the [Dean of the Graduate School](#).

400.00 INVOLUNTARY LEAVE OF ABSENCE

400.10 Policy

There may be instances in which the University may pursue an involuntary leave of absence for a student, such as when knowledge about a student's medical condition or the best available objective evidence indicates that a student poses a significant risk to the health or safety of others; where a student is unable or unwilling to carry out substantial self-care obligations and

poses a significant risk to their own safety not based on mere speculation, stereotypes, or generalizations; or where a student's behavior severely disrupts the University environment and the student does not want to take a voluntary leave of absence. The Dean of Students has the authority to place an undergraduate or graduate student on an involuntary leave of absence. The Dean of Students may be notified and consider information about a student who may meet the criteria of an involuntary leave of absence from a variety of sources.

Before placing any student on an involuntary leave of absence, the Dean of Students will conduct an individualized assessment to determine whether an involuntary leave of absence is appropriate under the circumstances, or whether other options are available to address the specific situation that would permit the student to continue participating in the University community without being placed on an involuntary leave of absence. As part of this individualized assessment, the Dean of Students may consult with appropriate University resources, including the Office of Disability Services, UHP Counseling and Psychological Services for mental health concerns, UHP Medical Services for physical health concerns, University Police for concerns related to campus safety, or other University personnel where necessary and appropriate.

Where appropriate, the Office of Disability Services will engage in the interactive process with the student to determine whether the student qualifies for reasonable accommodations that would permit the student to remain in classes and, if so, what accommodations may be appropriate under the circumstances.

When safety is an immediate concern, the Dean of Students may remove a student from campus pending a decision on an involuntary leave of absence. If this action is deemed necessary, the student will be given notice of the removal. An opportunity to be heard by the Dean of Students and, if desired, appeal of the removal decision will be provided within five business days of this action.

An involuntary leave of absence is an administrative process, not a disciplinary process. This policy and these procedures are not intended to be punitive and do not take the place of disciplinary actions that are in response to violations of the University's Code of Student Code, nor do they preclude the removal or dismissal of students from the University or University-related programs as a result of violations of other University policies. This policy does not limit the University's ability to place enrollment holds on students for reasons beyond the scope of this policy and nothing in this policy relieves a student of any financial obligations to the University that were in place at the time the involuntary leave of absence was imposed.

400.20 Procedures for Placing a Student on an Involuntary Leave of Absence

The following procedures shall be followed when placing a student on an involuntary leave of absence:

1. Notice of Potential Involuntary Leave of Absence.
 - a. The Dean of Students will issue a notice to the student in writing that an involuntary leave of absence is under consideration. The written notice will include the reason(s) why the student is being considered for an involuntary leave, contact information for available student resources, and a copy of this policy. In the written notice, the

student will be encouraged to respond before a decision is made regarding an involuntary leave of absence and will be given a specified time period within which to do so.

2. Individualized Assessment and Evaluation of Need For Leave or Alternative Options.
 - a. The Dean of Students will consider potential accommodations and/or modifications that could obviate the need for an involuntary leave of absence, such as the option for the student to take a voluntary leave of absence, as well as other academic accommodations, housing accommodations, or other changes and modifications as may be appropriate.
 - b. The student may be asked to provide documentation from the student's healthcare provider(s) to appropriate University officials in order to provide information regarding issues relevant and appropriate to the consideration of an involuntary leave of absence. This documentation will be requested when there is a need for the University to have access to that information as part of the interactive process and individualized assessment to determine whether the student is able to function successfully and safely in their role as a student. If a student chooses not to provide the requested documentation or to respond within the timeframe set by the Dean of Students, the University may proceed with the individualized assessment based on information available at the time.
 - c. The Dean of Students may also confer, when appropriate and in compliance with legal obligations for student privacy, with individuals regarding the potential need for an involuntary leave of absence and whether other options are available that would permit the student to request a voluntary leave or continue with classes without disruption.
 - d. Particular attention will be paid to the criteria for imposing an involuntary leave of absence, specifically:
 - i. whether current knowledge about the student's medical condition or the best available objective evidence indicates that the student poses a significant risk to the health or safety of others;
 - ii. whether the student is unable or unwilling to carry out substantial self-care obligations and poses a significant risk to their own safety not based on mere speculation, stereotypes, or generalizations; or
 - iii. whether the student's behavior severely disrupts the University environment.

