

Procedure #	SSE 100
Related Policy Name and #	Non-Academic Leave Policy SSE 100
Approved by:	Jason Seright
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Policy Holder:	Vice President, Inclusion, Belonging, and Student Experience
Administrative Contact:	Associate Vice President, Learner & Career Success and Dean of Students
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Non-Academic Leave and Appeal Procedure

Purpose:

This procedure is intended to specify the steps involved in making a Non-Academic Leave decision.

Definitions:

Unless otherwise stated, the definitions contained in the Non-Academic Leave Policy apply to this procedure.

Procedure:

1. Non-Academic Leave Process:

A student may choose to take a non-academic leave from Humber for a variety of reasons including personal/family obligations, medical concerns, complex personal challenges, and/or to engage with appropriate resources to support their overall wellbeing. At times, there may be situations whereby a student is not able to effectively engage in a post-secondary setting due to their emotional, physical, and/or psychological wellbeing, or when they pose a significant risk to themselves or others. Depending on the specific circumstances, the CARE Team may engage with the student to provide support, resources, referrals, and may conduct required risk assessments as appropriate in accordance with the CARE Team Procedure Manual. This may involve connecting the student with a Care Coordinator, mental health services, academic support, the International Centre, or other resources to help them address their challenges. Humber will make every reasonable effort to support the student to enable them to continue their studies.

1.1. Interim Measures

1.1.1. It may be necessary for the CARE Team to impose interim measures while the voluntary/involuntary leave process is ongoing. These measures are determined on a case-by-case basis, taking into account the student, concerning behaviour, impact on self and others, and the wellbeing of all involved parties. Examples may include, but are not limited to, meetings with a Care Coordinator, adjustments to academic delivery method such as temporarily taking all classes online, no contact directive with another party, communication boundaries, campus restrictions, etc.

1.1.2. Voluntary Leave

1.1.2.1. A voluntary non-academic leave of absence will be considered for any exceptional circumstance that may hinder a student's ability to study or remain compliant with immigration requirements (Voluntary Leave A). The student is to complete the non-academic leave request form and submit it to their Program Coordinator*, along with supporting documentation. The Program Coordinator, or designate, will meet with the student to gather additional information, and will approve or deny the request in writing. If approved, the Program Coordinator will complete and submit a Student Action Form ("SAF") to the Registrar's Office indicating that the student is approved for an authorized leave. University of Guelph-Humber students are to consult with their Academic Advisor regarding a non-academic leave.

*IMPORTANT NOTE: For International Students requesting a non-academic leave, the SAF will be sent from the Program Coordinator to the International [Graduate] Student Advisor & Immigration Specialist ("ISAIS/IGSAIS") so that the ISAIS can discuss the leave request with the student. There are specific regulations governing non-academic leaves for International students and it's important that this is discussed with a qualified individual as there may be immigration and Study Permit implications. The ISAIS/IGSAIS will submit the SAF with all required information.

1.1.2.2. At times, there may be situations whereby a student is not able to effectively engage in a post-secondary setting due to their emotional, physical, and/or psychological wellbeing, or when they pose a significant risk to themselves or others (Voluntary Leave B). The CARE Team will engage with the student to provide support, resources, referrals, and may conduct required risk assessments as appropriate in accordance with the CARE Team Procedure Manual. For International students, the CARE Team will consult with an International Student Advisor & Immigration Specialist (ISAIS) regarding options for the student and potential impacts of a voluntary leave. For University of Guelph-Humber students, the CARE Team will consult with the Associate Registrar of Academic Advising, Registration, and Records. Where possible, a voluntary leave option will be provided to the student before the involuntary leave process is initiated. Voluntary leaves allow a student and their support person(s), where applicable, to be actively involved in setting the terms of both the leave and return to study, with CARE Team representatives. Should a student choose to take a voluntary leave for a period of time (up to one term for International students), they can expect to be connected with a Care

Coordinator to assist them with navigating the various policies and procedures. International learners will be referred to an International Student Advisor & Immigration Specialist/International Graduate Student Advisor & Immigration Specialist to review the implications of a leave on the student's status in Canada, to ensure these implications are effectively communicated and understood, and to provide the learner with access to applicable resources.

