

# Student-at-Risk Protocol

## Preamble

This Student-at-Risk Protocol is an appendix to the Student Code of Conduct. Brock University has the right to address the conduct of a Student-at-Risk in order to protect that student and other members of the University community from a threat posed by their conduct. The University will endeavour to balance the rights of the Student-at-Risk and the rights of other members of the University community. This Protocol is not intended to be punitive in nature, although exceptional circumstances may require action that could be deemed to be unfavourable.

The rights of students with disabilities and mental health concerns must be respected when addressing the conduct of a Student-at-Risk. The University acknowledges that it has a duty to accommodate in accordance with the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. The University will consider an accommodation appropriate if it respects the dignity of the individual with a disability, meets individual needs, best promotes integration and full participation, and ensures confidentiality. The student has a responsibility to participate in the accommodation by providing relevant information regarding the functional limitations of their condition in order to facilitate the accommodation process in compliance with Provincial and Federal legislation.

This Protocol aims to provide transparency toward Brock University's response to Student-at-Risk, however, as part of an ongoing commitment to maintain obligations under the Freedom of Information and Protection of Privacy Act, certain information will be kept strictly confidential.

## Purpose

This Protocol intends to a) identify vulnerable students in order to promote academic success and well-being, and prevent and respond to possible incidences of violence or self-harm; and b) assess the level of risk identified students pose to themselves and the Brock University Community.

## Scope

This Protocol applies to the at-risk behaviour of Students whether occurring on-campus, off-campus, or online.

Every member of the Brock University community has a responsibility to take action in accordance with this Protocol if they observe a Student-at-Risk.

## Definitions

**Brock University Community Member:** all persons who have a direct relationship with or to the University. Brock University Community Members are employees, faculty members, students, volunteers, and members of the Board of Trustees.

**Brock University Students:** means a person who is actively registered in an approved program of study or courses normally leading to an approved program of study. This includes individuals who are between sessions but are entitled, because of student status, to use University facilities, and/or students actively registered in Brock's Intensive English Language Program.

**Involuntary Leave:** is physical removal from campus as mandated by the Student-at-Risk Case Team for a period of time specified by the Vice Provost, Teaching, Learning and Student Success.

**Involuntary Withdrawal:** is physical removal from campus as mandated by the Student-at-Risk Case Team for an indefinite period of time.

**Return to Campus Procedures:** refers to the step(s) necessary before a student may return to campus after a Voluntary or Involuntary Leave or Withdrawal.

**Student-at-Risk:** refers to any student whose physical or mental state is such that they may be or have become a threat to themselves, the physical or mental welfare of others, the educational process, or the Brock community in general.

**Student-at-Risk Case Team:** is a cross disciplinary team of Brock professionals that facilitates information transfer and to provide a coordinated response to assist students when a need is identified. See 1.1-1.4 below.

**University Appeal Board:** is comprised of members appointed for a one to three-year term by the Provost and Vice President, Academic. See the Student Code of Conduct for more information.

**Voluntary Leave:** occurs when an active student agrees to temporarily withdraw him or herself from Brock University for a specified, but short period of time due to mental or physical health conditions.

**Voluntary Withdrawal:** occurs when an active student agrees to temporarily withdraw him or herself from Brock University for an extended amount of time due to mental or physical health reasons.

# Protocol

## 1. Student-at-Risk Case Team:

1.1 A Student-at-Risk Case Team will provide a coordinated response and support to the Student-at-Risk. Responses for dealing with at-risk students may differ depending on the level of risk posed by the student, and is set out in the Procedures for responding to Student-at-Risk below.

1.2 The Student-at-Risk Case Team will meet on a regular basis as a working group on campus to develop and deliver a coordinated response to concerns associated with Student-at-Risk.

1.3 The Case Team membership may consist of the following persons or their designate:

1. Manager, Student Affairs (Chair)
2. Medical Director
3. Psychologist
4. Director, Campus Security
5. Registrar
6. Human Rights and Equity Advisor
7. Manager of Student Accessibility Services
8. Director, Residences

1.4 The Student-at-Risk Case Team may invite a Brock community member to a meeting when there is a matter that relates to their position within the University or their expertise or knowledge is required.