The individualized assessment as to each factor, based on reasonable judgment that relies on current clinical knowledge or on the best available objective evidence, should ascertain: the nature, duration, and severity of the risk or disruption and whether reasonable steps can be taken to adequately mitigate the risk or disruption so as to eliminate the need for an involuntary leave of absence.

e. The Dean of Students will give significant weight to the opinion of the student's treatment provider(s) regarding: (a) the student's ability to

function academically and safely at the University with or without reasonable accommodations; or (b) whether the student sufficiently addressed the reasons for the involuntary leave of absence and, at the time of evaluation, no longer presents significant concerns with regard to the three criteria identified herein for imposing an involuntary leave of absence.

3. Notice of Decision

- a. Following any consultations and based on a review of the relevant documentation and information available, the Dean of Students will make a decision as to whether the student should be placed on an involuntary leave of absence and will provide written notice of this decision to the student. In the case of graduate students, the VPSS will coordinate with the Dean of the Graduate School. The review and notice of decision under this policy should be done in a timely manner. Where students have been removed from the University while the review is underway, every reasonable effort will be made by the Dean of Students to reach a decision within 5 business days, provided the student responds in a timely manner to requests for information or documentation.
- b. *If an involuntary leave of absence is imposed.* The written notice of decision to the student will include the basis for the decision, a timeframe for when the student must leave the University and when the student may be eligible to return to the University, any conditions and/or requirements the student will need to satisfy to be eligible for return, information on requesting reasonable accommodations from the Office of Disability Services, and information on how to appeal the decision. The length of the leave will be determined on an individual basis.
- c. *If an involuntary leave of absence is not imposed.* The written notice of decision to the student will include any conditions and/or requirements under which the student is allowed to remain at the University, information on requesting reasonable accommodations from the Office of Disability Services, and information on how to appeal the decision, where appropriate.
- d. As part of the involuntary leave of absence process and individualized assessment, the Dean of Students may create an individualized plan to support the student's current or future participation in campus life and academic courses, depending on whether an involuntary leave is imposed or not. This individualized plan will focus on addressing the reasons the University considered or imposed an involuntary leave of absence, with the goal of creating a plan to prepare the student for engaging with the campus community safely and with a reasonable likelihood of success. The plan may also include information on resources available to students, including through the Office of Disability Services and UHP Counseling and Psychological Services, among others. Failure to adhere to the individualized plan may impact the student's continued or future enrollment on campus.

400.30 Implications of an Involuntary Leave of Absence

A student placed on an involuntary leave of absence must leave the University within the timeframe set forth by the Dean of Students in the written notice. The leave will remain in effect until: (1) it is determined after an individualized assessment that the student is able to safely return to the University with or without reasonable accommodations; and (2) the student has complied with any University requirements applicable to all students returning from a leave and any conditions mandated by the Dean of Students in the notice of decision.

The following also apply to students on involuntary leave:

- Students on a leave of absence generally retain their admitted student status; however, they are not registered and therefore do not have the rights and privileges of registered students.
- Unless expressly permitted by the Dean of Students in writing, students on an involuntary leave of absence have the same access to campus as members of the general public but do not have the rights and privileges of a student.
- Students on a leave of absence will have no grades listed on their transcript for that semester.
- The student's CatCard must be returned to the Dean of Students Office.
- The student may be required to vacate University housing.
- The student must discuss their Financial Aid status with the Office of Financial Aid Services. Students should be aware the University may not be able to offer the same financial aid or support upon their return that they were provided upon their admittance.
- International students placed on an involuntary leave of absence must speak with the Office of International Programs regarding their visa status.
- Veteran students placed on an involuntary leave of absence must speak with the Veteran Support Center regarding their VA Educational Benefits.

