



## **TITLE IX EMERGENCY REMOVAL PROCEDURES AND POLICY**

### **1. Policy Statement and Overview**

Davenport University prohibits sexual harassment, which includes sexual assault, dating violence, domestic violence, and stalking in accordance with our Title IX Policy and University Student Code of Conduct.

Per the direction of the Department of Education, and under the guidelines provided in the Title IX policy, the University may remove a student or staff person, in part or wholly, from its programs, activities, housing, or employment if it is determined through an individualized safety and risk analysis that it is necessary to do so. This removal will be on an emergency basis only, and it must be assessed that there is an immediate physical threat to the health or safety of the student or others.

Once an individual safety and risk analysis has been considered and determined, a student or staff person may be removed for a limited period of time. The individual will receive this notice in writing, along with information regarding an appeal process regarding the removal.

### **2. Procedures for Student Emergency Removal**

#### **a. Individual Safety and Risk Analysis**

- i. Specific criteria must be met in order to move a student to the individual safety and risk analysis process. The criteria includes but is not limited to:
  1. A credible threat of harm to self
  2. A credible threat of harm to others
  3. Weapons and/or access to weapons
  4. A history of misconduct, potentially having already received sanctions
  5. A history of domestic/interpersonal violence
  6. Egregious substance abuse where there is potential harm to self or others
  7. A mental health crisis where harm to self or others is determined possible

#### **b. Emergency Removal Process**

- i. The Safety and Risk Intervention team, comprised of three staff persons will assess the above criteria and make a referral to the Title IX Coordinator for immediate emergency removal. The referral must contain a written rationale that is fair and unbiased.
- ii. The length of the emergency removal will be determined on a case-by-case basis, and will be communicated to the individual forthwith.
- iii. All decisions by this team will come with the ability for the student or staff person to appeal.



**3. Written Notice to Student**

- a. Written notice will be provided to the student through Maxient, and will be delivered to the student's University email account. The Director of Public Safety/Clery Coordinator will receive this notice in order to assist in the facilitation of the temporary emergency removal.
  - i. Note, should this emergency removal be instituted to a staff person, HR will manage the communication to the individual.
- b. In the event that there is an impact to the students' academic or athletic schedule, a temporary life challenge alert will be sent to appropriate staff and faculty to excuse the student's temporary absence.
- c. Subsequently, a student's parent or legal guardian may be notified of the decision for emergency removal if deemed appropriate by the Safety and Risk Intervention team.

**4. Appeals Process**

- a. Decisions by the Safety and Risk Intervention team may be appealed to the Executive Director of the Center for Campus Life. Appeals must be filed in writing within three business days of receipt of the written decision. Appeals can be filed based on one or more of the following:
  - i. New or relevant material evidence or information which could not have been discovered at the time of the decision.
  - ii. Procedural error on the part of the Safety and Risk Intervention team.
  - iii. Errors in the assessment of the Individual Safety and Risk Analysis which can demonstrate the removal was not appropriate.
- b. Should a person choose to appeal, the emergency removal will remain in effect until the completion of the appeals process and a decision is rendered.