

**WAC 132F-126-050 Emergency medical leave of absence.** (1) The vice president may immediately require a student to take an emergency medical leave of absence if the student has a medical, mental, emotional, or psychological condition and as a result of the condition:

(a) The student is engaging in, or threatening to engage in, behavior that poses a significant danger of causing imminent and substantial harm to the health, safety, or welfare of the student or others; or

(b) The student's behavior has resulted in substantial harm to the health, safety, or welfare of the student or others and the behavior continues, or there is a risk the behavior will continue, posing a significant danger of causing imminent and substantial harm to the health, safety, or welfare of the student or others; or

(c) The student's behavior has resulted in significant disruption of the teaching, learning or administrative activities of other members of the campus community and the behavior continues, or there is a risk the behavior will continue, with the likely result of such behavior imminently and substantially impeding the education processes or proper activities or functions of the college and its personnel.

(2) A decision by the vice president requiring a student to take an emergency medical leave of absence shall be in writing and served on the student. The decision shall set forth the reasons for requiring the leave and, as appropriate, any restrictions imposed on the student's access to the campus or college-sponsored activities. Service of the decision shall be effective upon deposit in the United States mail to the student, postage prepaid and properly addressed to the student at the last known address on file with the registrar's office, or by personal service on the student.

(3) A student subject to an emergency medical leave of absence shall be provided a hearing before a presiding officer appointed by the college president to review the vice president's decision. The hearing shall occur within three business days of the student being served with the vice president's decision imposing the emergency medical leave of absence unless a student elects to waive his or her right to a hearing. Except as otherwise provided herein, the process for conducting the emergency medical leave hearing shall be pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(4) An emergency medical leave of absence shall take effect immediately and remain in effect until the review board or president reinstate the student. The vice president may at any time decide to reinstate the student under an emergency medical leave when the vice president determines that the reasons for the emergency medical leave of absence no longer exist.

[Statutory Authority: RCW 28B.50.140 and 28B.50.090(3). WSR 21-13-067, § 132F-126-050, filed 6/12/21, effective 7/13/21.]