Communication from the Committee on Rules and Jurisdiction
Patrick Finley, PharmD, Chair

April 1, 2014 DRAFT

Howard Pollick, BDS, MPH
Chair, Committee on Educational Policy
Office of the Academic Senate, Box 0764

Re: Proposed Revision of Division Appendix VII

Dear Chair Pollick:

Pursuant to Divisional Bylaw 120(B)(5), the Committee on Rules and Jurisdiction reviewed the proposed revision of Appendix VII. Divisional Procedure for Student Grievance in Academic Affairs to (1) provide clarity to both administrators and students, and (2) to separate procedures for grievances related to academic dismissals from those related to allegations of unlawful discrimination.

Upon review in January 2014, the Committee on Rules & Jurisdiction raised two concerns:

• readiness of the Schools to handle the new procedures;
• interim support to those administrators and students in situations involving grievances due to allegations of unlawful discrimination.

The Committee on Rules and Jurisdiction has worked with the schools and the Office of Diversity & Outreach since February 2014 to resolve these two concerns.

At this stage, the Committee on Rules & Jurisdiction approves this rewrite with minor editorial changes and inclusion of language on campus websites providing interim guidance and direction to administrators and students in situations involving grievances due to allegations of unlawful discrimination. Inclusion of the new language has been approved by Vice Chancellor Navarro and the Office of Diversity & Outreach.

The proposed amendments now must be approved by a vote of the Division, and subsequently approved by the University Committee on Rules and Jurisdiction before they may go into effect.

Sincerely,

The Committee on Rules and Jurisdiction
Patrick Finley, PharmD, Chair
Jae Woo Lee, MD, Vice Chair
Gary Armitage, DDS, MS
Marek Brzezinski, MD, PhD
Douglas Carlson, JD
Troy Daniels, DDS
Preston Maxim, MD
Anne Slavotinek, MD, PhD
Catherine Waters, RN, PhD, FAAN

Cc: Vice Chancellor Renee Navarro
    David Irby, PhD, Co-chair, Task Force to Revise Appendix VII
NEW
Bylaws, Regulations and Appendices of the University of California,
San Francisco Division of the Academic Senate
Appendix VII
Divisional Procedure for Student Academic Dismissal

1. PURPOSE
A. The purpose of this procedure is to provide for the fair and timely determination and resolution of student academic dismissals.

2. REVIEW OF STUDENT ACADEMIC PERFORMANCE
A. The review of student academic performance is the responsibility of the faculty of each school and may be administered through faculty committee(s). With respect to potential academic dismissals, these committee(s) perform two functions:
   Step 1. Initial screening of eligibility for dismissal, and
   Step 2. In-depth review and dismissal decision.

3. STEP 1: INITIAL SCREENING OF ELIGIBILITY FOR DISMISSAL
   a. Each School shall establish:
      i. Criteria for satisfactory academic progress, including promotion and graduation. The elements of academic performance are defined by the School or Graduate Program and include professional behavior in addition to knowledge, attitudes, and skills.
      ii. A faculty-driven process by which the student’s performance is compared with standards and decisions about how retention, promotion, graduation, remediation, or dismissal are made.
      iii. A process by which students who are failing to meet criteria for satisfactory progress are notified of their performance deficiencies, the consequences of failing to resolve those deficiencies, and opportunities and a timeline for remediation.
      iv. The grounds for academic review and dismissal.
b. A student eligible for dismissal will receive formal notice that his/her performance does not meet School standards and s/he therefore is referred to a committee charged with an in-depth review of academic performance and consideration of dismissal. This information will be transmitted in writing and conveyed electronically or in person. This notice will inform the student of his/her right to submit information for the committee’s consideration. The notice will include the specific reasons for the referral, the rules and procedures governing the committee’s deliberations, the student’s right to review and request a copy of his/her educational record, and the written information that will be provided by the school to the in-depth review committee.

4. STEP 2: IN-DEPTH REVIEW AND DISMISSAL DECISION

A. The chief academic officer (Vice Dean, Associate Dean or Graduate Program Director) shall appoint an in-depth review committee. This committee shall consist of faculty members within the school who are knowledgeable about the academic program and student performance standards, and may include academic officers of the school as long as they number in the minority of those committee members present at the review hearing. A quorum must be present to conduct the academic review.

B. The chief academic officer will establish and communicate to the student the meeting date for the in-depth review, to occur no sooner than 15 working days after the student is notified of the action. The term “working days” is based on UCSF’s academic and administrative calendar.

C. The student will receive a copy of his/her record of academic performance within five working days following notification of eligibility for dismissal.

D. The in-depth review committee shall undertake a comprehensive review of the entire academic performance of the student.

E. The student may submit additional written information, including information from other individuals, and may address any aspect of his or her academic performance in writing to the review committee. The student will submit any such additional information at least five working days before the committee meeting.
F. The School or Graduate Program will provide the student and the review committee with any additional information provided by the student and the school five working days before the committee meeting.

G. If further relevant material, such as course, clinical or clerkship evaluations, becomes available within five working days of the meeting, it shall be provided by the school to both the review committee and the student.

H. The student will be invited to attend a portion of the committee meeting in order to make a statement and answer questions from the committee. The student may bring another person to the meeting for personal support but this person may not be an attorney and may not speak unless requested to do so by the committee.

I. The committee will carefully deliberate and review the student's entire academic record and professional performance. Based on their review, the in-depth review committee shall make one of the following determinations:
   1. Allow the student to continue in the program with specific conditions and a timeline for remediation, and established dates for review of compliance with those conditions and timeline.
   2. Offer or mandate a leave of absence with specific conditions and a timeline for return, and established dates to review compliance with the conditions and timeline.
   3. Confirm dismissal.

J. All decisions require a majority vote of the members present.

K. The committee will prepare a letter that includes an explanation of its findings and decision to the chief academic officer.

L. The chief academic officer will notify the student of the decision and its basis in writing, electronically or in person. A dismissal becomes effective as of the date of notification and a dismissed student is immediately dis-enrolled, even if pursuing an appeal.

5. APPEAL

A. There is no appeal of an in-depth review committee decision to continue the student in the program or mandate a leave of absence, or any conditions or timelines associated with those decisions.
B. There are only two grounds for a student to appeal a dismissal decision:
1. Factual errors in the record that were not identified at the in-depth review committee meeting, if such failure would have changed the committee’s decision.
2. Failure of the committee to follow the procedure set forth in this section, if such failure would have changed the committee’s decision.
C. An appeal must be made in writing to the Dean within 10 working days of the student being notified of dismissal. The appeal must specify which of the above two grounds for appeal applies and must set forth specific facts to explain why, with any supporting materials.
D. The Dean will determine if there are grounds to reconsider the in-depth review committee dismissal decision. If there are grounds for reconsideration, the Dean may modify the in-depth review committee’s decision; and will provide the in-depth review committee members with a report of his/her actions.
E. The Dean will notify the student in writing of his/her decision. The Dean’s decision will be final and will conclude the grievance and appeal procedure.