

<b>TYPE:</b>	Administrative
<b>TITLE:</b>	Student Well-being and Involuntary Withdrawal
<b>NO.:</b>	ADMIN-227
<b>RESPONSIBILITY:</b>	Chief Administrative Officer + Dean, Students
<b>APPROVED BY:</b>	Durham College Leadership Team
<b>EFFECTIVE DATE:</b>	December 2021
<b>REVISED DATE(S):</b>	
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## 1. Introduction

Durham College takes reasonable steps to ensure the safety of all members of its community and to preserve a work and learning environment free of unhealthy disruption and disturbance. This includes taking proactive measures to engage with [students](#) who are displaying behaviours that demonstrate risk.

The College's aim is to support the success and well-being of students who are struggling so they can continue to participate in College activities. If [risks](#) cannot be managed effectively, however, students may be required to withdraw from study and seek help outside the College. The College will require involuntary withdrawals only when necessary, and pursuant to the safeguards set out in this policy.

## 2. Purpose

The purpose of this [policy](#) is to ensure the well-being and safety of all members of the campus community while also ensuring a supportive and fair manner of dealing with students who are struggling and require assistance in addressing behaviours that expose the College community to endangerment or disruption.

## 3. Definitions

Refer to [Durham College's Standard Definitions](#).

## 4. Policy statements

- 4.1. The College will take all reasonable steps to ensure the well-being and safety of all members of the College community, and will favour early intervention in addressing student behaviours that demonstrate risk.
- 4.2. The College acknowledges that concerning student behaviours are often caused by complex mental health conditions and is committed to meeting its duty to [accommodate](#) under the Ontario Human Rights Code.

- 4.3. The College will engage with students on a cooperative, voluntary basis where possible and will only impose conditions and order a student to be withdrawn from study as necessary.
- 4.4. The College will strive to be well-informed and make decisions that are unbiased and based on reliable information, including reliable information from qualified medical professionals. It will collect information transparently, keep information confidential and use it only for its assessment and policy administration purposes.
- 4.5. Students have a duty to cooperate with the College, including by providing the College with consent to obtain the information it needs to make a proper assessment. Students who do not cooperate may be withdrawn from study pending cooperation.
- 4.6. Management of behaviours under this policy does not preclude College discipline, and students may be held accountable for misconduct even if they require support from the College in modifying their behaviours or addressing a [mental health](#) condition or psychiatric disability.

## 5. Procedure

### 5.1. Intake/initiation

- 5.1.1. Members of the College community should report concerning behaviours to the office of the Dean of Students. The College will maintain a web page that includes information about who to contact, what behaviours are of concern to the College and where students who are struggling with mental health conditions can receive help.
- 5.1.2. The Dean of Students or a delegate will seek clarification from the person making the report as required and decide whether the report warrants provisional assessment.
- 5.1.3. If the report does not warrant provisional assessment, the Dean of Students will keep a record of the report and its resolution. Resolution may involve advising the student of the report, identifying potential sources of support and recommending that the student seek help.

### 5.2. Provisional assessment

- 5.2.1. If the Dean of Students decides that the report warrants provisional assessment, they shall gather readily available information from non-clinical College staff and share it with the Director, Office Campus Safety (OCS) or a delegate, the Director, Campus Health and Wellness Centre (CHWC) or delegate and Director Access and Support Centre (ASC) or delegate (the Assessment Team).
- 5.2.2. The Director, CHWC, shall not delegate the Assessment Team duties to any clinician who is engaged in the provision of confidential services to the affected student.

- 5.2.3. The Assessment Team will assess the risks and determine if formal engagement with the student is warranted.
- 5.2.4. Formal engagement is warranted when the Assessment Team is concerned that there is significant risk that the student will fail to participate effectively in academics and in the College community without endangering others or themselves and without disrupting College operations.
- 5.2.5. If the Assessment Team decides that engaging with the student is not warranted, the Dean of Students will keep a record of the report and its resolution. Resolution may involve advising the student of the report, identifying potential sources of support and recommending that the student seek help.

