

I. POLICY

Interim Actions

II. PURPOSE

This policy outlines the process for taking action to mitigate student behaviors that pose an actual or potential risk of harm to EVMS, its employees, students, patients, and property, or when the student's continued presence on campus pending the outcome of a Code of Student Conduct or other administrative process would create a significant disruption to EVMS operations, including that of its academic or research programs.

III. RESPONSIBLE PARTY AND REVIEW CYCLE

Student Affairs will review this document annually.

IV. ACCREDITATION REFERENCES

LCME 3.5	Learning Environment/Professionalism
SACSCOC 12.3	Student Rights
SACSCOC 12.4	Student Complaints

V. DESCRIPTION

EVMS may immediately, and without advance notice, remove a student from the academic or clinical learning environment to protect the safety and well-being of the EVMS community ("Interim Actions"). Interim Actions may include, but are not limited to suspension from academic activities, assignment to virtual learning, or administrative leave of absence in accordance with the Leave of Absence and Withdrawal policy.

The Assistant Dean for Student Affairs may take Interim Actions when:

1. There is a confirmed observance or report from any source to a Student Affairs representative, a Program Director, or a member of the Safety Management and Assessment Response Team (SMART) about a single instance of egregious behavior or a pattern of behavior by a student that is negatively affecting the health or safety of the student or any of the EVMS community, or that is disruptive to the learning environment.
2. A student has been charged with a violation of EVMS policy, including violation of the EVMS Code of Student Conduct, related to an incident of disruptive or disorderly conduct.
3. A student has been charged with a violation of state or federal law involving violence or other serious criminal behavior.

The student will be provided with written notice of the Interim Action. If the circumstances permit, the Assistant Dean for Student Affairs or designee will meet with the student subject to an Interim Action to explain the alleged violations and to give the student an opportunity to respond. The student's emergency contact may also be notified of the decision to implement an Interim Action as permitted under the Family Educational Rights and Privacy Act.

A student subject to an Interim Action has a right to appeal within five (5) calendar days of the written notice to the Assistant Vice Dean for Student Affairs or designee. While the Assistant Vice Dean for Student Affairs or designee is reviewing the appeal, the student shall remain subject to the Interim Action.

In order for an Interim Action to be modified upon appeal, the student must show that there was a procedural error or that there is substantial new information mitigating the situation. The Assistant Vice Dean for Student Affairs or designee will review whether or not the conduct and surrounding circumstances reasonably indicate that the continued presence of the student poses a substantial threat to others, to property, or to the stability and continuance of normal EVMS functions; and/or whether or not the student has complied with the directives of the administrator placing the student on interim restriction. The decision of the Assistant Vice Dean for Student Affairs or designee shall be final.

Students placed on Interim Actions for harm or threats of harm to self or others, harassment or other disruptive behavior may also be referred to SMART for review. If SMART decides to further limit a student's access to EVMS academic buildings, activities, and resources, the student will be notified accordingly. Such additional restrictions are not subject to appeal.

All Interim Actions will remain in effect until the student has been cleared to return. In some instances, the student may be required to undergo an evaluation by a health care professional to determine whether the student can meet the Technical Standards of their program, with or without an accommodation. In such event, the Assistant Vice Dean for Student Affairs or designee will oversee the evaluation, as well as plan the return to academic, clinical, or research activities and the following process will apply:

- The student may be placed on leave of absence, virtual learning, or another appropriate disposition, pending completion of the evaluation.
- An evaluator, who has no role in the teaching or assessment of the student, and who has not had mental health contact (including in the primary care center) with the student will be selected. The cost(s) of the evaluation will be the responsibility of the program.

- The Assistant Vice Dean for Student Affairs or designee will provide the pertinent information to the evaluator including a history of relevant events and the Technical Standards for the student's program.
- The evaluator will conduct the evaluation and generate a written report that addresses the student's ability to perform the Technical Standards of their program with or without an accommodation, and, if applicable, any requirements or recommendations to ensure that the student will be able to meet the Technical Standards moving forward.
- The student will meet with the Assistant Vice Dean for Student Affairs or designee to discuss the Technical Standards evaluation report:
 - If the student is deemed able to meet the Technical Standards, the student shall remain or be reintegrated into, as applicable, their program curriculum and shall be responsible for complying with any recommendations by the evaluator.
 - If the evaluator determines that the student is able to meet the Technical Standards with an accommodation, the student will be referred to Student Disability Services (SDS). It is the student's responsibility to complete the SDS process.
 - If the evaluator determines that the student is currently unable to meet the Technical Standards, but could do so if further conditions were met, the student may take a voluntary leave of absence in accordance with the Leave of Absence and Withdrawal Policy and must be re-evaluated prior to their return from leave. A student who has exhausted all leave time may withdraw from the Program.

A student must comply with all evaluator requirements before they are permitted to return to their program. Students are also strongly encouraged to follow post-evaluation recommendations outlined by the evaluator. The student is responsible for all costs associated with such requirements/recommendations (e.g., treatment, additional provider visits, etc.).

Participation in post-evaluation recommendations does not guarantee continued enrollment and may not prevent disciplinary action for violation of any institutional or program policies that have occurred.

A student will be subject to disciplinary action, up to and including dismissal, if they:

1. Refuse to meet or cooperate with the evaluator;
2. Fail to take a voluntary leave of absence if the evaluator determines that they are currently unable to meet the Technical Standards, but could do so if further conditions were met;
3. Fail to contact SDS within two weeks of the meeting with Student Affairs to start the request for accommodations; and/or

4. Continue to be unable to meet the Technical Standards of the program, with or without a reasonable accommodation, after an evaluation.

Students who are dismissed have the right to appeal the decision of dismissal in accordance with their program handbooks.

VI. RELATED DOCUMENTS

Code of Student Conduct

EVMS Compliance Reporting/Anti-Retaliation Policy

Leave of Absence and Withdrawal Policy

Non-Discrimination and Anti-Harassment Policy

Student Complaint Processes (per individual programs' handbooks)

Student Non-Academic Complaint and Formal Grievance Policy

Student Progress Procedures (per individual programs' handbooks)

VII. HISTORY OF APPROVALS AND UPDATES

The following list documents policy approvals and updates by oversight authority, date, and summary of changes. This policy is housed on the Institutional Student Handbook webpage.

- On September 19, 2023, the Board of Visitors approved this policy.