

campaign 3



Leave of Absence

Transform your
CAMPUS[®]

a mental health advocacy
guide for students



about

Active Minds is the nation's premier nonprofit organization supporting mental health awareness and education for students. More than 15,000 students each year join an Active Minds chapter located at more than 400 high schools, colleges, and universities nationwide. Through education, advocacy, and outreach, students are empowering a new generation to speak openly about mental health, support each other, get help when needed, and take action for suicide prevention.

Join the Active Minds movement to change the conversation about mental health.

activeminds.org

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campaign 3:
leave of absence



Transform your
CAMPUS[®]

guides for students **on how to create structural and policy change on campus that results in long-term support for mental health.**

Transform Your Campus was developed with a generous grant from Peg's Foundation



preface

Transform Your Campus empowers students to create lasting changes to policies and structures related to mental health on their campuses.

Purpose

The purpose of Transform Your Campus is to provide student leaders and their supporters with the tools they need to execute successful institutional advocacy campaigns on their campuses. These tools include basic leadership skills such as goal and agenda setting, assessing students' needs and campus climate, building coalitions, writing project plans and proposals, and convening professional meetings.

Transform Your Campus is designed to equip students with the tools to make change via current campus systems and structures.

What's inside

Based on Active Minds' Position Statement on Leave of Absence Policies, these pages contain resources for students wanting to improve the "leave of and return from" absence policies on their campuses.

The Active Minds Transform Your Campus® Leave of Absence campaign will assist student leaders in:

- Evaluating their current leave of absence policies
- Evaluating their current return from absence policies
- Identifying weaknesses in policies and drafting proposals for amendments
- Recruiting allies for policy change
- Utilizing social and traditional media to gather support
- Collecting stories from students who have been affected by current leave of absence policies
- Writing revised policies

What's next

Be sure to check out the main [Transform Your Campus](#) advocacy guide, which provides an overview to the change process on campus and how you can be part of that.

We've also created separate guides featuring resources for carrying out specific campaigns. Each of the following campaigns are based on the successes of Active Minds college chapters, with ideas for how to carry them out on your campus.

ID Card Campaign

This guide will support your efforts to ensure every student has mental health crisis numbers on hand when they need it most.

Orientation/FYE Campaign

This guide will support your efforts to add mental health education to orientations and first year experience courses.

Leave of Absence Campaign

This guide will support your efforts to improve leave of absence policies so students with mental health issues can take the time they need.

Means Reduction Campaign

This guide will support your efforts to reduce the rate of deaths by suicide by limiting access to fatal methods.

Student Fees Campaign

This guide will support your efforts to advocate for student fees that support more mental health services on campus.

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The Complexity of Leave of Absence Policies

Hello, Stigma Fighter,

The “leave of absence and return from” leave policies that apply to college students with mental health struggles are complicated, and there is still quite a bit of grey area when it comes to writing and enforcing these policies lawfully. To this point, these cases have not been ruled on by a judge, some of the cases have been settled out of court, and still others were the subject of letters from the Office of Civil Rights at the Department of Education. As such, we can’t claim there is strong legal precedent. However, all of these settlements and letters do give strong indications about how these policies should be written in accordance with the enforcement of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Fair Housing Act.

We talked to several student leaders from different campuses in putting this together, but leave of absence policies are different on every campus. We welcome suggestions for other resources that would be helpful to you in a process like this. The more people we hear from, the more likely we are to be inclusive of everyone.

If you have feedback about the resources, please drop us an email at transform@activeminds.org. We look forward to hearing from you!

Best regards,

Active Minds Team

chapter 1

Leave of Absence

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why this campaign?

The case for lawful, flexible, and easy-to-understand mental health leave and return from absence policies.

why this campaign?

For nearly a decade, the Judge David L. Bazelon Center for Mental Health Law has distributed a document of best practices to be used by higher education institutions to develop their mental health leave of absence policies. These best practices, based on legal precedents set in the late 1990s and early 2000s, are rooted in the Americans with Disabilities Act of 1990 (ADA) and a common desire for student success. This document entitled “Supporting Students: A Model Policy for Colleges and Universities” is as yet underutilized by many campuses and provides a basis for the Active Minds Transform Your Campus® Leave of Absence campaign.