## 2. Reporting

2.1 If you observe or are unsure if you have observed at-risk behaviour that indicates imminent risk of harm to themselves or to any Brock University Community Member, you must make a report to Campus Security, and/or call emergency services (911) if an emergency response is required.

2.2 Unless professional obligations require otherwise, anyone that observes at-risk behaviour where there is no indication of imminent harm to the person exhibiting the behaviour or to others should make a report to Campus Security, or any member of the Student-at-Risk Case Team. If a member of the Student-at-Risk Case Team is notified of concerning behaviour, that member will contact Campus Security to initiate a report.

Members of the Residence community are to notify the appropriate Residence Life Coordinator who will initiate a report.

2.3 Students who self-identify as exhibiting at-risk behaviour or having at-risk thoughts may report to Campus Security, any member of the Student-at-Risk Case Team, or any other Brock University Community Member.

### **3. Procedures**

3.1 After receipt of a report of a Student-at-Risk, the Manager, Student Affairs will assess the risk level in consultation with the person or people that brought the matter forward (and others where appropriate). Response to the situation is based on the level of risk, as outlined below in section 4.1.

3.2 When a Student-at-Risk is identified, the Manager, Student Affairs will collaborate with the Student-at-Risk Case Team to triage the matter and develop a plan to provide support for the student.

3.3 The Student-at-Risk Case Team will meet regularly to coordinate a response to non-critical matters. When an urgent matter presents itself, the Manager, Student Affairs may call an ad hoc meeting to develop a plan to ensure to the safety of the Student-at-Risk and the Brock community.

3.4 If there is a clear and imminent danger to the student or the Brock community, members of the Student-at-Risk Case Team are empowered to take appropriate steps as outlined in section 5 of this Protocol.

### **4. Risk Assessment**

4.1 If the student's behaviour appears with a Level 1 (mild) risk, the Manager, Student Affairs will determine whether consultation with the Student-at-Risk Case Team is required and/or whether action will be taken to deal with reported behaviour. When consultation is not required, the Manager, Student Affairs will update the Student-at-Risk Case Team at its next regular meeting. All other matters will be brought to the Student-at-Risk Case Team as soon as practicable or necessary. The Student-at-Risk Case Team will assign a risk level to each case at each meeting. Risk levels range from 1 (mild) to 5 (extreme):

Level 1 Risk - Mild: Common indicators of a mild risk include, but are not limited to: disruptive or concerning behaviour or signs of distress. No risk is made or present at this level.

Level 2 Risk - Moderate: Information about the risk is vague, indirect, inconsistent, implausible, or lacks detail. Although the behaviour is more concerning, the content of the risk suggests the student is unlikely to carry it out.

Level 3 Risk - Elevated: Clear distress and disturbances may be evident and a threat has been made or is otherwise present. If the student's behaviour is assessed as a Level 3 risk, the Student-at-Risk Case Team will first determine whether Interim Measures are required to address any immediate risk to the Student-at-Risk, or the community.

Level 4 Risk - Severe: The information about a threat is consistent, plausible, or includes increasing detail of a plan (time and place etc.). The student may repeat the threat to multiple people or convince an individual that they are serious. At a level 4 risk, the Student-at-Risk Case Team will immediately convene to consider Interim Measures.

The Student-at-Risk Case Team will recommend a campus wide notification be sent by the University President if there is a grave health or safety hazard to the public, and/or if there are compelling circumstances affecting the health or safety of an individual. If the President intends to warn the Brock Community, they will first attempt to notify the student to describe the contents of the forthcoming statement.

Level 5 Risk - Extreme: The threat is consistent, plausible, or includes specific details of a plan (often with steps already taken). When a possible level 5 risk is identified, the Manager, Student Affairs will immediately schedule a meeting of the Student-at-Risk Case Team. The Student-at-Risk Case Team will normally meet within two working days to review the case and make recommendations on how to proceed.