At the conclusion of the voluntary leave, when the student is ready to return to their studies, they must have completed any agreed upon terms and conditions, and engage in the Non-Academic Return to Study procedure before being eligible to register. Please refer to Section 2 for more information about the Return to Study procedures.

1.1.3. **Involuntary Leave**

The CARE Team will review all relevant information including details of the concern, all supports/resources that have been provided, results of threat/risk assessments, and meetings with involved parties. If deemed necessary, the CARE Team will explore the voluntary leave option, as described above, with the student of concern. If a student chooses not to, or is not able to engage in the voluntary leave option, an involuntary leave process will be initiated. If initiated, the student will be notified in writing of the process, provided with information about the observed concerning behaviour and rationale for the process, any requirements for assessment or documentation, and will be asked to meet with the CARE Team Co-Chairs to be given an opportunity to respond to the information. The student is encouraged to bring a support person to the meeting; a support person from Humber can be arranged upon request. Should the student decline to provide a statement or participate in the meeting, the decision to recommend an involuntary leave will be based on available information.

The CARE Team Co-Chairs will provide a summary of information, including what was shared by the student, to the core members of the CARE Team. For International students, the CARE Team will consult with an International Student Advisor & Immigration Specialist (ISAIS) regarding options for the student and potential impacts of an involuntary leave. For University of Guelph-Humber students, the CARE Team will consult with the Associate Registrar of Academic Advising, Registration, and Records.

Upon review of all available information, the CARE Team may put forth the recommendation for an involuntary leave. The recommendation, including rationale, is provided to the Associate Vice President, Learner & Career Success and Dean of Students, or designate, who will accept or deny the Team's recommendation. For Guelph-Humber students, the recommendation will also be provided to the Department Head – Student Services, or designate, who, along with the Associate Vice-President Learner & Career Success and Dean of Students, will accept or deny the Team's recommendation.

International learners will be referred to an International Student Advisor & Immigration Specialist/International Graduate Student Advisor & Immigration Specialist (at Humber Downtown) to review the implications of a leave on the

student's status in Canada, to ensure these implications are effectively communicated and understood, and to provide the learner with access to applicable resources.

1.1.4. **Communicating the Decision**

The decision to place a student on an involuntary leave is made with care and consideration, and only after every reasonable effort has been made by Humber to support the student to participate in extra-curricular and academic life (e.g., connecting the learner to supports and resources at Humber and in the community, developing a support/success plan, providing alternate academic delivery methods and/or pathways, etc.). Humber will notify the student of its decision in writing, including rationale, and will deliver this letter in person, where possible. A CARE Team Co-Chair will arrange to meet with the student and support person(s), to deliver the decision letter, discuss the rationale for the decision, along with next steps. If applicable, this will include the earliest date by which the student may apply for re-admission and any terms and conditions for re-admission. Terms and conditions may include, but are not limited to, a medical, psychological, or psychiatric report confirming fitness to participate in academic or campus life, a threat/risk assessment, in addition to evidence supporting that any other conditions imposed have been fulfilled. Humber acknowledges that each situation will be determined on an individual basis, and any requirements will be communicated to the student in writing.

2. **Return to Study**

For individuals who have engaged in Voluntary Leave A, as defined in section 1.1.2.1 above, they may return to study based on the information already provided to the Registrar's Office on the Student Action Form (SAF). This will include the program to which they will return, a return date, and any other pertinent details. The student may wish to connect with a Care Coordinator, International Student Advisor and Immigration Specialist, and/or Academic Advisor for assistance prior to returning to study.