### 5.3. Formal student engagement

- 5.3.1. To initiate formal engagement, the Dean of Students will send a written notice to the student that:
  - Sets out the behaviours of concern;
  - Requests cooperation and explains what may happen if the student does not cooperate;
  - Directs the student to comply with any restrictions or conditions that the Dean and Director(s) deem necessary pending completion of the assessment procedure; and
  - Invites the student to contact a Case Manager who is available to help the student navigate its procedure

### 5.4. Assessment procedure and decision

- 5.4.1. After engaging with the student, the Assessment Team may gather additional information and take related steps to better understand the risk and how the College may best manage the risk and provide help to the student. This may entail inviting others from the College who know the student and/or the applicable success factors to join the Assessment Team on an ad hoc basis. It may also entail enlisting the services of outside medical or threat assessment experts.
- 5.4.2. The Assessment Team will gather and assess information only as it deems necessary for its purposes. It will do so expeditiously and transparently, and will obtain the student's express consent to gather any medical evidence from their health care provider or providers. It will make the full membership of the Assessment Team and any expert involvement known to the student.

5.4.3. Following the gathering of necessary information, the Assessment Team will decide:

- Whether there is a significant risk that the student will fail to participate effectively in academics and in the College community without endangering others or themselves and without disrupting college operations; and
- Whether the implementation of a success plan with certain elements would render the risk acceptable.

5.4.4. Prior to making this decision, the Assessment Team will meet with the student (together with the Case Manager and/or a personal support person, if desired) to address the information known to the Assessment Team and the Assessment Team's pending decision.

5.4.5. There are three potential outcomes:

- Recommendation only – If the Assessment Team decides that the risk is not significant, it will not impose a success plan but may identify potential sources of support and recommend that the student seek help.
- Success plan or voluntary withdrawal – If Assessment Team decides that the risk is significant but can be managed with a success plan, it will require participation in a success plan. If the student does not wish to participate in the success plan, they may voluntarily withdraw for a minimum six-month period.
- Involuntary withdrawal – If the Assessment Team decides that the risk is significant and cannot be managed with a success plan, it will require the student to withdraw from study and establish conditions for re-enrolment. It will do so by providing a written notice of involuntary withdrawal. The Assessment Team will require involuntary withdrawals sparingly, only when necessary.

## 5.5. Management

5.5.1. The Case Manager will work with the student, the Dean of Students and Assessment Team in implementing success plans, including by monitoring their effectiveness. The Dean of Students may adjust a success plan as required and may terminate a success plan if it is no longer required. If a success plan is not effective in addressing the risk, the Dean of Students may re-constitute an Assessment Team so it can meet with the student and make a decision about how to proceed, including about whether to require an involuntary [withdrawal](#).

5.5.2. Students who withdraw (whether voluntarily or involuntarily) may not re-enrol without an Assessment Team's approval. Return following an involuntary withdrawal will be in accordance with any conditions established by the Assessment Team and set out in the notice of

withdrawal. Re-enrolment decisions will be made fairly, ordinarily after meeting with the student. If re-enrolment is denied, the Assessment Team may impose new conditions for re-enrolment, including a time limitation on a subsequent re-approval request.

- 5.5.3. The Dean of Students will keep a record that includes the initial report, the information relied upon by the Assessment Team and all correspondence with the student.

## **6. Roles and responsibilities**

- 6.1. The Dean of Students is responsible for oversight of this policy and procedure.
- 6.2. The Assessment Team is responsible for reviewing relevant documentation, providing input on student success plans (where appropriate), and when necessary, making recommendations for student withdrawal and/or conditions for re-entry.
- 6.3. The Case Manager is responsible for working with the student, the Dean of Students and the Assessment Team in implementing and monitoring the effectiveness of success plans.
- 6.4. Students are responsible for co-operating with the College, including by providing the College with consent to obtain the information it needs to make a proper assessment and availing themselves to the supports offered through the success plans.

## **7. Accessibility for Ontarians with Disabilities Act considerations**

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

## **8. Non-compliance implications**

Failure to properly report or act on student well-being issues may place members of the College community at risk and could result in damage to an external or internal member of the campus community and to the College through financial or reputational loss.

## **9. Related forms, legislation or external resources**

- Accessibility for Ontarians with Disabilities Act
- Freedom of Information and Protection of Privacy Act
- Ontario Human Rights Code
- Personal Health Information Protection Act
- Workplace Safety and Insurance Act