Title: Student Discipline, Dismissal and Appeal Process from Professional/Clinical Programs, Procedures on

Procedures Owner: Office of the Provost

Responsible Office: Academic Programs with Professional/Clinical Programs

Effective Date: September 1, 2019

Contact Information: Provost's Office; 860 486-4037

Official Website: http://www.provost.uconn.edu

Purpose: To define a fair and uniform process for disciplining or dismissing students from professional/clinical programs based on failure to adhere to professional standards of conduct.

Procedures Statement: Each professional school or program maintains its own professional standards of conduct. These standards of conduct are often developed in accordance with stated norms for professional conduct, whether as required by accrediting bodies or otherwise. Each program’s professional standards of conduct should be clearly stated in the student handbook. A student's failure to adhere to those standards may result in discipline, including and up to, dismissal from the program.

Applicability: This policy applies to each professional school or program except those falling under the purview of the Graduate School. Those professional schools and programs falling under the purview of the Graduate school should follow the Graduate School's procedures. See https://grad.uconn.edu/policy/.

ALLEGED VIOLATIONS OF PROFESSIONAL STANDARDS OF CONDUCT

Any student believed to have violated one or more of a program’s professional standards of conduct shall be provided a written description of the alleged violation(s), with a copy to the Dean and program director, or designee. The written notice need only have sufficient detail to inform the student of the alleged violation(s), the provisions of the professional standards believed to have been violated and the potential consequences to the student.¹ Such notice will be made by email to the student’s official University email address and shall be deemed received by the student on the day it was sent.

Any student who has been suspended or removed from a clinical placement as a result of the alleged violation(s) risks being unable to complete the clinical component of their current course within the required timeframe and receiving a failing grade. Such students are strongly encouraged to respond as quickly as possible to ensure a timely resolution, increase the student’s chances for securing an alternative clinical placement and, in turn, complete the clinical component within the required timeframe.

The student shall have five business days to respond in writing to the notice of violation(s) and request a conference to review the alleged violations.

¹ All proceedings and timeframes herein may be suspended at the discretion of the Program Director during the pendency of any investigation or proceeding undertaken by the Office of Community Standards related to the same conduct. Following resolution of any the student code matter, the Program Director may elect to proceed under these procedures.
The Program Director or individual in an equivalent position shall conference with the student as soon as is practicable, but not more than ten business days of receipt of the student’s response. A student may, at their own risk, request additional time to schedule a conference.

**Failure to Respond or Conference:** If the student fails to respond or participate in conference within 15 business days of the notice being received, the Program Director or individual in an equivalent position shall determine and impose disciplinary action without need for a hearing. In such cases, the student has no right to appeal. The 15 business day time limit shall be extended if a request for additional time is granted.

**Conference:** Program Director will review the professional standards alleged to have been violated with the student and the disciplinary action deemed appropriate to impose in response to the violation(s). The student may consult with a present support person, but that person may not actively participate in the conference. A student should choose a support person whose schedule allows for their participation in the conference because delays will not be allowed due to the scheduling conflicts of a support person. At the conclusion of the conference, the student shall:

1. Sign an acknowledgment stating that the student committed the alleged violation(s) and agrees with the imposed disciplinary action. In such cases the discipline shall be imposed without need for a hearing and the student has no right to appeal.

   or

2. Contest the alleged violations and/or associated discipline. In such cases, the Program Director will schedule a hearing as soon as is practicable but not more than ten business days of conferring with the student. The Program Director may extend the time in which to hold a hearing based on extenuating circumstances. The student will be notified of the date, time and location of the hearing via university email.

**HEARING**

A hearing body shall be assembled by the School, College, Department, or Program, as appropriate. The hearing body shall consist of one or more University employees that were not directly involved in the incident(s) from which the alleged violation(s) arose. In the event that the hearing body consists of more than one employee, a chairperson for the hearing body shall be appointed.

The purpose of the hearing is to allow for a fair and impartial review of the information to determine whether the student has violated one or more of the program’s professional standards of conduct and, if so, the appropriate discipline that should be imposed. Hearings should be conducted in private. The hearing is not a court proceeding and the hearing body is not bound by rules of evidence.

The student shall have the right to:
• **Propose witnesses.** At least two business days in advance of the hearing, the student should provide the hearing body’s designee with a list of names and a brief summary of the information expected to be presented by each witness. It is the responsibility of the student to notify the witnesses of the date, time and location of the hearing. The hearing body chair has the discretion to limit the number of witnesses who may appear before the hearing body (for example, due to relevancy, redundancy, etc.), but in exercising that discretion must allow for a fair and impartial review of the allegations.

• **Submit written or other information for the hearing body’s consideration.** At least two business days in advance of the hearing, the student should submit to the hearing body’s designee any documentary or other evidence that the student wishes the hearing board to consider. Absent exceptional circumstances, the hearing body will not consider information submitted beyond this deadline.

• **Be notified within two business days of the hearing of the identity of any witnesses who have been called by the hearing body to present information during the hearing.**

• **Be provided copies within two business days of the hearing of any written or other information the hearing body intends to consider at the hearing, when such information is known to the hearing body prior to the commencement of the hearing, including any prior conduct history of the student that may be considered for the purpose of determining the appropriate discipline.**

• **Be accompanied by a support person.** The student may consult the support person, but that person may not actively participate in the hearing. A student should choose a support person whose schedule allows attendance at the scheduled date and time for the hearing because delays will not be allowed due to the scheduling conflicts of a support person.

After hearing from the witnesses and considering all other information presented to the hearing body, the hearing body shall deliberate. A decision by the hearing body that a student has violated one or more professional standards must be based on a preponderance of the evidence (i.e. it is more likely than not that the student violated the standard(s)).

The hearing body shall notify the student in writing of its decision within five business days of the hearing. The notice shall contain sufficient detail to explain the basis of the hearing body’s decision. In deciding upon discipline, the hearing body may consider prior conduct history of the student. Such notice will be made by email to the student’s official University email address and deemed received by the student on the day it was sent.

**Appeal Procedures**

The decision of the hearing body may be appealed by the student to the program’s Dean or designee. Any such appeal must be made in writing within five business days of the student’s receipt of the written decision. The sole grounds for appeal are:

• A claim of error in the hearing procedures that substantially affected the decision;
• A claim of new information material to the matter that was not known and could not reasonably have been known at the time of the hearing;
• On a claim of substantive error arising from misinterpretation of information presented at the hearing.
The student’s appeal must identify at least one of the three grounds for review and provide sufficient detail to understand the basis for the request. Mere disagreement with the hearing body’s decision is not sufficient grounds for appeal.

Within five business days of receipt of the appeal, student will be notified of the decision on the appeal, which may include:

- Upholding the decision of the hearing body
- Reversal of the hearing body’s decision
- Modification of the discipline
- Remand to the hearing body if the Dean/designee deems necessary to consider new information or to correct an error in the hearing procedure

The decision of the appellate body is final.

**Undergraduate students in professional/clinical programs:** Undergraduate students dismissed from a clinical or professional program are not necessarily dismissed from the University.

**Post-baccalaureate/certificate programs:** Typically, students dismissed from post-baccalaureate (e.g. Certificate) programs that do not fall under the purview of Graduate School are *de facto* dismissed from the University.