“Traditionally-aged” college students (i.e. 18-25) are attending college during the typical time of onset for most mental health disorders. For “adult learners” (i.e. over 25) who are pursuing degrees, their education often falls at a time of transition, such as out of the military, between careers, or in the wake of another major life event. These times of transition can be particularly stressful, and adding the pressure of coursework and daily life can be that much more triggering to folks with underlying or dormant mental health conditions.

Over the past two decades, many campuses have increased the quality and quantity of mental health services offered on campus. However, little attention has been paid to formalizing and standardizing leave of absence policies for students finding they need to take a break to nurture their mental health. Additionally, in the wake of tragedies such as school shootings, many institutions have updated their policies to be even more restrictive for students with mental health conditions—often unlawfully implementing a separate, higher set of standards for students who wish to leave and eventually return from a college for mental health reasons.

Although tragedies understandably set campus administrators on edge, implementing such restrictions is in direct violation of the Americans with Disabilities Act and is a threat to student health and wellness, not to mention student success.

The Active Minds Transform Your Campus® Leave of Absence campaign will assist student leaders in:

- Evaluating their current leave of absence policies
- Evaluating their current return from absence policies
- Identifying weaknesses in policies and drafting proposals for amendments
- Recruiting allies for policy change
- Utilizing social and traditional media to gather support
- Collecting stories from students who have been affected by current leave of absence policies
- Writing revised policies

The ultimate goal of the Active Minds Transform Your Campus Leave of Absence campaign is to simplify policies on campuses across the country so that students with mental health issues can take the time they need without fear of retribution or discrimination.

chapter 2

Leave of Absence

Transform your
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diagnostic tools

Determine whether your policies need improvement.

diagnostic tools

Use the following tools to determine whether your leave policy, return policy, and involuntary leave policy needs improvement. Click on the following links to open a Google form.

[Diagnostic Tool #1: How Comprehensive Is Your Campus Leave of Absence Policy?](#)

[Diagnostic Tool #2: Is Your Return Policy What it Should Be?](#)

[Diagnostic Tool #3: How Strong is Your Involuntary Leave of Absence Policy?](#)

chapter 3

Leave of Absence

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what is this term?

A glossary of terms you might encounter as you navigate the policy change process.

what is this term?

Leave of Absence

Administrative permission to be absent from studies.

Voluntary Leave of Absence

A leave of absence requested by a student without any coercion or threat.

Involuntary Leave of Absence

A leave of absence required by an institution against the wishes of the student.

Medical Leave of Absence

A leave of absence taken for medical reasons, including physical and mental health. This may be one of several leave of absence options from which a student can choose.

Personal Leave of Absence

A leave of absence taken for personal reasons, which typically do not need to be disclosed to the institution. This may be one of several leave of absence options from which a student can choose.

Direct Threat

A significant risk of substantial harm to the health or safety of others, which cannot be eliminated or reduced by a reasonable accommodation.

Reasonable Accommodations

Any modification or adjustment to a job or the learning environment that will enable a qualified applicant or student with a disability to participate in the application process or to perform the essential functions of a college student.

Due Process

Formal proceedings, such as an administrative hearing, carried out in accordance with established rules and principles to adequately assess the condition of a student prior to dismissal (such as in an involuntary leave of absence).

what is this term?

Appeal

A proceeding by which a student can make their case before an administrator, or panel of administrators, to have a sanction (e.g., dismissal from university housing) or involuntary leave of absence reversed.

Person with a Disability

A person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

Undue Hardship

A significant difficulty or expense incurred by the institution with respect to the provision of an accommodation.

Housing Contract

A document expressing the rights and obligations, both financial and academic, of a student-tenant of university-run housing. The contract is typically made with and enforced by a campus Office of Residential Life (or equivalent) and details many specific behaviors for which a student may be held accountable including all those outlined in the Student Handbook, damage to walls and fixtures, etc.

Release of Information

A release of information is a statement signed by the student client of campus health and/or counseling services authorizing a specific contact person to give named person(s) information about their course of treatment and medical or psychological state.

Tuition Insurance

Tuition insurance is an insurance protecting students attending cost-intensive educational institutions — schools, colleges or universities — from the financial loss that may result from the student's withdrawal from their studies. Policies should be carefully considered, especially with regard to what they do and do not cover.

what is this term?

Retroactive Withdrawal

A request made to withdraw from a course/term after the last day the class meets. The reasons for a retroactive withdrawal are typically medical in nature and a student often must prove that the progression of a physical or mental illness resulted in their inability to produce quality work.