500.00 RETURNING FROM A VOLUNTARY OR INVOLUNTARY LEAVE OF ABSENCE

The following procedure shall apply to requests from students to return to the University following a voluntary medical leave of absence or an involuntary leave of absence:

1. Students requesting to return to the University following a leave of absence shall do the following:
 - a. Contact the Dean of Students or Dean of the Graduate School (whichever is applicable), to notify them of their intent to return to the University at least thirty (30) days prior to the start of the semester in which they intend to return.
 - b. Complete the University Intent to Register form available

at <https://www.montana.edu/registrar/Returning.html>.

- c. Submit to the Dean a statement that provides: 1) the reason for their leave of absence; 2) a brief explanation of steps the student took to address the reason for their leave of absence; and 3) the student's plan to help ensure their ability to function successfully and safely in their role as a student upon their return.
2. Upon receipt of the notice and documentation from the student requesting to return, the University shall evaluate whether the student should be permitted to return to the University. As part of its assessment, the University may, at its discretion, request that the student complete a Medical Leave of Absence Return form to provide additional information on which the University can base its decision about whether the student is able to function successfully and safely in their role as a student upon their return. The Dean will notify the student if they are requested to complete the Medical Leave of Absence form. Information included on the Medical Leave of Absence form may be reviewed by a University health official at either UHP Counseling and Psychological Services for mental health concerns, or UHP Medical Services for physical health concerns, when requested by the Dean for consultation purposes.
3. Following any consultations and based on a review of the relevant documentation and information available, the Dean shall provide the student with a written decision indicating whether the return has been approved, approved with conditions, or denied. The written decision shall include: 1) the basis for the decision; 2) any conditions for the student's return; 3) information on requesting reasonable accommodations from the Office of Disability Services; 4) a timeline for when the student may be eligible to return, if applicable; and 5) information on the Appeal Process outlined herein. The notice shall also notify returning students that they will need to work with the Financial Aid Office to determine whether they are eligible for any financial aid or support. Students should be aware that the University may not be able to offer the same financial aid or support upon their return that they were provided upon admittance.

600.00 RETROACTIVE WITHDRAWALS

A retroactive University withdrawal may be an option for students who were unable to complete a standard withdrawal through the Office of the Registrar or the Graduate School (if applicable), or who were unable to submit a timely leave of absence request in accordance with the above policy during the semester of their departure from the University. A retroactive University withdrawal is an extraordinary remedy that is available only for the reasons set forth below. Students who leave the campus without completing a leave of absence request or who fail to withdraw may apply for a retroactive university withdrawal only if they can provide evidence of the following:

1. The student experienced a mental or physical illness, injury, or other extraordinary circumstance that significantly limited their capacity to withdraw or request a leave of absence in a timely manner; or
2. The student was forced to leave the University abruptly due to a health or safety emergency within their immediate family, including an individual whose close

association with the student is the equivalent of a family relationship, or some other type of extenuating circumstance.

600.10 How to Apply For a Retroactive Withdrawal

To apply for a retroactive University withdrawal, the student must submit a written request to the Dean of Students for undergraduate students or the Dean of the Graduate School for graduate students, that includes their name, student identification number (GID), and semester for the retroactive withdrawal requested. The student must also include supporting documentation to verify claims of illness, injury, or extraordinary circumstances which precluded the student from applying for a University withdrawal during the semester of departure. If the request is due to a medical issue, the student may be requested to provide documentation from a treating medical or mental health provider. Medical or mental health documentation, if requested, must be current or correspond to the period of time under review. If a student chooses not to provide the requested documentation or to respond within the timeframe set by the Dean, the Dean may proceed with an individualized assessment based on information in the Dean's possession at the time.

The Dean may request a consultative review of the medical or mental health documentation by a University health professional at either UHP Counseling and Psychological Services for mental health concerns, or Medical Services for physical health concerns.

A decision will be rendered on the request for a retroactive withdrawal after a review of the submitted written requests and other documents provided along with consultations with appropriate administrator(s), faculty, Department Head and/or college Assistant Dean. The student will be notified in writing whether the request is granted or denied. If the request is denied, the student may appeal the decision pursuant to the Appeal Process identified herein.

