

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: June 18, 2018

REGULATION TITLE:
Appeals of Graduate Program Actions or Decisions

REGULATION NO.:
UCF-5.017

SUMMARY OF PROPOSED REGULATION AMENDMENT: This regulation is amended to add new language regarding termination from a clinical assignment or graduate program and the applicability of the graduate program action appeal procedure.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Regulations Administrator

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-5.017 Appeals of Graduate Program Actions or Decisions

(1) Review of Academic Performance.

- (a) The primary responsibility for monitoring a student's progress to degree (or program completion) rests with the graduate degree program, although the College of Graduate Studies ~~may~~ also monitors a student's progress and takes appropriate actions if performance standards as specified by the program and University are not maintained. Satisfactory progress to degree (or program completion) requires an ongoing evaluation of a student's performance in a program as indicated by satisfactory grades within courses, successful

performance on program competency exams, progress in thesis and dissertation research, the maintenance of the standards of academic and professional integrity expected in a particular discipline or program, and any other measures of progress as customarily used in the program. Academic probation or even dismissal of the student from the program may occur when the individual is not making satisfactory progress to degree (or program completion).

- (b) A ~~degree-graduate~~ program may also recommend dismissal if the student fails to maintain the standards of academic and professional integrity, meet or exceed the professional competencies of the discipline, or maintain-as-well-as the competence necessary for the welfare of faculty, fellow students, staff, patients, clients, or others encountered in internships, externships, or other classes required by the degree program. A student's performance in clinical settings may be evaluated by clinical supervisors or other clinicians in conjunction with instructors of record and/or faculty advisors.
- (c) A student may be immediately terminated from a clinical assignment and/or graduate program when, in the professional judgment of a qualified clinician, faculty supervisor or instructor of record, client/patient welfare could be at risk. In cases where client/patient welfare could be at risk, graduate programs may forego published procedures for advising, mentoring or probation if documentation from clinical or faculty supervisors indicate immediate action was necessary to protect the welfare of others. When immediate action is taken, the graduate program must inform the student in writing of the action and the reasons for the action. The student may appeal such action as a graduate program action under this Regulation.
- (d) Misconduct associated with research or misconduct in laboratory assignments may result in immediate termination from the assignment and/or the graduate program when the misconduct places clients, researchers, subjects or the university at risk
- (ee) However, it is incumbent on the ~~degree-graduate~~ program to give the student an opportunity to discuss the pending action with the program director and provide additional relevant information prior to making a recommendation of probation or

dismissal. A student does not have to agree with the action in order for the program to move forward with a recommendation of probation or dismissal.

(f) The Dean ~~and Vice Provost~~ of the College of Graduate Studies has final authority over probation and dismissal recommendations and will execute them accordingly.

1. Once dismissed, a student may apply to UCF as a student in another ~~degree~~ graduate program, or as a non-degree student. Readmitted students are who is prohibited from taking courses in the program from which ~~he/she/they~~ were dismissed.

2. A ~~dismissed~~ student can only be reinstated to ~~his/her/the~~ previous ~~degree program-graduate program~~ by either submitting a new application to the program with a new admissions decision, or through a formal grievance process. (See Grievance Procedures in following section).

(2) ~~Grievance-Other~~ Procedures. Graduate students disputing a graduate program action (including the evaluation of their progress to degree) as described above, have several routes of appeal depending on the nature of the grievance.

(a) In the appeal of a grade in a specific course (excluding thesis or dissertation credit ~~hour~~courses) students are referred to Regulation UCF-5.016 for the grade appeals procedures.

(b) For issues resulting from a failure to maintain academic behavior standards such as cheating, plagiarism, etc., students are referred to Regulation UCF 5.015 (and, as appropriate, student conduct review procedures).

(c) Misconduct associated with research will follow procedures determined by the Office of Research and Commercialization.

(d) All other grievances, including the appeal of grades issued in Thesis and Dissertation Grade appeal~~credit hours~~, follow the Procedure for Other Grievances of Graduate Students as outlined ~~below~~in this Regulation.

(3) Applicability of graduate program action appeal procedure:

(a) This regulation applies to graduate student appeals of decisions made by the College of Graduate Studies, an academic college or graduate degree program based on:

1. Alleged deviation from program or university policies as outlined in the Graduate Catalog or Graduate Program Handbook(s)
2. Alleged errors in application of policies or procedures
3. Alleged probation or dismissal due to non-academic reasons
4. Alleged deviation from the University's syllabus policy
5. Alleged discrimination and/or sexual harassment in the program, department or college. (An appeal alleging discrimination and/or sexual harassment in the program, department or college will be referred directly to the Office Institutional Equity. The University is entitled to a reasonable period of time to review allegations of discrimination contained in a graduate student appeal, and the University may accordingly extend deadlines applicable to the University for purposes of reviewing such allegations.)