Student Visa

A student visa is an official recognition by the US government that an international student is legally permitted to study in the United States. Most international students study under an “F-1” visa, which requires a student to attend full-time in a course of study that culminates in a diploma, degree, or certification. F-1 visa holders may pursue part-time, on-campus work. They are not allowed to work off-campus. And their studies must be completed by the date stated on their official documents.

International students attending a trade school study under “M-1” visas. International students studying as part of an exchange program study under “J-1” visas.

Health Success Plan

A collaborative plan created by a student returning from a leave of absence and campus officials that outlines the various resources and accommodations that are available to the student to promote their success on campus and how to access those resources and accommodations.

chapter 4

Leave of Absence

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who are my allies?

Who are your natural allies on campus, with a vested interest in your school having a consistent and responsive policy?

who are my allies?

When it comes to making any kind of significant change, cultivating a group of allies who are invested in your efforts is essential. Remember, every campus is different. You may find allies in places not mentioned below, but this page will help you get started.

Admissions and Enrollment Management

If you are anything like I was as a student, the last time I thought about the Admissions and Enrollment Management office at my undergrad was the day I received my acceptance letter. However, if you're looking to pull off a Leave of Absence and Return policy change, you're going to need them on your side. If you don't cultivate them as allies and listen to their concerns and hopes, then you're likely to get sunk immediately. These folks aren't just dedicated to accepting, waitlisting, or rejecting applicants. These folks are held responsible for retaining students to the university and making sure they graduate within a maximum of six years. They have a vested interest in people taking the time off they need and then being able to return healthy and to finish. Sit down with staff from this department early. They will be critical to your success.

Student Government

Student government is obviously the premiere student advocacy group on your campus, and leaders at many schools have run on platforms of inclusion and mental health over the last few years. Capitalize on that! Student government should be a tool for highlighting injustice related to leaves of absence, collecting stories from students who have been impacted, and accessing administrators who are already connected to student government in some way.

who are my allies?

Disability Services

Your campus Disability Services office is responsible for providing the accommodations students need to be successful in the classroom. Despite the fact that students with psychological disabilities have rights to request accommodations, most do not know it and are more likely to keep their struggles hidden from view. Because the folks who work in this office are dedicated to executing the Americans with Disabilities Act on campus, they have a responsibility to help students stay in school as well as be successful upon returning from leave. Sit down with these folks early. Not only do they have the potential to be great allies, they will have wonderful experience that can help guide your efforts.

Counseling Services

It's a rare campus where the Counseling Services staff are not involved in helping to process a leave of absence for mental health reasons and/or to facilitate a student's return from such a leave. On many campuses these people are overworked, overbooked, and are the ones who respond to mental health crises 24/7. It's important to find out what they believe is the role of a leave of absence for students who are struggling. Meet with them early, learn about where they stand, and try to get them on your side. It will be a lot easier to get your amendments passed if you have trained mental health professionals on your side.

Dean of Students

The primary mission of most Deans of Students is to ensure that students have the support they need to be successful. Sometimes this means a leave of absence, and if so, then it definitely means a successful, supported return from that leave. The Dean of Students office on your campus will likely play a role in the processes of executing leaves and returns. They want to see students succeed, and by getting these folks on your side you're gaining a powerful ally near the top of the student affairs side of the campus.

who are my allies?

Mental Health Task Force

Some campuses now have multi-disciplinary task forces on mental health. Putting this issue in front of that committee first and winning a spot on their agenda can be an important way to fast-track your cause and get the issue in front of a lot of people in short order.

Bazon Center for Mental Health Law

Sometimes it's helpful to look beyond your campus to gain some outside support. The Bazon Center for Mental Health Law has aided a number of college student clients over the years whose rights under the Americans With Disabilities Act and Section 504 were violated. Go to their website to learn more about cases they've settled in the past, get guidance on how schools should be structuring their leave of absence policies, and—if you know someone who needs legal support—they can help with that, too.

Disability Rights Advocates

DRA has offices in New York and California, and their focus is on litigating cases where the civil rights of people with disabilities have been violated. Because of this, they have some great legal resources that can bolster your case for more equitable and less restrictive leave of absence policies.

chapter 5

Leave of Absence

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who holds the power?

Find the specific people on campus who have the power to change these policies.

who holds the power?