Assessment of a level 5 risk triggers the University's duty to warn and to take action to protect the Student-at-Risk and/or others. Where the Student-at-Risk Case Team determines that a student's behaviour poses a grave health or safety hazard to the public, the Team will recommend to the University President that a notification be sent to all Brock University Community Members describing the risk in accordance with the University's obligations under privacy law. The University reserves the right to share information regarding the Student-at-Risk in order to address the immediate risk and the student's behaviour. If the President intends to warn the Brock Community, they will first attempt to notify the student to describe the contents of the forthcoming statement.

## **5. Outcomes**

5.1 It is always preferred to first explore informal and/or non-punitive provisions when a Student-at-Risk is identified. Possible actions to address at-risk behaviour include, but are not limited to:

- no further action,
- continued monitoring of the student's behaviour,
- participation in on, or off-campus counselling,
- a referral to the Student Wellness and Accessibility Centre,
- a referral to another internal or external agency,
- modification of the academic course load,

- a recommendation of Voluntary Leave until such time the student can address health issues without incurring formal consequences,
- relocation within residence,
- eviction from residence,
- suspension from residence,
- a non-contact directive,
- suspension of privileges,
- restricted movement on campus, and
- agreement and compliance with a residence behaviour contract.

5.2 When reasonable grounds exist, and less intrusive measures are unfeasible or have been exhausted, a psychiatric or psychological assessment may be requested. Failure to produce results of the evaluation that demonstrates the Student-at-Risk's fitness to remain on campus may result in an Involuntary Leave or Withdrawal from the University under sections 6.1-6.3 below. When a student is notified of a request to undergo a psychiatric or psychological assessment, they may choose a health professional of their choice which may or may not include an employee of Brock University. The student will be notified of this outcome and the rationale for this request via a face-to-face meeting with the Manager, Student Affairs. The student will be provided with a document to guide the health professional to conduct and report on the evaluation to satisfy the University's concerns. This document will be circulated to the Student-at-Risk Case Team for assessment which may include a review by an external medical advisor.

## **6. Interim Measures**

6.1 Brock University reserves the right to intervene in situations where a student's behaviour affects others use and enjoyment of University privileges and facilities. These circumstances include those where there are reasonable grounds to believe that the safety of other people is endangered, that there is a high potential of physical danger posed by the student's continued presence, that significant damage to University property is likely, or that the continued presence of the student would be disruptive to the Brock community.

The Manager, Student Affairs may apply a temporary Brock University trespass/suspension notice and the Director of Residences (or designate) may apply a temporary residence trespass notice, in the appropriate circumstances. Upon imposition of such temporary measures, the student will be excluded from campus or residence immediately for as long as reasonably required by the nature of the situation.

6.2 Other interim measures may include: restrictions on a student's movement on campus, non-association/no contact directives, suspension of student privileges, or others as necessary. The interim conditions are in no way to be construed as indicative of guilt, and shall remain in place until the allegations are disposed of under the procedures for addressing

student misconduct under the Code of Conduct, and/or this Protocol for responding to Student-at-Risk.

## **7. Responses**

The Manager, Student Affairs (or designate) will endeavor to work with students that are subject to a Leave or Withdrawal to help minimize academic and/or financial impact when possible. In cases where there is alleged misconduct under the Student Code of Conduct, the University reserves the right to pursue appropriate adjudications/outcomes either prior to the student's departure, or upon return.

### **7.1 Voluntary Leave**

Voluntary Leave occurs when a student agrees to temporarily withdraw him or herself from Brock University for a short period of time (i.e., up to two weeks) due to mental or physical health reasons. A request for Voluntary Leave requires the appropriate medical documentation and is considered by the Students-at-Risk Case Team, with recommendations made to the Vice Provost, Teaching, Learning and Student Success. Voluntary Leave may also involve conditions (as recommended by the Student-at-Risk Case Team and/or medical professionals) that must be fulfilled should the student wish to return to the University, and will be outlined in a re-enrollment questionnaire, and a return to campus procedures.