For individuals who have engaged in Voluntary Leave B, as defined in section 1.1.2.2 above, or were placed on an Involuntary Leave, they may engage the non-academic return to study procedures, as detailed below, when they are ready to return to Humber and have satisfied the conditions that were identified by Humber prior to commencing the voluntary/involuntary leave. The individual may complete the online Return to Study Application at any time, but no fewer than 30 calendar days prior to the start of the academic term for which they are seeking re-admission. An individual may apply a maximum of two times in a calendar year, September through August. For the application to be deemed complete, individuals must provide documentation that all terms and conditions have been met and satisfied, including supporting documentation, and a description of the individual's attempt to resolve the concerns that lead to their leave from Humber. For support with the application process, a student may wish to connect with a Care Coordinator (CARE@humber.ca).

2.1. **Application Review**. Applications will be reviewed by the CARE Team Co-Chairs to ensure they are complete. If not complete, the individual may be asked to meet with the Co-Chairs and/or provide additional information. If complete, the application package will be brought forward to the CARE Team to assess if the terms and conditions for return have been met.

If the terms and conditions have been met, the CARE Team will identify the required campus and community-based referrals to support, to the extent possible, the individual's immediate and long-term needs for re-integration into Humber.

If the terms and conditions have not been met, the CARE Team may request a meeting with the applicant to review the application and to provide guidance on what additional steps are required prior to the student resubmitting the Non-Academic Return to Study application.

2.2. Communicating the Decision

2.2.1. If the terms and conditions have been satisfied, the Co-Chairs will communicate the decision in writing to the applicant. Prior to registration, the applicant will be required to meet with a Care Coordinator, or designate, to complete a Return to Campus Support Plan. The meeting and support place are intended to assist in the coordination of supports and student success. As part of the Support Plan, the individual will be required to meet with the Care Coordinator on a regular basis, as determined by the CARE Team, throughout their first term.

2.2.2. If the terms and conditions have not been satisfied, the CARE Team will communicate the decision in writing, including rationale, to the applicant. The letter will include the terms and conditions that were not satisfied and next steps for the applicant.

2.3. Admission Requirements

2.3.1. Individuals seeking to return to campus and re-commence their studies, who are approved to do so by the CARE Team, must meet all admission and enrolment requirements, and timelines associated with the academic program and academic calendar. Individuals must also be in good financial standing with Humber.

3. Request for a Decision Review (Appeal)

3.1. **Interim Measures.** Students affected by interim measures may request, in writing, a review of the interim measures:

3.1.1. Where there has been a change in the status of court conditions or criminal charges;

3.1.2. Following completion of a Humber approved violence risk assessment;

3.1.3. When the student has additional or new information relevant to the decision to impose interim measures; or

3.1.4. When the student, as a result of being on interim measure, risks losing their academic year.

3.2. Students requesting a review based upon Interim Measures 3.1.1, 3.1.2 or 3.1.3 noted above, may submit a written request to the CARE Team Co-Chairs at CARE@humber.ca and include, at minimum, the following information:

3.2.1. The interim measure(s) to be reviewed;

3.2.2. The alleged policy violation, if applicable;

3.2.3. The impact of the interim measure on the student;

3.2.4. The reason, from the list above, for the review;

3.2.5. Any supporting documentation.

- 3.3. The Associate Dean, or designate, will review all information provided by the student, and any other information deemed relevant from internal or external sources, within five (5) business days of receipt and either uphold, amend, or overturn the interim measure(s). The decision of the Associate Dean, or designate, is final, and the student will have exhausted all available means of review at Humber.

3.4. Involuntary Leave

- 3.4.1. Students have the right to request a review of a decision made by Humber. To request a review, students must submit a written request to the Vice President, Inclusion, Belonging, and Student Experience, within ten (10) business days of the date of the decision letter (deanofstudents@humber.ca). The review request is limited to procedural grounds, specifically that there is evidence of procedural error or bias.
- 3.4.2. When requesting an appeal, it must include the following:
- 3.4.2.1. The decision letter;
 - 3.4.2.2. The alleged procedural error or demonstrated bias in the process, described in detail;
 - 3.4.2.3. Supporting documentation or information, as applicable;
 - 3.4.2.4. The requested resolution.
- 3.4.3. The Vice President, Inclusion, Belonging and Student Experience, or designate will conduct a formal review of the request within ten (10) business days of receipt and either uphold, amend, or overturn the decision of the AVP. The decision of the Vice President, or designate is final and the student will have exhausted all available means of review at Humber.