(b) Decisions based on professional judgment of an instructor, faculty member or clinical supervisor in the assignment of a grade or assessment of a student's performance in a class are excluded from the provisions of this regulation except as noted above. Probation or dismissal due to unsatisfactory performance on competency exams, research, or progress in thesis or dissertation research may not be appealed based on the student's disagreement with the professional judgment of an instructor, faculty member or advisor. Students may appeal based on alleged errors in process or alleged non-academic reasons.

(c) Students placed on probation or dismissed by the College of Graduate Studies for not maintaining at least a 3.0 GPA may not appeal the academic program or academic college's decision to not submit a Conditional Retention Plan (CRP). A CRP may be offered to a student when, in the discretion of the academic program, extenuating circumstances warrant such an exception; however, graduate programs are not obligated to provide a CRP.

(43) Procedure for Other Grievances of Graduate Students. Students are entitled to a fair and timely resolution of appeals. This procedure is intended for graduate students having complaints regarding specific actions or decisions by a faculty member, program or college, including termination from an academic program, for reasons that are not covered in Section 2(a)-2(c) above. The graduate student ~~should~~ is encouraged to first discuss the matter within the academic

unit of the grievance and attempt to resolve the grievance informally. ~~If the informal resolution fails,~~ The formal procedure is as follows:

- (a) Step 1 - Program and Department Level: The graduate student ~~requesting consideration of a grievance~~ appealing the decision of a program, must state the nature of the grievance in writing to the graduate program director, ~~within six months of the official date of notification~~ date of the occurrence of the aggrieved action. The statement should include ing a brief narrative of the grievance, the parties involved, and a statement of the remedy being requested. This statement must be submitted by the graduate student within six (6) months of the notification date of the occurrence of the program action being appealed.
- (b) Dependent on the nature of the grievance, the graduate program director will in ten business days following receipt of the grievance either make a recommendation about the grievance to the unit head or refer the grievance to the unit/ program graduate committee to examine the issue at their next scheduled meeting. The unit/program graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information and arguments about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The unit/ program graduate committee will make a recommendation about the grievance to the graduate program director.
- (c) The graduate program director will consider the input of the unit/ program graduate committee and make a recommendation to the unit head about the grievance. The unit head will then make a final decision about the grievance at the program/ unit level and inform the student of the decision within ten business days after receiving the recommendation from the graduate program director.
- (d) Step 2 - College Level: Should the graduate student disagree with the decision of the unit head, the student has ten business days to file a written appeal of the decision with the academic college graduate coordinator (or the ~~Vice President for Research and~~ Dean of the College of Graduate Studies in the case of interdisciplinary programs with no academic college assigned to oversight of the

program). It is incumbent on the student to explain in the appeal why the unit/program decision is in error and should be reexamined. At each appeal level, the basis for the appeal must be the same as the original appeal or must articulate new information discovered as part of the appeal process itself. If the basis for the appeal changes, the student will be considered to be initiating a new appeal that must begin at the initial level of the appeal process (and which must be timely).

- (e) Dependent on the grievance, the academic college graduate coordinator will, in ten business days following receipt of the appeal, either make a recommendation to the college dean about the grievance, or refer the grievance to the college graduate committee to examine the issue at their next scheduled meeting. The college graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information about the grievance. If so invited, the graduate student can have a personal advisor at the committee meeting, but the advisor can only confer with the student and not participate in the committee meeting. The college graduate committee will make a recommendation about the grievance to the college graduate coordinator.
- (fe) The academic college graduate coordinator after considering the input of the college graduate committee will make a recommendation to the college dean about the grievance. The college dean will then make the final decision about the grievance at the academic college level, and inform the student of the decision within ten business days after receiving the recommendation from the college graduate coordinator.
- (gf) Step 3 - College of Graduate Studies Level: Should the graduate student disagree with the decision of the academic college dean, the student has ten business days following receipt of the college decision to file a written appeal of the decision at the university-level with the ~~Vice President for Research and~~ Dean of the College of Graduate Studies. It is incumbent on the student to explain in the appeal why the academic college decision is in error and should be reexamined.
- (h) Dependent on the appeal, the ~~Vice President and~~ Dean of the College of Graduate Studies will within ten business days following receipt of the appeal either make a decision about the grievance or refer the appeal to the Appeals Subcommittee of

the Graduate Council to examine the issue at a scheduled meeting. The Appeals Subcommittee may invite the aggrieved student as well as others having information about the grievance to attend and present information about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The Appeals Subcommittee will submit a recommendation to the ~~Vice Provost and~~ Dean of the College of Graduate Studies concerning the grievance.

- (ig) The ~~Vice President for Research and~~ Dean of the College of Graduate Studies will consider the input of the Appeals Subcommittee of the Graduate Council and make a final decision about the grievance for the university. There is no appeal beyond the level of ~~Vice President and~~ Dean of the Graduate College as this person is vested with the final authority by the President of the University.

Authority: BOG Regulation 1.001. History—Formerly 6C7-5.00431, New 7-20-09, Amended 7-19-12, 7-20-17, _____-18.