### **7.2 Voluntary Withdrawal**

Voluntary Withdrawal occurs when a student agrees to temporarily withdraw him or herself from Brock University for a longer period of time (often, one semester, or one academic year) due to mental or physical health reasons. A request for Voluntary Withdrawal requires the appropriate medical documentation as outlined in 5.2 above, and is considered by the Students-at-Risk Case Team, with recommendations made to the Vice Provost, Teaching, Learning and Student Success. Students should complete the appropriate forms from the Registrar's Office to avoid academic penalties in advance of the withdrawal, or as soon as reasonably practicable.

Voluntary Withdrawals may also involve conditions (as recommended by the Student-at-Risk Case Team and/or medical professionals) that must be fulfilled should the student wish to return to the University, and will be outlined in a re-enrollment questionnaire, and Return to Campus Procedures will be presented.

### **7.3 Involuntary Leave**

Prior to the Student-at-Risk Case Team arriving at a recommendation for Involuntary Leave, the Manager, Student Affairs will endeavor to meet with the student to obtain relevant

information from the student's perspective. This information will be presented to the Student-at-Risk Case Team before it makes its recommendation regarding Involuntary Leave.

If the Student-at-Risk Case Team recommends Involuntary Leave to the Vice Provost, Teaching, Learning and Student Success, the student will receive notice that his/her case has been referred for decision under this Protocol and the reasons why this recommendation was made. The student will be afforded an opportunity to present his/her views on the matter to the Vice Provost, Teaching, Learning and Student Success prior to the final decision.

If the Vice Provost, Teaching, Learning and Student Success accepts the Involuntary Leave recommendation, the student will not be permitted on campus until a finding of fitness to return to campus has been provided by a psychiatrist or psychologist. Prior to an Involuntary Leave response, the student will first be offered to take a Voluntary Leave.

#### **7.4 Involuntary Withdrawal**

If the Student-at-Risk Case Team identifies a Level 4 or Level 5 risk, they may make a recommendation for an Involuntary Withdrawal to the Vice Provost, Teaching, Learning and Student Success. Involuntary Withdrawal will result in physical removal from campus and academic withdrawal from the University. Involuntary Withdrawal may last for one academic year or longer as determined by the Vice Provost, Teaching, Learning and Student Success.

Prior to an Involuntary Withdrawal response, the student will first be offered to take a Voluntary Leave.

#### **7.5 Decision Notification**

If the Vice Provost, Teaching, Learning and Student Success decides to place a Student-at-Risk on Involuntary Leave or Withdrawal, the student shall be notified in writing and via a meeting when possible of that decision. The student will be provided with the terms and conditions associated with the Involuntary Leave or Withdrawal, rationale for the decision, a review of the process leading to this decision, appeal procedures, and information on the Return to Campus Procedures. Where Involuntary Withdrawal is invoked, the student will be blocked from re-enrollment for the duration of the Involuntary Withdrawal.

#### **7.6 Return to Campus Procedure for Voluntary or Involuntary Leave**

Following a Voluntary or Involuntary Leave, the student may be required to apply in writing to the Manager, Student Affairs in order to return to campus. The application is required in a timeline established by the Manager, Student that will be no longer than necessary to review the materials. The application will require the following in order to be considered: evidence that all terms and conditions associated with the Voluntary or Involuntary Leave have been met, evidence that all current outstanding disciplinary sanctions have been completed, and, if applicable, a Voluntary or Involuntary Leave Assessment Form completed by appropriate treating medical professional(s).



The Manager, Student Affairs will evaluate completed applications and their accompanying documentation and consult with the Student-at-Risk Case Team to develop a Return to Campus Procedures. A recommendation regarding whether the student should be permitted to return to campus and any return to campus management plan shall be forwarded to the Vice Provost, Teaching, Learning and Student Success, normally within 20 working days after receipt of a completed application. During the review process, the Manager, Student Affairs may require the student to provide additional documentation from treating medical professional(s). The Vice Provost, Teaching, Learning and Student Success shall inform the student, in writing, whether the application has been approved.

