The Dean of Students Office (DOS), Services for Students with Disabilities (SSD), the Office for Institutional Equity (OIE), Counseling and Psychological Services (CAPS), and the Office of the Vice President and General Counsel (OGC).
PURPOSE

The purpose of this guidance is to provide information to academic units on how to effectively manage situations in which there is concern about whether a student with a mental health impairment is fit for continued enrollment or fit to return to enrollment after an absence. In managing student fitness issues, the University of Michigan adheres to the following core values:

1. NONDISCRIMINATION AND INCLUSIVENESS. The University’s commitment to diversity and inclusiveness extends to students with disabilities, including mental health impairments. The University complies with all laws prohibiting unlawful disability discrimination including, but not limited to, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and the Michigan Persons with Disabilities Act. Accordingly, unlawful discrimination based on stereotypes or perceived dangers or barriers associated with individuals with disabilities is contrary to the standards of the University community.¹

2. HEALTH AND SAFETY. The University is committed to maintaining a safe and healthy academic and work environment for all community members.

3. INTEGRITY OF ACADEMIC STANDARDS. Academic units have the responsibility and authority to determine student fitness for continued enrollment or re-enrollment based on the student’s actual performance (or lack of satisfactory performance) and demonstrated ability (or demonstrated inability) to meet the academic, behavioral and professional standards of the program in which they are enrolled. All students are expected to meet the same standards of performance. Academic policies (e.g., progression, academic standing, re-instatement or re-enrollment) should be applied fairly and consistently to all students.

4. CONFIDENTIALITY AND PRIVACY. Students are entitled to the confidential management of their medical records handled by those with a legitimate educational interest in having that information and those with the professional capacity to meaningfully interpret medical records. Likewise, students have the right to determine what personal or private information they choose to share with the University.

¹The University’s Non-Discrimination Policy is available at: hr.umich.edu/oie/ndpolicy.html
ROLE OF ACADEMIC UNITS IN ASSESSING STUDENT FITNESS

As noted, academic units have a legitimate interest in ensuring that students are fit for continued enrollment in their academic programs and, in certain academic programs, that students are fit for professional practice. When student misconduct or unsatisfactory performance raises fitness questions, the academic unit should focus on the conduct, behavior or performance issues rather than the potential underlying root causes of the problems.

Generally, it is rarely ever appropriate for an academic unit to insist that a student undergo a mental health examination or that a student comply with specific treatment plans. Intrusion into students’ medical conditions and treatment is discouraged for several reasons. First, federal and state disability laws prohibit both discrimination based on actual disabilities and discrimination based on perceived disabilities even if the student does not have a disability. To avoid liability for perceived disability discrimination, it is recommended that academic units focus on student behaviors and performance and not make assumptions (that could be wrong) about the causes for the behavior or performance. Second, faculty, administrators and staff are rarely equipped with the necessary professional training and experience to properly diagnose or treat students or to interpret treatment records. It is recommended that when an academic unit has concerns about a student’s fitness, the faculty and/or staff member consults with the University’s mental health professionals and refers students to the appropriate resources. Third, students have a right to privacy regarding their medical conditions and treatment records. In addition, as adults they have the right to manage their mental health conditions as they see fit. Academic units risk undermining their professional relationship with students by assuming a therapeutic or parental role.

However, there are appropriate ways in which an academic unit can respond to a student who raises fitness concerns. Each school and college should have academic standards, technical standards, and policies that are designed to address student misconduct and unsatisfactory academic or professional performance. Student misconduct can be addressed through the Statement of Student Rights and Responsibilities, which describes behaviors that are inconsistent with the values of the University community, outlines procedures to respond to such

2 See Resources list on page 12.
3 The Statement of Student Rights and Responsibilities is managed by the Office of Student Conflict Resolution (oscr.umich.edu/)
behavior, and suggests appropriate sanctions/interventions. Schools and colleges should use those established standards and policies rather than supervising or managing the student’s medical condition.

In addition, in the case of a health or safety emergency, academic units should notify and consult with the Dean of Students Office or the Rackham Dean’s Office regarding appropriate interventions which may include Counseling and Psychological Services (CAPS) consultation, contacting parents or other responsible adults, voluntary hospitalization, involuntary hospitalization, or removal from campus.

The chart on the following pages summarizes the limited circumstances when it is appropriate to request that a student submit to a medical evaluation, to request medical documentation from a student, or to request that a student comply with specific treatment plans.

The next section will focus on what academic units should do in terms of assessing a student’s fitness for continued enrollment or a student’s fitness for re-enrollment.
Student is currently enrolled but is in academic or professional trouble (i.e., probation, last-chance agreement)

Can the academic unit require the student to submit to a mental health evaluation as a condition for continued enrollment?

NO

Can the academic unit require that the student submit medical documentation from his/her treating health care provider regarding the student's fitness, as a condition for continued enrollment?

NO

Can the academic unit require that the student engage in therapy or support services (e.g., time management or anger management course or attend AA meetings) as a condition for continued enrollment?

RECOMMENDATION ONLY

Student has withdrawn in accordance with university/school/college deadlines

Can the academic unit require the student to submit to a mental health evaluation as a condition for re-enrollment?

