

# MEDICAL LEAVE OF ABSENCE

## Student Leaves of Absence Policy - Voluntary or Involuntary

### Voluntary Medical Leave of Absence (MLOA)

The purpose of a voluntary medical leave of absence (MLOA) is to provide a student with time away from Aurora University for treatment of a physical or mental health condition that impairs a student's ability to function successfully or safely as a member of the University community. The authority to grant an MLOA and permission to return from an MLOA resides with the Dean of Students, or their designee. This policy applies to all undergraduate and graduate students.

Aurora University has designed this policy to ensure that students are given the individualized consideration and support necessary to address their particular circumstances. This policy is designed to provide for a flexible and individualized process to facilitate student requests for MLOA, with the goal of having students return to the University and successfully complete their studies.

This policy is intended for the benefit of students who experience unanticipated medical situations during an academic semester. Students who wish to Withdraw or take a non-medical Leave of Absence can do so by completing a Leave of Absence/Withdrawal Form via the Self-Service portal. Questions about withdrawing or taking a non-medical Leave of Absence can be directed to the Crouse Center for Academic Advising or the Office of the Registrar.

### MLOA Approval Process

A student who is experiencing physical or mental health issues that are interfering with his or her academic course work and/or ability to participate in campus life may request MLOA by following the process outlined below.

1. **Initial Discussion of Potential Accommodations or Leave.** A student experiencing physical or mental health issues that are interfering with his or her academic course work and/or ability to participate in campus life should feel free to contact Health Services, Counseling Services, Disability Resource Office, or the Dean of Students to explore whether an MLOA is appropriate. Depending upon the circumstances, the University and student may discuss whether reasonable accommodations, modifications, or academic adjustments are available that may permit the student to continue his or her studies without the need to take MLOA.
2. **Request for Medical Leave of Absence.** If, after completing the preliminary process above, the student is interested in pursuing a Medical Leave of Absence, the student should fill out and submit to the Dean of Students a **Request for Medical Leave of Absence** form, with appropriate documentation from a licensed physician or mental health professional regarding the student's need to take a medical leave. At the student's request, the University will assist the student in obtaining the necessary MLOA Request form, completing it, and contacting different University representatives and offices (such as Health Services or Counseling Services) who may have useful information or be able to provide documentation that assists in preparation of the Request.
3. **Determination.** As soon as possible after receiving the Request and documentation, the Dean of Students or their designee will notify the student in writing of the determination. Upon approving a request for a medical leave, the student will also be informed of the status

of the student's current coursework and withdrawal from classes.

If the student begins such a leave during a semester, the student will generally be assigned "withdrawal" grades without academic penalty for all pending classes (even if the normal deadline for withdrawal has passed). Where a student has made significant academic progress in an enrolled course or courses, however, the student has the option of requesting an "incomplete" in lieu of withdrawal. The determination whether to allow an "incomplete" in these circumstances will be made by the Dean of Students in consultation with the Chief Academic Officer or designee. On-campus residents beginning MLOAs will normally be expected to vacate the residence hall within 48 hours of the granting of a request for MLOA; the University will assist the student in making such arrangements. Tuition and room charges for a student taking MLOA will be reviewed the appropriate departments and adjustments will be made to the student's account to provide the student with the greatest benefit financially.

4. **Timing of Determination.** The Dean of Students will act as quickly as possible in deciding whether to grant a Request for MLOA, so that any student experiencing difficulties due to a medical or mental health condition may promptly begin his or her requested leave and obtain the support he or she needs.
5. **Timing of Request for MLOA.** To obtain an MLOA for the current semester, students are encouraged to request an MLOA and complete a **Request for Medical Leave of Absence** form on or before the final day of classes. However, the University may, in its discretion, grant a retroactive MLOA.

### Involuntary Leave of Absence Purpose and Scope of Policy

It is the policy of Aurora University to foster a campus environment that is conducive to learning, promotes the University's educational purposes, maintains reasonable order, and protects the rights and safety of all members of the University community. In extraordinary circumstances the University may place a student on an involuntary leave of absence or take other appropriate action, including disciplinary action, for reasons of personal or community safety, subject to the procedure outlined below. This policy applies to all University students and to all University locations, programs, and activities. In addition to utilizing this policy, the University also reserves the right to take action under the University's disciplinary procedures. This policy does not preclude the University from exercising its discretion to remove or dismiss a student from the University, its programs or activities, or University-owned facilities as a result of the violation of other Aurora University policies, procedures, rules, or regulations. Students with medical or mental health conditions are subject to the same conduct requirements applicable to all Aurora University students and may be subject to appropriate discipline, including removal from the University.

### Policy

A student may be required to take an involuntary leave of absence from Aurora University and/or be involuntarily removed from the University's programs, activities, or facilities if the University determines that, for any reason, (a) the student presents a danger to the fulfillment of the mission of the University or to the life, health, welfare, safety, or property of any member of the University community or other person; or (b) the student's conduct renders him or her unable (i) to function safely or effectively in the University's programs, activities, or facilities without harming himself or herself, harming one or more other individuals, causing a disruption, or (ii) to be helped by mental or physical medical treatment.