### **7.7 Return to Campus Procedure for Voluntary or Involuntary Withdrawal**

Following a Voluntary or Involuntary Withdrawal, the student must apply in writing to the Manager, Student Affairs in order to return to campus. The application is due no earlier than a predetermined timeline specified by the Manager, Student Affairs. The application will require the following in order to be considered: evidence that all terms and conditions associated with the Voluntary or Involuntary Withdrawal have been met, evidence that all current outstanding disciplinary sanctions have been completed, and a treatment summary completed by appropriate treating medical professional(s).

The Manager, Student Affairs will evaluate the completed application and accompanying documentation and consult with the Student-at-Risk Case Team to develop a Return to Campus Management Plan. A recommendation regarding whether the student should be permitted to return to campus and/or re-enroll, and any Return to Campus Management Plan shall be forwarded to the Vice Provost, Teaching, Learning and Student Success, normally within 20 working days after receipt of a completed application. During the review process, the Manager, Student Affairs may require the student to provide additional documentation from treating medical professional(s). The Vice Provost, Teaching, Learning and Student Success shall inform the student, in writing, whether the application has been approved.

### **7.8 Return to Campus Management Plan**

Where a student has received approval to return to campus following Voluntary or Involuntary Leave or Withdrawal, the Manager, Student Affairs and the Student-at-Risk Case Team shall prepare a Return to Campus Management Plan that outlines any terms and conditions of the student's return to campus and any recommended support services.

The Manager, Student Affairs, or a designate from the Student-at-Risk Case Team work with the student and monitor the student's transition back to campus. The person monitoring the Return to Campus Management Plan shall regularly report the student's progress back to the Student-at-Risk Case Team. The Return to Campus Management Plan may also include the disposition of any outstanding non-academic discipline matters and/or sanctions, and allow for accommodations of any disability-related needs to the point of undue hardship.

### **7.9 Eligibility for Appeal**

Students may appeal the decision of Involuntary Withdrawal or Involuntary Leave made by the Vice Provost, Teaching, Learning and Student Success to the Vice Provost, Academic under the following circumstances:

- Where evidence emerges which was not available to a party at the time of the original process,
- There was clear evidence of bias, or
- Where the Student-at-Risk Protocol was not followed and the outcome of the case during the original process might have been substantially affected thereby.

If there are insufficient grounds for appeal, the student shall be notified by the Vice Provost, Academic in writing within ten working days of having filed the request for an appeal.

### **7.10 Appeals of Involuntary Leave or Withdrawal**

Involuntary Leave or Withdrawal applied by the Vice Provost, Teaching, Learning and Student Success may be appealed to the University Appeal Board through the Office of the Provost and Vice-President, Academic.

Appeals must be submitted in writing to the Office of the Provost and Vice-President, Academic within ten working days of the student having received notification of the Involuntary Leave or Withdrawal from the Vice Provost, Teaching, Learning and Student Success. The appeal must include the grounds for the appeal as identified above.

Within ten working days of accepting the grounds of an appeal, the Provost and Vice-President, Academic shall convene the University Appeal Board hearing panel and notify appropriate parties as outlined in the Policies and Procedures of the University Appeal Board.

## **8. University Commitments**

8.1 Notwithstanding the above, the University will make every reasonable effort to support the Student-at-Risk to enable the successful completion of studies, and where a disability is involved, to explore and exhaust all reasonable accommodations.

8.2 The Manager, Student Affairs will endeavor to notify only the necessary stakeholders at the University of an Involuntary or Voluntary Withdrawal in an effort to minimize the academic and social impact on the student.

8.3 In the event of an Involuntary Withdrawal, the Student-at-Risk may have his or her full tuition and/or other fees for the current semester refunded.