

NOTICE OF NEW REGULATION

May 16, 2008

REGULATION TITLE:

Administrative Withdrawal

REGULATION NO.:

FGCU-PR4.003

SUMMARY:

Policy for Administrative Withdrawal of an enrolled student which poses an imminent threat to themselves or to others in the University Community.

FULL TEXT:

The full text of the regulation being proposed is attached and can also be found at <http://www.fgcu.edu/generalcounsel/promulgation.asp>

LAW IMPLEMENTED:

Section 1006.62, Florida Statutes

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Vice President for Student Affairs

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:

Vice President for Student Affairs

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:

Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; (239) 590-1101 (Phone), (239) 590-7470 (Facsimile); 10501 FGCU Blvd. South, Fort Myers, FL 33965-6565

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE JUNE 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: MAY 16, 2008.

FGCU-PR4.003 Administrative Withdrawal Regulation

1. A student who poses a significant danger of imminent or serious physical threat to harm themselves or others at the University may be administratively withdrawn from attendance at the University by the Vice President for Student Affairs or designee upon appropriate notification and consultation with the Director of the Student Health Services Center, the Director of the University Counseling Center and the Dean of Students or their respective designees.
2. Prior to administrative withdrawal, a student shall be furnished:
 - a. Notice of intent to withdraw the student from the University stating the reasons for the action;
 - b. An advisor of the student's choice, or, if the student is unable to make that choice, an advisor will be designated by the Dean of Students;
 - c. An opportunity to present relevant information for consideration of his/her case personally or by representation;
 - d. The opportunity to have an advisor present at all proceedings.
3. If at any time the Vice President for Student Affairs or designee determines, upon a review of all available information and surrounding circumstances, that based on a preponderance of the evidence presented, any student's condition presents a significant danger of imminent or serious physical threat to harm himself/herself or others, the student will be subject to a temporary withdrawal, pending a further determination. A student subject to such withdrawal shall be offered an opportunity to meet with the Vice President for Student Affairs or designee, immediately prior thereto, to discuss the matter and shall be offered the opportunity to provide credible documentation from an appropriate licensed healthcare provider who has conducted a reasonable assessment of the student and concluded that the student does not pose a significant risk of imminent or serious physical threat to harm himself/herself or others
4. A student subject to administrative withdrawal will be asked to meet certain conditions applicable to the reason for this action as a condition for eligibility to be re-enrolled for subsequent semesters or to continue in the current semester.
5. A student subject to administrative withdrawal will be refunded the tuition and fees and will be entitled to whatever refund of room and board charges that would be appropriate given the timing of the withdrawal.
6. A student subject to administrative withdrawal shall be withdrawn without academic penalty in all registered classes. The Division of Student Affairs may generate an appeal for any refund that would be appropriate on behalf of the student.
7. Students who are administratively withdrawn from the University shall have a hold placed on their records, which will prevent them from being readmitted or reenrolled

in the institution unless cleared by the Vice President for Student Affairs or designee as stated in paragraph 9.

8. A student subject to administrative withdrawal may appeal the decision of the Vice President for Student Affairs within three (3) working days of the written decision of the Vice President for Student Affairs. If the student appeals under this regulation, a panel comprised of three (3) faculty and staff will be convened by the Vice President for Student Affairs within two (2) working days to review the decision and affirm, modify or overturn the decision of the Vice President for Student Affairs. The decision of the panel is final and is not subject to further appeal.

9. Applications or petitions for readmission by students subject to administrative withdrawal shall be considered and evaluated to determine if any conditions precedent to re-enrollment have been satisfactorily met. The Vice President for Student Affairs or designee will make this determination upon appropriate consultation with the Director of the Student Health Center, the Director of the University Counseling Center and the Dean of Students or their respective designees.

Action by Florida Gulf Coast University Board of Trustees:

Approved: June 17, 2008

Specific Authority:

§1006.62 F.S.

Law Implemented:

§1006.62 F.S.

History of Regulation:

New 06-17-08

Effective Date of Regulation:

June 17, 2008