Such circumstances may include, but are not necessarily limited to, engaging in physical or sexual violence, activity involving illegal drugs or

other controlled substances, disruptive conduct, conduct that threatens the safety of others, or conduct that demonstrates an inability to care for oneself.

The procedure outlined below will be initiated (i) only after reasonable attempts to secure a student's voluntary cooperation for a leave of absence have been pursued; or (ii) if a student refuses to agree to, or does not adhere to reasonable conditions established for, the student's return or reinstatement to the University, continued presence on campus, or continued presence in University housing or other University program or activity.

### Procedure

The Dean of Students or designee may be alerted to a student's concerning or troubling conduct from a variety of sources on campus and may take action accordingly. If the Dean of Students deems it appropriate, this procedure may be initiated, subject to any modifications that the University deems appropriate in its discretion. Any pending disciplinary proceedings will usually be suspended pending a meeting with the student and evaluation of the student under this procedure, but this is a matter reserved to the University's discretion.

1. **Information gathering.** Upon initiation of this procedure, the Dean of Students will consult on a confidential basis with others in the campus community who have knowledge regarding the student's conduct and circumstances and other appropriate persons with knowledge about the student's condition and circumstances (e.g., parents, healthcare providers) to determine whether the student is able to comply with this policy.
2. **Initial meeting with student/possible voluntary leave.** If practicable under the circumstances, the Dean of Students will schedule a meeting with the student as part of the information gathering process. The student may be accompanied by a non-attorney advisor. At any time, the Dean of Students may discuss with the student whether the student wishes to take a voluntary leave (i.e. medical leave of absence, leave of absence or withdrawal) and may also attach appropriate reinstatement conditions to the granting of any such leave, to the extent such conditions are deemed necessary or appropriate for purposes of adhering to the conduct standards set forth in this policy.
3. **Individualized assessment.** Any determination that a student's conduct is inconsistent with the standards set forth in this policy shall be based on an individualized assessment. This assessment shall be based upon the best available objective evidence, which may include available medical information.
4. **Interim involuntary leave.** If the University concludes that a student presents an immediate danger (a) to the fulfillment of the mission of the University or to the life, health, welfare, safety, or property of any member of the University community or other person, or (b) demonstrates a serious inability to function safely or effectively in the University's programs, activities, or facilities without an immediate risk of harming himself or herself or others, the Dean of Students may withdraw the student or restrict the student's access to classes and/or campus for an interim period before a final determination is made.
5. **Considering an involuntary leave.** If the review process outlined above does not (a) result in the student's decision to take a voluntary leave or (b) the Dean of Student's determination that no further proceedings are warranted, the Dean of Students shall then determine whether, under all of the individual circumstances of the case, the University wishes to consider an involuntary leave of absence (or other non-interim involuntary action). If the Dean of Students determines that the matter should be handled as an involuntary leave of absence

(or other non-interim involuntary action), the Dean of Students shall proceed to make a final determination as follows.

6. **Final determination.** In making a final determination, the Dean of Students will consider any information obtained during the preliminary review, as well as any other information that the student submits or that the Dean of Students deems relevant. The Dean of Students will also afford the student, who may be accompanied by a non-attorney advisor, an opportunity to be heard to the extent that such a meeting is possible. The Dean of Students may also consult with other University representatives and appropriate health care providers on a confidential basis in making an individualized judgment based upon all of the facts and circumstances.
7. **Possible evaluation.** As part of this final determination, the Dean of Students may require the student to schedule an evaluation by a qualified, licensed medical and/or mental health professional within and/or outside the University, with the student responsible for any costs of such evaluation and with the results of that evaluation to be shared with the Dean of Students, the student, as well as with Director of Health Services and/or Director of Counseling Services, as applicable. The University maintains a list of local treatment providers with experience in conducting these evaluations and will provide the list to the student as a resource. The Dean of Students shall consider the results of this evaluation and other information collected in making a final determination.
8. **Communicating the final decision.** Any decision by the Dean of Students to require an involuntary leave of absence (or other non-interim involuntary action) shall be communicated to the student in writing as soon as possible after the decision is rendered. The student has a right to be informed of the pertinent information upon which the decision is based, as well as the contemplated length of the leave, which will be determined on a case-by-case basis. The conditions under which a student may return to or seek readmission at the University will also be determined on a case-by-case basis and be specified in writing at or near the time that the decision is issued.
9. **Appeal.** Students have the right to appeal the Dean of Students' decision in an involuntary leave situation. Any student appeal should be made in writing to the Senior Vice President for Student Success within seven (7) days of the student's receipt of the written decision from the Dean of Students. The grounds for appeal should be set forth in writing. The student may submit supporting documentation or other information in support of the appeal. The Senior Vice President for Student Success will decide the appeal as soon as is practicable and will issue a written decision regarding the appeal. That decision shall be final.