700.00 APPEALS PROCESS

Students may appeal a decision to grant or deny a voluntary medical leave, retroactive withdrawal, the imposition of an involuntary leave, or the denial of a request to return to campus following a voluntary medical leave or involuntary leave pursuant to the procedure below.

700.10 Appeal From Decisions Related to Voluntary Medical Leave of Absence (Including Returns) or Retroactive Withdrawal

For undergraduate students: Within five business days of receiving the decision of the Dean of Students, the student may submit an appeal of the decision in writing to the Vice President of Student Success (VPSS). The written request for appeal must specify the particular substantive and/or procedural basis for the appeal and must be made on grounds other than general dissatisfaction with the decision of the Dean of Students. The review by the VPSS will be limited to the following considerations:

1. Is there any new information not previously available to the student that may change the outcome of the decision-making process?

2. Were there any procedural irregularities that materially affected the outcome of the matter to the detriment of the student (meaning the process outlined by policy was not followed)?
3. Was the decision supported by the information and documentation provided?

After reviewing the matter fully, the VPSS will issue a written decision affirming, modifying, reversing, or remanding the decision, along with the basis for the decision. The VPSS's decision shall be the final decision of the University.

For graduate students (degree or non-degree): Within five business days of receiving the decision of the Dean of the Graduate School, the student may submit an appeal of the decision in writing to the University Provost. The written request for appeal must specify the particular substantive and/or procedural basis for the appeal and must be made on grounds other than general dissatisfaction with the decision of the Dean of the Graduate School. The review by the Provost will be limited to the following considerations:

1. Is there any new information not previously available to the student that may change the outcome of the decision-making process?
2. Were there any procedural irregularities that materially affected the outcome of the matter to the detriment of the student (meaning the process outlined by policy was not followed)?
3. Was the decision supported by the information and documentation provided?

After reviewing the matter fully, the Provost will issue a written decision affirming, modifying, reversing, or remanding the decision, along with the basis for the decision. The Provost's decision shall be the final decision of the University.

700.20 Appeal From Decisions Related to Involuntary Leave of Absence (Including Returns)

Within five business days of receiving the decision of the Dean of Students, the graduate or undergraduate student may submit an appeal of the decision in writing to the Vice President of Student Success (VPSS). The written request for appeal must specify the particular substantive and/or procedural basis for the appeal and must be made on grounds other than general dissatisfaction with the decision of the Dean of Students. The review by the VPSS will be limited to the following considerations:

1. Is there any new information not previously available to the student that may change the outcome of the decision-making process?
2. Were there any procedural irregularities that materially affected the outcome of the matter to the detriment of the student (meaning the process outlined by policy was not followed)?
3. Was the decision supported by the information and documentation provided?

After reviewing the matter fully, the VPSS will issue a written decision affirming, modifying, reversing, or remanding the decision, along with the basis for the decision. In the case of

graduate students, the VPSS will coordinate with the Dean of the Graduate School. The VPSS's decision shall be the final decision of the University.

800.00 TUITION AND FEE REFUNDS FOR A LEAVE OF ABSENCE OR RETROACTIVE WITHDRAWAL

Students on an approved leave of absence (voluntary or involuntary) or retroactive withdrawal from the University may, at the discretion of the University, qualify for a full or partial reduction of tuition or student fees for the semester, though students may be required to repay federal financial aid previously received for the semester. Students who are granted a partial or full reduction for the semester in which they leave or retroactively withdraw may not have grades reflected on their transcripts for any courses. Considerations for approving or denying a partial or full reduction of tuition or student fees include:

1. Whether the student experienced a mental or physical illness, injury, or other extraordinary circumstance that significantly limited their capacity to function successfully or safely in their role as a student;
2. Whether the student left the University abruptly due to a health or safety emergency within their immediate family, including an individual whose close association with the student is the equivalent of a family relationship, or some other type of extenuating circumstance;
3. Prior reductions or refunds of tuition or student fees due to previous approved leaves of absence or retroactive withdrawals; and
4. Other facts and circumstances the University determines are appropriate for consideration.

[View More information on Retroactive University Withdrawals](#)