

*We had a fairly serious drug issue involving one of our students at another institution. Do you all have policies written in your "handbook" that allow for immediate eviction or removal from school (academics) before (or while) judicial proceedings get underway?*

### **Birmingham-Southern College**

We have an Administrative Action policy that allows us to respond to serious situations with removal from campus without a preliminary hearing. We would typically follow up this action with a hearing, unless the student is incarcerated, in rehab, etc. Here's the policy:

#### **ADMINISTRATIVE ACTION**

Administrative action may be taken by a College official when in his or her opinion the situation does not warrant the charging of a student with a violation before the Honor Council or Social Council or when a violation presents a situation of unusual circumstances. The President of the College may administratively suspend or dismiss a student without a hearing before the Honor Council or Social Council when he believes that it is in the best interest of the College community. This action would be taken in a situation when it is deemed to be in the best interest of the student and the College. When the situation concerns dismissal he will consult the Vice President for Student Affairs. Students who are suspended or dismissed through this process may not attend class, do not have access to the campus or to college sanctioned or sponsored events. Following Administrative Action being taken, the student may request a hearing.

### **Davidson College**

#### **A. Declaration of Emergency**

The President may declare a state of emergency in the event of disruption on the campus of an order which threatens the minimal internal security of the campus or the continuation of its normal educational processes. In doing so he or she may initially suspend these procedures in whole or in part for a period of three (3) days in his/her sole discretion. Thereafter he or she may extend the suspension for additional periods not exceeding five (5) days after consultation with the Student Conduct Council. The initial declaration and any continuations shall be publicized by all appropriate means.

#### **B. Provisional Indefinite Suspensions**

During the continuation of any such declared emergency, the President may on his/her sole initiative provisionally suspend for an indefinite period any student whose continued presence on campus is judged by him/her to constitute a specific and immediate threat to the physical well-being of other members of the College community or to the continuation of its normal educational processes. The student may, in writing, petition the Review Board to end the suspension. Such a petition may be no sooner than three (3) days after the provisional suspension was enacted. If he/she is not re-instated by the Board, he/she may only be reinstated through the normal procedures for re-admission to the College.

#### **C. Provisional Suspension or Restrictions Without a Declaration of Emergency**

The Dean of Students, without the declaration of a state of emergency by the President, may on his/her sole initiative (a) provisionally suspend, for a period not to exceed five days, any student whose continued presence on campus is judged by him/her to constitute a specific and immediate

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threat to the physical well-being of other members of the College community or to the continuation of its normal educational processes or (b) impose, for a period not to exceed five days, lesser restrictions (such as social probation, exclusion from campus except during certain hours or for certain purposes, removal from the residence hall or restrictions on access to particular buildings or part of campus); provided that the Dean may not suspend or restrict the activities of a student pursuant to these provisions unless the Dean has determined that disciplinary proceedings are reasonably likely to be initiated against the student in accordance with Part III. If disciplinary proceedings are not initiated within the period of suspension, the suspension shall terminate. If disciplinary proceedings are initiated within the period of suspension, at the discretion of the Dean, the suspension may be extended until the hearing.

### **Hendrix College**

At Hendrix we have a clause that allows us to remove a student under the following conditions:

"The Vice President for Student Affairs or Dean of Students reserves the right to remove a student from the campus or college residence prior to a formal hearing if there are concerns for the student's emotional or physical welfare or for the well-being of the College community. On occasions when such action is necessary, a hearing will be held as soon as possible. Customarily, pending action taken by the College Conduct Council or pending an appeal, the status of a student and his or her right to be present on the campus or attend classes will not be altered."

We also have a clause in our college catalog that says:

"Under certain circumstances, the College may require a student to take a medical leave of absence. Such action is warranted if, in the judgment of the Provost and the Dean of Students, the student poses a threat to the lives or safety of self or others, has a medical or psychological condition that cannot be properly addressed by the College or has a medical condition or behavior that seriously interferes with his or her ability to function and/or interferes with the educational pursuits of others."

We do allow students to withdraw from the college pending serious judicial hearings but we also reserve the right to hold the hearing before that student would be allowed to return to campus. Upon re-application, we would review the student's file and progress while away from the College.

### **Southwestern University**

Southwestern University's policy in the Student Handbook:

"Interim Sanctions--In certain instances, it may be necessary for the University to impose interim sanctions, including suspension, pending a hearing. This action may be necessary when, in the sole opinion of the Dean of Students (or designee), the continued presence of the accused student may constitute a threat or disruption to the normal academic process of the University, or where the student is considered a danger to other students or to him/herself. In such cases, a hearing will be scheduled as soon as appropriate after interim sanctions commence."

### **Spelman College**

While working at Capital University in Columbus, Ohio, we developed the following policies with the assistance of some colleagues at the Association of Student Conduct Administrators (ASCA formerly ASJA):

1. Interim Suspension from the University. When imposed, the student may be temporarily separated from the University until such time as the incident is resolved before a conduct officer and until a final decision including any appeal is issued. This interim action may be imposed if there is any reason to believe that it is necessary
  - a. to ensure the safety and well-being of members of the Capital University community;
  - b. to ensure the student's own physical or emotional safety and well-being;
  - c. if the student poses a threat of disruption of or interference with the normal operations of the college; or
  - d. when a felonious act has been committed. Summary Suspension/Interim suspension may also include other losses of privilege determined to be appropriate by the Vice-President or his or her designee.

*Examples of behavior that may lead to immediate suspension are, without limitation, physical violence, sexual assault, disruption of the educational mission or civil living environment of the University, larceny, severe damage to property, and possession and distribution of controlled substances.*

We have no such policy at Spelman College, but I do have a clause that says,

*The College reserves the right to institute additional or alternative sanctions, conditions, and/or restrictions as deemed appropriate. I just recently used the following letter to suspend a student for theft-- taking a credit card and withdrawing money from the student's bank on three (3) separate occasions.*

### **Trinity University**

Pending final action of the complaint, the status of the student will not be altered nor will his/her right to be present on campus and to attend classes be suspended, except for reasons relating to his/her emotional safety and well being; for reasons relating to the safety and well-being of student, faculty, and other member of the University,; or when the continuing presence of a student poses a danger to persons or property, or poses an ongoing threat of disrupting the academic process or any activity authorized by the University. In such cases the VP for Student Affairs or designee has authority to take interim action.

In a case such as you describe this could be applicable, but may be too broad.

### **Washington and Lee University**

If a SERIOUS possible violation, we allow the student to withdraw voluntarily or I administratively withdraw under our "danger to self or others" policy - all pre-hearing.