### Reinstatement after a Leave of Absence

A student on an approved MLOA or Involuntary Leave of Absence must be reinstated by the Dean of Students before the student may register for classes and resume coursework at Aurora University. Until such time as the student is reinstated, a student on an approved MLOA or Involuntary Leave of Absence retains his or her student status with the University per the following stipulations:

- Students on an approved MLOA or Involuntary Leave of Absence for no more than two consecutive semesters (excluding summer) will generally be allowed to return under the catalog that was in effect when they were last enrolled as long as this does not result in an obligation on the part of the university to provide coursework or programs that have been altered or discontinued in the interim.
- Students on an approved MLOA or Involuntary Leave of Absence for more than two consecutive semesters (excluding summer) will

be required to return under the catalog in effect at the time of their return.

- For students who begin an approved MLOA or Involuntary Leave of Absence before the end of the second week of the semester, the counting of consecutive semesters will begin with the current semester. For students who begin a MLOA after the end of the second week of the semester, the counting of consecutive semesters will begin with the next semester (excluding summer).
- For students on an approved MLOA or Involuntary Leave of Absence who have existing approved incomplete/deferred grades, the original deadline for completion of work for an X or I grade will be maintained unless an extension is approved by the Office of Academic Affairs before or at the time of the approval of the MLOA. Alternatively, the existing X or I grade may also be converted to a W grade if approved by the Dean of Students in consultation with Academic Affairs.

When a student is interested in returning to the University following an approved MLOA or Involuntary Leave of Absence, the student should take the following steps to initiate the reinstatement process.

1. Contact the Dean of Students. The student should first contact the Dean of Students (for reinstatement from an MLOA or for reinstatement from an Involuntary Leave of Absence) to communicate the student's interest in returning to the University, as far in advance of the desired return date as is reasonably possible. The student must complete and submit to Dean of Students a Reinstatement Form (and housing application, if applicable). The University requests that students submit any request for reinstatement and any supporting materials by July 15 for consideration for the Fall Semester and by December 1 for the Spring Semester. Summer courses may continue dependent on medical recommendation. This schedule will help ensure that the Dean of Students have adequate time to review the student's request for reinstatement and make a determination. If materials are received shortly after the applicable deadline, if information is missing, or if the University needs additional time to process the student's request, the University may elect to treat the request as one to return for the following semester rather than the semester originally identified by the student. However, the University will make every effort to be flexible and attempt to honor a student's request to return for the desired semester.
2. Information Requested by Health Services and/or Counseling Services. Depending upon the circumstances underlying the student's original MLOA or Involuntary Leave of Absence, and pursuant to the Dean of Students' discretion, Health Services and/or Counseling Services may be consulted in evaluating a request to return. The University will determine on a case-by-case basis what information, if any, Health Services and/or Counseling Services may require to assess a student's readiness to return following a leave of absence. Depending upon the nature and individual circumstances surrounding a particular student's leave of absence, the University may require information demonstrating that the student has the capability to handle day-to-day functioning in the University academic and living environment, with or without reasonable accommodations. Any decision whether to require this information will be made on an individualized basis and will be conveyed to the student, to the greatest extent possible, at the time the student is placed on Leave. There are many ways in which a student might be able to demonstrate his or her readiness to handle day-to-day functioning, including but not limited to information from medical providers or documentation from a reliable adult (non-family member) who has had significant interaction with the student during the leave

of absence. Such information, if required, (a) should include an assessment of the student's ability to successfully complete coursework, internships, or other academic requirements and to participate safely in University programs and activities; and (b) the basis for any recommendation that the student is ready to return to University.

3. Determination. The Dean of Students will evaluate the information provided by the student as well as any information provided by Health Services and/or Counseling Services and make a determination whether the student may return to the University. Reinstatement is based on the student's readiness to manage a full-time course load (minimum of 12 credits for undergraduates; minimum of 6 credits for graduate students) or a comparable course load to the load that the student managed prior to his or her leave. The student will be notified in writing of the determination. Factors the Dean of Students will typically consider include but are not necessarily limited to:
  - a. Evaluation and recommendation by the student's treatment provider, Health Services, and/or Counseling Services;
  - b. The student's demonstrated ability to engage in productive and realistic academic planning;
  - c. The student's ability to participate safely and independently in the University's programs and activities;
  - d. The student's personal statement included on the Reinstatement Form;
  - e. Any coursework completed or employment during the MLOA or Involuntary Leave of Absence; and
  - f. Any other factors that the Dean of Students deems relevant under the student's particular circumstances.

*Negative Recommendation.* If, upon review, Health Services and/or Counseling Services submits a recommendation to the Dean of Students that a student is not ready for return, or if the Dean of Students otherwise concludes that the student is not ready to return, the student will be advised of this negative determination in writing, at which time the University will also explain the concerns underlying the negative determination and, as appropriate, set forth recommendations that will enhance the student's chance of a positive determination the next time the student's request is considered. A student may appeal a negative recommendation to the University by submitting an appeal letter in writing to the Senior Vice President for Student Success within 10 calendar days of receiving notice of the negative recommendation. The student may also submit any information he or she believes to be relevant to the appeal. The Senior Vice President for Student Success will review the student's submission and notify the student in writing of the University's final determination as to whether the student will be permitted to return as requested.

*Returning Students.* Upon reinstatement, the Dean of Students will notify appropriate campus offices of the student's return to classes and campus.