At the end of the day, there are going to be people who have the power to say “yes,” “no,” or “maybe with some changes” when you share your proposal. This page represents a brief overview of who might hold the power and what you should know about swaying them to your side.

General Counsel

Never heard of these people before? That’s ok. These are your institution’s lawyers. They handle everything from your campus’s investment dealings to licensures to insurance to liability. Generally, these folks see voluntary and involuntary leaves of absence as a simple legal decision: if it will reduce our liability, then dismiss them. Obviously, there is a little bit more nuance involved in the restrictions and requirements we place on students when they leave and return. It’s going to be best to have a heavy-hitter ally on your side to help you meet with these people (if necessary), and you will definitely have to do your research.

Admissions and Enrollment Management

If you read the allies section of this toolkit, you know that Admissions and Enrollment Management has a vested interest in retaining students and making sure they graduate. In fact, both of these stats are involved in how your school is ranked. In order to convince them a change in policy is in everyone’s best interest, you need to convince them of how it is in their best interest. How will an improved policy bolster retention and graduation rates?

who holds the power?

Registrar

Your school's registrar is more under-the-radar than some of these other people, but they still have influence. Why? The Registrar's office often writes and enforces academic policies such as academic probation, add/drop policies, and course withdrawals. If you're thinking about including a retroactive withdrawal policy or easing up on academic consequences for students deciding to take a leave after the add/drop period has ended, then they will have influence on the decision.

Vice President/Provost of Student Affairs

This is the person at the top of the student affairs division at your school. Sometimes called a Vice President, sometimes a Vice Provost, or sometimes Dean of Students, this person is ultimately responsible for all of the non-academic aspects of the student experience. They are at the top of the chain that includes Residential Life, Financial Aid, Student Activities, and more. Any major changes to a policy will go through this person's desk.

Campus Police/Safety

There are differing opinions of campus police/safety on every campus, but ultimately, this department is charged with keeping students, staff, and faculty safe anytime they're on campus. When they perceive a person is a direct threat to themselves or others, they must respond. And although they may not have much of a role in a student's leave from the campus, they may have a vested interest in supporting the safety of students as they return from a leave of absence. Don't neglect to explore how campus police/safety are involved with leave and return policies currently. Take the first step and find out whether your campus police/safety have been specifically trained to respond to mental health crises in compassionate ways that limit stigmatization and traumatization. If they have, then you likely have a group of people ready to make leave and return policies less stigmatizing and traumatizing as well.

who holds the power?

Counseling Services

Few leaves and returns are processed on any campus without the input of the campus counseling services staff. These people will make professionally-trained recommendations to policymakers on when and how students can be accommodated, when they should be put on a leave, and what requirements should be placed on students in order for them to be able to return. It's best to have them as your ally, but if you don't, then you will definitely have to anticipate their arguments and be ready to respond.

Behavioral Intervention Team

Over the last decade or more, campuses have begun to adopt "Behavioral Intervention Teams." These are interdisciplinary groups of campus faculty and staff who follow the progress of students who they deem to be at-risk personally, socially, or academically. They then intervene in a collaborative way to support the success of students. Members of this team may be asked to weigh in on your policy recommendations from their perspective of evaluating student progress and identifying when students should take some time away.

Student Conduct (Judicial Affairs)

Some campuses have adopted a model wherein students who are struggling with mental health disorders, and perhaps have a public incident related to that disorder, are sent to the Student Conduct (or Judicial Affairs) office instead of to counseling services. This model is antiquated and is often perceived as punitive in nature, which can be a deterrent to students identifying as struggling with a mental health disorder at all. If your Student Conduct office is currently involved with the leave of absence process, they may be asked to weigh in on your policy proposal. Be ready just in case.

who holds the power?

Residential Life (where applicable)

If you attend a college where people live on campus, then a part of the leave of absence process is having to leave university housing. Because room and board is a revenue stream for your school, they have a vested interest in keeping people in beds. Policy points related to the housing contract will go through this office, and you should definitely have a good case built for why students should not be heavily responsible for the cost of their housing—even if they take a leave within the first month of the semester.

Faculty Senate

Professors have high standards. We love that about them in the classroom because it pushes us to be better, more successful scholars. However, you have likely read articles and internet comments from professors who think this generation of students is “soft” and needs to “toughen up.” As such, some professors may not want to make it easy or to be flexible when students leave and return from a leave of absence. If you have anything in your policy that relates to course requirements, advising, or classroom accommodations, you have to assume it will go through this group (or its equivalent on your campus).

