

College of Health and Human Services (CHHS)

Policy and Procedure for Professional Behavior Violations

Summary of College of Health and Human Services (CHHS) Process

Each School and/or Program within the CHHS maintains written policies and related procedures for breaches of non-academic standards within the particular School and/or Program. The policies classify such breaches on a scale from troubling behavior (low) to egregious behavior (high), consistent with the requirements and standards of each School and/or Program. It is the responsibility of the School and/or Program to ensure that these policies and procedures have been made available to students.

In the event of a breach of non-academic standard(s), the School and/or Program may recommend the student be sanctioned. If the recommended sanction is dismissal from the School and/or Program and the student has exhausted all appeals at the School and/or Program level, they may appeal to the CHHS Professional Behavior Committee (PBC). A Professional Behavior Violation Appeal Request must be submitted by the student to at least one of the PBC co-chairs within five (5) University business days of notification from the School and/or Program of dismissal. The PBC co-chairs will review the request and convene a panel for a hearing if there are grounds for appeal based on procedural errors and/or the discovery of new information. If held, the scope of the hearing will be limited to determining the propriety of the sanction based on the School and/or Program's existing standards and policies.

The student shall be notified of the hearing in a timely manner and the hearing will proceed as expeditiously as possible. A hearing should generally be held within three (3) University business days, but this time period may be extended by the PBC for reasonable cause.

A. Professional Behavior Committee: Structure & Training

1. Faculty representation on the PBC shall include nine (9) representatives, identified at the beginning of each academic year, as follows:
 - a. One faculty member from each Program in the School of Health Sciences (Health and Human Performance, Public Health, Exercise Science, Medical Laboratory Science, and Respiratory Therapy); and
 - b. Two faculty members from the School of Social Work, as described in Section A.2 below; and
 - c. Two faculty members from the School of Nursing, as described in Section A.2 below.
2. The representatives from the School of Nursing and the School of Social Work will consist of one faculty member teaching primarily undergraduate students and one faculty member teaching primarily graduate students.
3. Decisions regarding identification of faculty representatives will be made by each School.

4. One undergraduate student and one graduate student from each School will be selected at the beginning of each academic year.
5. The PBC will elect two co-chairs from the nine identified faculty at start of each academic year to serve for one year. It is desirable for at least one of the co-chairs to be a tenured faculty member.
6. MyClasses Canvas site shall be available and training shall be completed by each PBC member prior to their participation in a dismissal appeal.

B. Appeal Process

1. A Professional Behavior Violation Appeal Request must be submitted by the student to at least one of the PBC co-chairs within five (5) University business days following notification from the School and/or Program of dismissal.
2. An appeal request will generally be reviewed by the PBC co-chairs within three (3) University business days, but this time period may be extended by the PBC for reasonable cause.
 - a. If the PBC co-chairs review the request and determine that an appeal is not warranted, the student will be notified no later than twenty-four (24) hours following their decision.
 - b. If the PBC co-chairs review the request and determine that an appeal is warranted, they will convene a panel.

C. Panel Assembly

1. The panel will be assembled from the identified committee members described in Section A, above. Each panel will be made up of five (5) members, to include:
 - a. Four faculty from CHHS Programs separate and distinct from the Program initiating the dismissal action; and
 - b. One student at the level of the involved student (undergraduate or graduate), but in a different discipline; and
 - c. The School Director or Program Chair as a non-voting member, who shall be present in case information related to School or Program-specific technical standards and policies is needed.
2. Other relevant faculty members may also be asked to contribute as non-voting members at the request of the panel.
3. If an adequate number of committee members are not immediately available for the panel, or the co-chairs are not available to assemble a panel, the Dean of CHHS will make emergency appointments.

D. Hearing Process

1. All five members of the assembled panel must be present, either physically or virtually, at the hearing. Panel members will also be reminded that anything discussed within the hearing is to remain confidential.

2. The student is permitted to attend but is not required to attend the hearing. The student may make a presentation to the hearing panel regarding the reasons why they believe an error was made or to present new evidence. A time limit of five (5) minutes will be imposed, with the Panel chair having ultimate discretion to allow more time if warranted.
3. The student may have a support person attend the meeting; however the student must notify at least one of the PBC co-chairs of the attending support person's name and relationship to the student at least twenty-four (24) hours in advance of the hearing. Attendance of a support person identified less than twenty-four (24) hours in advance of the hearing will be at the panel chair's sole discretion. The role of the support person is to assist the student with understanding the hearing process and to provide the student with support before, during, and after the hearing. At no time is the support person permitted to address others during the hearing. If this occurs, the panel chair may, in their sole discretion, require the support person to leave the hearing. The University's legal counsel will be notified of all PBC hearings and can attend at their discretion.
4. The hearing will begin with a reminder to all panel members that their purpose is limited. A sanction of dismissal may be overturned by the panel only in the following circumstances:
 - a. Procedural errors related to the Program's established standards and policies have substantially affected the dismissal determination; or
 - b. New and significant information has become available that could not have been discovered or provided by a properly diligent student during the review at the School and/or Program level.
5. All documentation presented at the School and/or Program level regarding the breach of non-academic standards will be reviewed by the panel. In addition, the panel will review the Program's standards and policies as they relate to the breach in question. Any documentation reviewed by the panel that has not already been provided to the student or faculty shall be provided at the hearing.
6. Panel members will pose any relevant questions regarding Program standards, policies, and procedures to the School Director and/or Program Chair, any other faculty member present, or the student (if present).
7. The decision of the panel must be made based on the standards described in Section 4, above.

E. Hearing Outcomes

1. If the dismissal decision is upheld, the student, Program Chair, and School Director will be notified no later than twenty-four (24) hours following the decision of the panel. The student may appeal the decision within five (5) University business days of notification in writing to the Provost or the Provost's designee. The Provost's decision is final and binding on all parties.
2. If it is determined that the dismissal decision must be overturned, the student, Program Chair and School Director will be notified within twenty-four (24) hours about the need for re-evaluation

and remedy by the Program. The Program may, in its review of the behavior, determine that lesser sanction(s) are appropriate.

3. The panel may also find that the dismissal decision needs to be revisited. In this case, the student, Program Chair and School Director will be notified within twenty-four (24) hours about the need for re-evaluation by the Program. The Program may, in its review of the behavior, determine that lesser sanction(s) are appropriate or that the original dismissal decision should be upheld. If the original dismissal decision is upheld, the student may appeal the decision to the Provost or the Provost's designee as stated in E1, above.

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