3.5. Return to Study

- 3.5.1. If an individual is denied re-entry, they have the right to request review of the decision. To request a review, the individual must submit a written request to the Associate Dean, Student Wellness and Equitable Learning (AD-SWEL), within ten (10) business days of the date of the decision letter. The request should be sent to SWEL@humber.ca and is limited to:
- 3.5.1.1. New information not available at the time of applicable, that is likely to change the outcome
 - 3.5.1.2. There is evidence of procedural error or bias
- 3.5.2. When requesting an appeal, it must include the following:
- 3.5.2.1. The reason for the request (from above);
 - 3.5.2.2. The decision letter;
 - 3.5.2.3. The new information that was not previously available, if applicable;
 - 3.5.2.4. The alleged procedural error or demonstrated bias in the process, described in detail, if applicable;
 - 3.5.2.5. Supporting documentation or information, if applicable;
 - 3.5.2.6. The requested resolution.
- 3.5.3. The AD-SWEL, or designate, will conduct a formal review of the request within ten (10) business days of receipt and either uphold, amend, or overturn the decision of the CARE Team. The decision of the AD-SWEL, or designate, is final and the individual will have exhausted all available means of review at Humber. The

individual is welcome to submit a new Return to Study applicable at a later time, following the procedure outlined in section 2 of this procedure.

Note: Requesting an appeal does not postpone the decision under review. Individuals are required to adhere to any requirements set out in the decision letter until they receive, in writing, that a decision has been modified or overturned through the appeal process. Where possible, the individual will be provided with support to continue modified participation in their academic pursuits in the event the decision under review is overturned.

4. Delays and Time Limits

Time limits outlined in this procedure may be extended by: (i) the mutual consent of the student and Humber's CARE Team Co-Chairs; or (ii) by the Vice-President, Inclusion, Belonging, and Student Experience unilaterally if circumstances outside of their control require such a delay. Delays should not substantially prejudice either party. The failure to meet a time limit described in this procedure does not render any decisions void. Humber's CARE Team Co-chairs and the Vice-President, or designate, may consider a failure to meet prescribed timelines in considering an appropriate outcome.

5. Accommodations

Students may request accommodation for this process by contacting a Care Coordinator (CARE@humber.ca). Accommodations will be provided in accordance with the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act (AODA).

6. Documentation, Privacy, and Records Management

All information and record keeping pertaining to a complaint under the Code of Student Community Standards will be kept in accordance with the Freedom of Information and Protection of Privacy Act (Ontario) ("FIPPA") and/or the Personal Health Information Protection Act (Ontario) ("PHIPA").

A record of the case files and decisions, including requests for review, made under the Non-Academic Leave Policy and associated Procedure will remain in the CARE database for a period of seven (7) years with the exception of records where there is a pressing issue that necessitates specific notes be kept longer (e.g., as indicated in other policies or legislation). This is done at the discretion of the CARE Team Co-Chairs.

Disclosure of case file information will be managed through the Legal, Risk, and Privacy Office at Humber. Humber personnel strive to protect the personal and health information of students, and to exercise discretion at all times. CARE Team members have access to case files on an as needed basis and share information under and according to existing privacy legislation.

Where Humber becomes aware of compelling circumstances affecting the health or safety of an individual or others, they may elect, with the utmost discretion and in accordance with all provincial acts, to follow emergency disclosure provisions and inform necessary agencies or individuals of personal and student information. This includes serious mental health concerns or threats of violence.

7. Review Process

The Non-Academic Leave Policy and associated procedure will be reviewed every five (5) years, or earlier upon request by Humber's Senior Vice Presidents, Vice Presidents or other Humber Executives. An editorial review will be conducted annually. Final approval of the policy and procedure will be made by the Executive Team.