Financial Aid & Bursar’s Office

What happens to your money when you take a leave? Every campus’s answer to this question is different. On some campuses, there is a generous window in which you can get 80-100% of your tuition money back if you leave within that period of time. For others, you’re sunk as soon as you step foot on campus. If you’re writing in any clauses about how students should be reimbursed or not have their aid package penalized for taking a leave of absence, that will go through the Bursar’s Office and Financial Aid office.

University Public Relations

The Public Relations office at your college has a vested interest in making the school look good. As such, they would probably prefer to keep the whole leave of absence process and everything related to it out of the public eye. Here’s the thing, though. These policies should be readily available, comprehensive, and easy to understand. Depending on whether you’re making drastic changes on what the policy says, where it lives, and how it’s promoted, these folks might want to weigh in.

chapter 6

Leave of Absence

Transform your
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making your case

Tips and strategies for making your case to administrators, faculty, and students for amending policies.

making your case

Every campus culture is different. So, although we can't tell you exactly what you'll need to do to make a successful case for your policy suggestions, we can give you some suggestions for creating successful preparation, execution, and follow-up plans that will be appreciated by other stakeholders.

Build a Coalition of Diverse, Invested Parties

An effort like this often needs buy-in from across the community. Visit the “Who Are My Allies” section to think through who else on campus might have a vested stake in changing the leave of absence policy, and recruit them to get involved. And remember, sometimes building a coalition means you have to delegate a little more of your control over what happens. Try to welcome and trust other people as much as possible—the more you can delegate to others, the more invested they will be, and the better spokespeople they will be for your cause.

Gather Research and Data

Doing research and pulling data on things like your school's graduation rate, its rankings in US News & World Report, and leave of absence policies in effect at peer institutions will help you anticipate the concerns of administrators and come up with responses to all of those concerns in advance. And don't forget, your allies might have already tried similar policy efforts and will be able to give guidance about the process and the types of obstacles they encountered. More information on research can be found in our [Transform Your Campus Advocacy Guide](#).

making your case

Gather Stories

When people are at their most entrenched, when they can't conceive of a situation in which they would concede their ground, they often need an emotional push. The stories of people personally impacted by subpar leave of absence and return policies are the primary way we recommend giving folks that push.

Sit Down and Craft Your Ideal Proposal

This is where your negotiations should start. Go into the negotiation process with a fully fleshed out proposal of new policy language including the justification for each addition and omission. It's so much easier for people to turn down a proposal when they perceive that they're going to end up doing most of the work. Show you have already done the work and that you're interested in pursuing this process to the end. You'll gain respect, and it's likely that you'll be able to convince folks to accept more parts of your proposal than not.

Sit Down and Craft Your Compromise Proposal

Again, do this before you ever sit down to negotiate. Have an annotated version of your ideal proposal with notations about which desirables you're more flexible on. Whatever your coalition decides it needs least as a result of this process, make that the thing you concede first and move in reverse priority. But don't cede too much ground—your compromise proposal will not give up your dealbreakers. Be prepared to walk away from the table if necessary.

making your case

Meet with Power Holders and Make Your Case

This is the negotiation, and it might take several meetings. Go in with a clear agenda, be mindful of everyone's time, have someone there to take notes on your own behalf, and pitch your ideal policy. What happens after that is different in every case, but we are here to support you. Just drop us an email or give us a call.

Be Willing to Help with Resulting Processes

Have enough people fully invested in this change that you're able to continue to represent your side of the issue for the long haul. In some cases, a leader might graduate before the process is complete. Have someone who will still be around to take the baton to make sure the policy is completed.

You can find more information about how to meet with administrators in the main [Transform Your Campus guide](#).

chapter 7

Leave of Absence

Transform your
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collecting and utilizing stories

A compelling story, when paired with facts and statistics, can open people's mind to change.

collecting & utilizing stories

Stories are effective—sometimes the most effective—tools in the advocate’s toolbox. But with great power comes great responsibility. Here we’ll explore safe and honorable ways to collect and utilize stories to make your point.

Where Do I Find Stories?

If you don’t know someone who has taken a leave for mental health reasons, then you probably know someone who knows someone. More students take leave than you might think, so just ask around.

Be Present.

