

EDINBORO UNIVERSITY OF PENNSYLVANIA – UNIVERSITY PROCEDURE

SERIOUSLY DISRUPTIVE BEHAVIOR

OBJECTIVE:

The objective of this procedure is to provide guidelines for the management of seriously disruptive behavior. Seriously disruptive behavior includes, but is not limited to, acts involving dangerousness to self, dangerousness to others, and significant disturbance to the educational environment by virtue of its severity, scope, and/or frequency of impact. Seriously disruptive behavior causes obstruction or disruption of teaching, learning, research, administration, disciplinary procedures or other University activities. Edinboro University of Pennsylvania, however, does not and cannot assume responsibility over and above that which may be required by law for individuals having severe behavioral problems when they require unreasonable, specialized care or facilities beyond the scope of an educational institution. It is the intention of the University to preserve the well-being, safety, and security of the academic community and its students. Nothing in this policy may be interpreted to excuse the University from its legal duty to accommodate persons with disabilities.

The University's goal in responding to seriously disruptive behavior is to promote the well-being, safety and security of the student involved as well as that of others who may be affected by such student behavior. A student may be subject to interim suspension from the University, or from University housing, if no other reasonable alternatives are available that will assure individual safety and/or prevent continued disruptions. All seriously disruptive behavior that is in violation of the University Disciplinary Procedures and Student Code of Conduct will be considered a possible disciplinary matter.

A student exhibiting seriously disruptive behavior may be evaluated through Counseling and Psychological Services with the assistance of Student Health Services and/or appropriate mental health agencies and facilities as permitted by the Mental Health Procedures Act of 1976. When necessary, the student will be referred to an appropriate treatment facility. Reasonable and appropriate follow-up assistance with physical and mental health care and academic support will be made available to the student.

Students may be subject to interim suspension from the University, and/or removal or restriction from University housing, for seriously disruptive behavior if it is determined that they:

- a) engage, or threaten to engage, in behavior which poses a danger of causing significant physical and/or psychological harm to themselves or others.
- b) engage, or threaten to engage, in behavior which would cause significant property damage, or directly and substantially and without privilege to do so, impede the lawful activities of others.

Nothing in this procedure, or any other procedure, is intended to create or support a cause of action that would not otherwise exist under applicable law.

The University Police should be contacted immediately for any non-student whose behavior is seriously disruptive or brings cause or concern as to their own personal well-being or the well-being of others. Those persons will be dealt with in accordance with applicable law, with proper referrals given to the proper social service agencies.

PROCESS

A. Danger to Self

1. When a student threatens to engage in behavior which poses a clear and present danger of causing substantial economic, psychological or physical harm, University personnel should contact the University Police immediately and may contact Counseling and Psychological Services during regular office hours or Student Health Services after hours to arrange for a prompt evaluation of the student. Student Health Services will contact Counseling and Psychological Services faculty or other appropriate agencies and mental health professionals, as necessary. University personnel making the referral should stay with the student to attempt to avoid the occurrence of injury without assuming risk to self. The Dean of Student Life should also be notified as soon as practicable.
2. When a student engages in behavior which causes or may cause a clear and present danger of physical harm (e.g. suicide attempt), first referral will be made to the University Police and/or the appropriate medical facility including, but not limited to, Student Health Services. The Dean of Student Life should also be notified. If necessary and when medically appropriate, a mental health evaluation may be arranged by contacting Counseling and Psychological Services during regular office hours or Student Health Services after hours. Student Health Services will contact Counseling and Psychological Services faculty or other appropriate agencies and mental health professionals, as necessary.

B. Danger to Others

When a student engages, or threatens to engage, in behavior which poses a clear and present danger of causing substantial economic, psychological, or physical harm to others, the University Police should be contacted immediately. The Dean of Student Life should also be notified as soon as practicable. If necessary, a mental health evaluation may be arranged by contacting Counseling and Psychological Services during regular office hours or Student Health Services after hours. Student Health Services will contact Counseling and Psychological Services faculty or other appropriate agencies and mental health professionals, as necessary.

C. Disruption

When a student engages, or threatens to engage, in behavior which would cause economic or property damage, significantly harm or directly and substantially impede the lawful activities of others, or significantly interfere with the academic process, the University Police should be contacted immediately and the Dean of Student Life should be notified. If necessary, a mental health evaluation may be

arranged by contacting Counseling and Psychological Services during regular office hours or Student Health Services after hours. Student Health Services will contact Counseling and Psychological Services faculty or other appropriate agencies and mental health professionals, as necessary.

D. Limits of Confidentiality

The Edinboro University policy, "Confidentiality and Privacy of Student Records," will be followed. In the case of a student who is under 18 years of age and is a dependent, an attempt will be made to notify the parent(s) or other person(s) designated as contacts in the case of an emergency, with or without the consent of the student.

In the case of a student who is 18 years of age or older, parent(s) or other person(s) Designated as contacts in the case of emergency will not be informed as a standard procedure unless release of such information is warranted for the protection of the health or safety of the student. It should be recommended that the parent(s) or the designated emergency contact(s) be notified by the student. The decision to notify when the student does not concur will be made by the Dean of Student Life or designee.

E. Support Services

Following seriously disruptive behavior, a student should be informed of the availability of services offered by Counseling and Psychological Services and referral offered. A staff member of the Counseling and Psychological Services office will provide assistance in coordinating support services which might benefit the student.

F. Incident Report

Following each seriously disruptive behavior occurrence and within 24 hours of the incident, a written report should be submitted to the Dean of Student Life by each and every office or department whose personnel responded to the incident.

G. Disciplinary Violations

1. A student accused of violating the Student Code of Conduct may be administratively withdrawn in accordance with the policy if, after a hearing, it is determined the student:
 - (a) lacks the capacity to respond to pending disciplinary charges, or
 - (b) did not know the nature or wrongfulness of the conduct at the time of the offense, when the nature or wrongfulness of the conduct would have been understood by an ordinary college student.
2. If a student is administratively withdrawn under paragraph 1 above, all records shall reflect that there was an administrative withdrawal. Administrative withdrawal differs from expulsion in that students who are administratively

withdrawn may gather evidence concerning their rehabilitation and petition for reinstatement with a showing of rehabilitation. The Dean of Student Life will review all evidence to determine if the reinstatement is approved. Such evidence will ordinarily include information from competent professionals.

3. Students subject to disciplinary charges who wish to introduce relevant evidence of any mental disorder may so inform the Office of Student Judicial Affairs prior to or during any disciplinary hearing.
4. The Dean of Student Life may refer a student, at his/her own expense, for evaluation by an independent licensed psychiatrist or psychologist if the Dean of Student Life reasonably believes that the student may meet the criteria set forth in Section G (1) (a) or (b), or if a student subject to disciplinary charges wishes to introduce relevant evidence of any mental disorder.

Supersedes Policy No. A046, Dated 1/13/93 and 9/29/89

Procedure

Number: P011

Approved by: Frank G. Pogue, President

Effective Date: October 15, 2006

Review Date: As Required