NO

Can the academic unit require the student to submit medical documentation from his/her treating health care provider regarding the student's fitness, as a condition for re-enrollment?

NO

Can the academic unit require the student to engage in therapy or support services (e.g., time management or anger management course or attend AA meetings) as a condition for re-enrollment?

RECOMMENDATION ONLY
Student has withdrawn after drop/add deadline and must petition for return or student is suspended for reasons related to the student’s mental health condition

Can the academic unit require the student to submit to a mental health evaluation as a condition for re-enrollment?

**NO**

Can the academic unit require the student to submit medical documentation from his/her treating health care provider regarding the student’s fitness, as a condition for re-enrollment?

**YES**

Can the academic unit require the student to engage in therapy or support services (e.g., time management or anger management course or attend AA meetings) as a condition for re-enrollment?

**RECOMMENDATION ONLY**
RECOMMENDATIONS

In order to effectively manage student fitness issues in a way that is consistent with the University’s core values, it is recommended that academic units have certain tools in place, including:

1. Clear academic, behavioral and professional standards. In addition, graduate and professional schools should have technical standards that match the requirements of the professions for which students are training.

2. A designated individual, office or committee responsible for evaluating student compliance with academic, behavioral and professional standards.

3. Policies regarding withdrawal, leaves of absence, re-enrollment, etc.

4. Policy for students with disabilities that includes grievance procedures and coordination with Services for Students with Disabilities.

It is recommended that these policies are written and published. Faculty, administrators, staff and students should be made aware of these policies.

PRE-DEPARTURE GUIDELINES

Meeting with the Student

Whenever possible, a faculty or staff member should meet with the student before she/he leaves to address the following:

- the reasons for the leave of absence
- the student’s anticipated plans during the absence
- return to enrollment conditions
- financial aid and funding implications
- immigration implications for students on F-1 or J-1 visas
- employment implications if the student is also employed due to his/her student status (e.g., GSI, GSRA)
- remind the student to contact University Housing if he/she lives in campus housing
Send the student a letter confirming that the student is going on a leave of absence, setting forth the conditions for re-enrollment and highlighting applicable deadlines and policies. Complex situations may warrant consultation with the Dean of Students Office, as necessary.

State in the letter whether medical certification of fitness for return to enrollment is required; inform the student of the need to provide a release to allow his/her treatment provider to communicate with the appropriate school/University official.

Provide the student with one point of contact within the academic unit with whom to communicate during the leave of absence.

Re-enrollment conditions should directly relate to assisting the student with effectively addressing the conduct, behavior, or performance issues that led to the leave of absence.

Clearly indicate the deadlines by which the student should submit a request for re-enrollment. Generally, 3-6 weeks before the beginning of the term is recommended.

Examples of appropriate conditions for re-enrollment:
- medical certification of fitness for return to enrollment only if the student’s health was directly related to the reason for the leave
- completion of sanctions that may have been imposed through a disciplinary process (in consultation with the Office of Student Conflict Resolution)
- completion of incompletes or other academic requirements that can be reasonably addressed during the leave of absence
- successful completion of required courses at another institution
- reflection paper or other evidence from the student of his or her preparedness for return to enrollment

Examples of inappropriate conditions for re-enrollment:
- participation in or completion of counseling or psychotherapy
- regular status reports from the treating health care provider
- submission to psychiatric/psychological examination or testing
- requiring a student to register with Services for Students with Disabilities

There may be specific situations when offices other than academic units may determine that a psychiatric/psychological examination is appropriate. Such a condition should not be required without prior consultation with the Dean of Students Office. [NOTE: DOS will always consult with OGC.]
If medical certification of fitness for return to enrollment is required, information should be provided from the academic unit directly to the treating health care provider that describes the academic program, a brief description of the student’s behavior or performance leading up to the leave of absence, the re-enrollment conditions, and the academic and/or technical standards at issue. Academic units should consult with the Dean of Students Office for assistance with interpreting the information received from the treatment provider.

If the academic unit’s standard practice is to inform students of the terms for re-enrollment by letter, rather than by a standard form, it is advisable that the letter is reviewed by the Dean of Students Office and approved by the General Counsel’s Office before providing the letter to the student.
Provide the student with information instructing him/her to make an appointment with the academic advisor before the re-enrollment submission deadline to discuss the factors that led to his/her absence, talk about the student’s activities during the absence, discuss future academic plans, and give guidance regarding the request for re-enrollment.

If a student’s absence from the program of study is primarily due to health reasons, schools or colleges may request a statement from the student’s physician regarding the student’s fitness for return to the program.

Ensure that all personal documents, including statements of the student’s health status, are handled in a sensitive manner and viewed only by the appropriate individuals. Confidential medical or treatment records are to be kept separate from the student’s official academic record.

If the school or college permits a student to appeal a denial of re-enrollment, ensure that the student whose petition for reinstatement has been denied is provided with detailed information about the appeals process.