Once you have some leads on stories, you’ll reach out, explain your campaign, and ask whether they have information that would make your work better. Be present with their story and pay close attention. Turn off your phone notifications. Meet in a quiet place where you won’t be easily overheard. Whether the person decides to share all or part of their story is only a small piece of their value to your policy change efforts. These people have first-hand accounts that will help you organize, create a call to action, write your proposal, and frame your pitch. Not only that, but stories often provide the necessary fuel to get you through the tough times when it seems like you’re only hitting obstacles.

Ask, But Don’t Pressure.

Did you hear something you liked? Want to pull a quote, ask them to write a letter to the editor, or speak at an event? Then ask! But if they say no or are unsure, respect that. Leave the door open to their participation in the effort as they feel comfortable. You may find that they’ll come back a few weeks later ready to share.

collecting & utilizing stories

Diversify Your Content.

There's power in numbers for sure. Having a lot of folks come forward to tell their stories about leave of absence is great, but if they're all Engineering or Nursing majors, or all male-identified, or all 4th-year students, their strength is diminished. Look for stories from students across all demographic factors in the campus community. Bring forward a lot of folks who might not otherwise know or interact with each other, but who all have a similar story. Now that's powerful.

Diversify Your Format.

It's not just about long-form print pieces. Or having interviewees available to the media. Or having pull quotes for your policy proposal. It's about all of these things and more. Tell stories everywhere you can in whatever formats are available to you. Social media, podcasts, videos, op-ed pieces, and much more are all acceptable and encouraged formats for getting the issues out to folks and helping them understand.

Stories Change Minds.

When you embed a story every time you pitch your policy change, it enables people to hear the information better. Instead of just hearing, "we want you to change because this is the issue we've chosen this week!" people hear, "We care about this issue, and we care about this person, and we think you should, too. We won't stop until we've convinced you that their experience, and the success of so many other students, rests on making this change." It can be easy for people to dismiss ideas. It's a lot harder for them to dismiss another human.

chapter 8

Leave of Absence

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desirables & dealbreakers

What points are essential and non-negotiable? What things can you compromise on (for now)?

desirables & dealbreakers

One of the most important aspects of advocating for a better policy is knowing what you absolutely cannot compromise on (your dealbreakers) and where you have some flexibility to compromise (desirables). Use the following guidelines to start a conversation about your own dealbreakers and desirables.

CONSIDER THESE AS DEALBREAKERS

Consolidated

Many institutions have different leave of absence policies for different colleges, schools, departments, or even majors within the university. All leave of absence policies should be consistent and standard for all students and be located on a single page within the institution's website.

Readily Available

What good is a policy if no one knows where to find it? Leave of absence policies should be posted prominently on the university website, should be easily searchable, and should live in a place where students would naturally look for this and other similar policies such as add/drop guidelines, course auditing, etc.

Allows for Individualization

Everyone's circumstances are different. Although specificity is important with regard to timelines and the steps involved in processing a withdrawal, it's best not to prescribe generic requirements for what a student will do while they are on leave. Requirements for what will happen while a student is on leave and what will be required of them for readmittance should be individualized and, ideally, created with the student's input.

desirables & dealbreakers

Demonstrates Parity

Students taking a voluntary leave of absence for mental health reasons should not be held to higher standards to be granted that leave, or being allowed to return, than students leaving for any other medical reason. If the conditions applied to leave and return policies are more restrictive for students with psychological disabilities, this is illegal, and the policy needs to be changed immediately.

Non-Punitive

Some institutions or their subsections have standard leave of absence policies, but when it comes to students taking advantage of them, they're met with backlash. This might mean loss of their scholarship, loss of an advisor, a minimum amount of time they must remain on leave (sometimes a year), loss of their student visa, an invasion of privacy regarding their treatment, or even a pervasive bias among faculty and staff that the student is not capable of quality work that results in acts of discrimination. Students taking a leave of absence for any reason, but particularly mental health reasons, should not have to worry about being punished for taking the time they need to get well, and university policies should support their efforts to heal and return to campus as soon as they are able.

Specific

The best policies are very specific about timelines, all steps in the leave and return processes, resources available on campus, directives and restrictions for students while on leave, and who to contact about all aspects of their enrollment including financial aid and the registrar. The best policies offer comprehensive information located at a single website location for all students to reference.

desirables & dealbreakers

Lacks Due Process (Involuntary Leaves of Absence)

Putting a student on a leave of absence against their wishes (Involuntary Leave of Absence) should only be done when the student is a direct threat to others. If a direct threat is not present, reasonable accommodations must be made for the student's disability. If administrators deem a direct threat is present, the student and their representative have the right to a hearing before the student is withdrawn from courses and permanently dismissed from university housing (if applicable).

CONSIDER WHETHER THESE ARE DEALBREAKERS OR DESIRABLES:

Explains Consequences

Any kind of leave has the potential to carry negative financial, social, and academic consequences. A good policy should outline these comprehensively with links to more information.

Allows for Retroactive Withdrawal

There are a number of reasons that institutions should allow students to retroactively withdraw from their courses, including stigma and lack of awareness about signs and symptoms of mental distress. Often, students experiencing conditions like anxiety or a mood disorder assume they just need to wait out the symptoms or work twice as hard. Colleges should have retroactive withdrawal policies that enable students who realize after the end of the withdrawal period that they've been struggling with a psychological disability to still withdraw from those courses. Institutions with retroactive withdrawal policies have criteria that must be met in order for a retroactive withdrawal to be granted, but a student who can demonstrate the presence of a disability should consider retroactive withdrawal a reasonable accommodation.

Provides a Lifeline to Campus

A policy should give students clear guidance on how they will be allowed to stay connected to campus. For example, can they visit campus? Can they maintain contact with peers and advisors? Is there someone assigned to be their contact to check in with them while they're away and to assist with the return process?

chapter 9

Leave of Absence

Transform your
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research & legal resources

Need some facts, statistics, or legal backing to help you put together your new policy? We've got you covered.

research & legal resources

You never know what kinds of questions you're going to face or what brands of skepticism you'll have to combat when it comes to a policy change. Campuses can be very political places. These resources will help prepare you to face your obstacles head-on.

Core Source Documents for Transform Your Leave of Absence Resources:

[Supporting Students: A Model Policy for Colleges and Universities](#) (Bazelon Center for Mental Health Law)

[Framework for Developing Institutional Protocols for the Acutely Distressed or Suicidal College Student](#) (Jed Foundation)

[Americans With Disabilities Act](#)

[Student Mental Health and the Law](#) (Jed Foundation)

[Campus Mental Health Know Your Rights](#) (Bazelon Center for Mental Health Law)

Additional Helpful Resources Regarding the Law and Student Rights

[Bazelon Center for Mental Health Law](#)

The Bazelon Center for Mental Health Law has taken great interest in the issue of student leaves of absence, particularly involuntary leaves of absence, for two decades. Their website is full of helpful resources including case law and a guide to students' rights under the Americans With Disabilities Act.

research & legal resources

[Disability Rights Advocates](#)

Disability Rights Advocates specialize in litigating cases on behalf of people with disabilities who have been discriminated against. They have a helpful recap of many of their cases on their website, and you can also be in touch with them regarding legal questions and specific cases in which you believe students' disability rights have been infringed on on your campus.

[Department of Education Office for Civil Rights](#)

This office sends official letters to campuses encouraging them to change policies that violate students' civil rights. All of these letters are a matter of public record, and we encourage you to look through and see whether there is already federal government guidance related to your particular school type and policy.

Campus Disability Services

Your campus Disability Services center is responsible for accommodating students' disabilities and is therefore completely up-to-date on ADA requirements and how students on campus are and aren't being accommodated. They can be a great source for understanding the campus politics around leave and return policies.

[Disability Rights North Carolina](#)

This guide walks students through how to request accommodations in college, what expectations students with disabilities are held to, and what types of accommodations are commonly granted to students with mental health disorders.

research & legal resources

Privacy Laws & How They Do and Don't Apply

[Research: Mental Health and Academic Success in College](#)

Eisenberg, Golberstein & Hunt (2009)

[An Economic Case for Student Mental Health](#)

[The Healthy Minds Study](#)

The Healthy Minds Study (HMS) is an annual research endeavor conducted by University of Michigan's Healthy Minds Network (HMN). The HMN website is populated with an exceptional [data interface](#), research briefs, and [national reports](#) that provide aggregated information on topics like campus climate, rates of diagnosis, and rates of help-seeking.

Active Minds

2001 S Street NW, Suite 630
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activeminds.org



active
minds

A decorative graphic consisting of six circles of varying sizes and shades of gray, arranged in a horizontal line. The circles increase in size from left to right, with the two largest circles overlapping.

changing the conversation
about mental health