If the school or college requires a specified period of absence from school before a student may apply for re-enrollment, ensure that the student knows that he/she is permitted to petition for earlier reinstatement or readmission pending review.
## Conditions for Continued Enrollment Guidelines

| Conditions for Continued Enrollment | After the student has been approved for re-enrollment, the academic unit may establish conditions for continued enrollment.  

Conditions for continued enrollment should be consistent with the performance statements that are applicable to all similarly-situated students. Recommendations for specific course enrollment should be advisory, unless courses are required as prerequisites or for another specified reason related to the program of study.

Examples of **appropriate** conditions for continued enrollment:

- maintain a certain minimum grade point average
- maintain a certain grade per course
- enrollment in a certain number of credit hours
- regular meetings with academic advisor to discuss academic progress
- regular meetings with a Dean of Students staff member to discuss issues related to campus life

Examples of **inappropriate** conditions for continued enrollment:

- participation in or completion of counseling or psychotherapy
- regular status reports from the treating health care provider
- submission to psychiatric/psychological examination or testing[^1]
- requiring a student to take courses out of course sequence
- prohibiting the student’s involvement in extracurricular activities
- requiring a student to engage in academic enrichment courses that are not required of other similarly-situated students
- requiring a student to register with Services for Students with Disabilities

In the Re-enrollment Agreement, schools and colleges should provide students with information on resources for academic success by listing departmental resources such as tutoring programs and writing centers along with University resources such as Services for Students with Disabilities and Counseling and Psychological Services.

If students are informed of the terms for reinstatement by letter, rather than by a standard form, it is advisable that the letter is reviewed with the Dean of Students Office and approved by the General Counsel’s Office prior to issuance of letter to the student.

[^1]: There may be specific situations when offices other than academic units may determine that a psychiatric/psychological examination is appropriate. Such a condition should not be required without prior consultation with the Dean of Students Office. [NOTE: DOS will always consult with OGC.]
## RESOURCES

| **Dean of Students Office** | 3000 Michigan Union  
530 S. State Street  
Ann Arbor, MI 48109-1308  
Phone: 734-764-7420  | Fax: 734-647-4133  
deanofstudents.umich.edu/  
deanofstudents@umich.edu |
|-----------------------------|---------------------------------------------------------------------|-------------------------------------------------|
| **Services for Students with Disabilities** | G664 Haven Hall  
Ann Arbor, MI 48109-1045  
Phone: 734-764-7485  | Fax: 734-936-3947  
ssd.umich.edu/ |
| **Office for Institutional Equity** | 2072 Admin Services Bldg.  
Ann Arbor, MI 48109-1432  
Phone: 734-763-0235  | Fax: 734-936-8894  
hr.umich.edu/oie/  
institutional.equity@umich.edu |
| **Counseling and Psychological Services** | 3100 Michigan Union  
530 S. State Street  
Ann Arbor, MI 48109  
Phone: 734-764-8312  | Fax: 734-763-0454  
caps.umich.edu/ |
| **University Ombuds Office** | 6015 Fleming Administration Bldg.  
Ann Arbor, MI 48109-1340  
Phone: 734-763-3545  | Fax: 734-763-7320  
ombuds.umich.edu/  
ombuds-dsa@umich.edu |
| Office of the General Counsel | 5010 Fleming Administration Building  
|                             | Ann Arbor, MI 48109-1340  
|                             | Phone: 734-764-0304 | Fax: 734-763-5648  
|                             | ogc.umich.edu/ |
| Rackham Dean’s Office       | 1530 Rackham  
|                             | 915 E. Washington Street  
|                             | Ann Arbor, MI 48109-1070  
|                             | Phone: 734-936-1647 | Fax: 734-936-2848  
|                             | rackham.umich.edu/ |
| Office of Student Conflict Resolution | 100 SAB  
|                             | Ann Arbor, MI 48109-1316  
|                             | Phone: 734-936-6308 | Fax: 734-615-8826  
|                             | oscr.umich.edu/  
|                             | oscr@umich.edu |
## ONLINE RESOURCES

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<tr>
<td>University ADA/Section 504 Information</td>
<td>hr.umich.edu/oie/adadafaq.html</td>
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<tr>
<td>U-M Council for Disability Concerns</td>
<td>umich.edu/~hraa/ability</td>
</tr>
<tr>
<td>Campus Disability Resource Directory</td>
<td>umich.edu/Disability</td>
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<tr>
<td>Diversity Matters</td>
<td>diversity.umich.edu</td>
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<tr>
<td>Campus Commitment</td>
<td>hr.umich.edu/oie/cc/prohibited/disability.html</td>
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<tr>
<td>Expect Respect Program</td>
<td>urespect.umich.edu</td>
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<tr>
<td>Mental Health Work Group</td>
<td>umich.edu/~mhealth/index.html</td>
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<tr>
<td>U.S. Department of Education Office for Civil Rights</td>
<td>ed.gov/about/offices/list/ocr/disabilityoverview.html</td>
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## UNIVERSITY POLICY

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<tr>
<td>University of Michigan Faculty Handbook</td>
<td>provost.umich.edu/faculty/handbook/2/2.B.html</td>
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For more information regarding student fitness for continued enrollment, including letter templates and other resources, please visit deanofstudents.umich.edu/continued_enrollment.