

University of Houston College of Optometry
Academic Policies and Procedures

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Introduction

These policies were developed in accordance with the General Provisions of the University of Houston Academic Honesty policy: "Honor systems within the professional colleges are especially encouraged." This document establishes the policies and procedures governing academic and clinical performance, as well as the general principles and expectations regarding ethical and professional conduct that apply to students taking courses in the professional program within the *College of Optometry*. This document was drafted by the college *Academic Committee* and is based on existing principles and practices established by the *University Student Handbook*, *College Student Handbook*, and *University Eye Institute Policies Manual*. Where applicable, the language, policies, and definitions are meant to conform to the University of Houston's academic policies as defined in the student handbook. However, these policies and procedures are intended to address the unique standards of academic performance and conduct expected of health-care professionals.

General Definitions

- A. **Class Day**—Class days, for purposes of developing timelines in this policy, are defined as days that the college of optometry is open and classes are meeting (excluding Saturdays and Sundays) as posted in the college *Academic Calendar* and are defined here for the purpose of establishing timeline uniformity.
- B. **Internal Use**—Internal use defines who has access to a student's records. Records for internal use will be released only to University of Houston officials (including all members of the Academic Committee) who have a legitimate educational or administrative interest in the student's records, such as for enforcement of the academic policies and procedures.
- C. **Academic Record**—Academic record includes documents, forms, copies, reports, statements, recordings, emails, etc., that are acquired while a student attends the University of Houston. The information is available to outside sources according to the procedures established by the Family Education Rights and Privacy Act.
- D. **Patient Record**—any protected health information (as defined by the Health Insurance Portability and Accountability Act) that includes information such as health status, the provision of health care, or payment for health services that can be linked to a specific individual.
- E. **Sanction**—Sanction means the penalty assessed for academic or clinical performance failures or violation of the *Academic Honesty Policy and Professional Conduct Code*. Typical sanctions include, but are not limited to a lowered grade, failure on an examination, assignment, or course, and may also include:
 - 1. **Probation**—refers to a level of academic standing between good standing and dismissal. Additional rules and standards may apply to students with probationary status.
 - 2. **Suspension**—temporary dismissal from the college. Future readmission is possible under limited circumstances.
 - 3. **Expulsion**— permanent dismissal from the college without the possibility of future readmission.
- F. **Instructor**— Instructor refers to individuals such as a faculty member, lecturer, teaching assistant, or teaching fellow in a given course or course section.
- G. **Student**—Student refers to any individual who has ever registered and paid (made a complete payment or has made at least one installment payment) for a course, or courses at the University of Houston. This definition would normally include undergraduates, graduate students, post-baccalaureates, professional school students and individuals auditing courses.
- H. **Notification** - All required written notices shall be addressed to the student via their UH email or US mail at his/her mailing address as it appears in University of Houston records. It is the responsibility of the

student to keep his/her current email and mailing address up to date in his/her student record (my.uh.edu). A notice properly addressed and so sent shall be presumed to have been received by the student.

- I. **Grievances** - Students have the right to file grievances regarding actions that are unjust or in error. Whenever possible, student grievances against a faculty member should be resolved through student communication with the faculty member. If that is not possible or the matter cannot be resolved, any grievance relating to matters other than those specifically addressed under these Academic Policies and Procedures may be filed following the University of Houston Grievance Policy and Procedure for Graduate, Professional, and Post-baccalaureate Students.

1. General Rules and Procedures

1.1 Academic Grading Policies

The instructor of record determines final course grades. All final grades are reported by the coursemaster and displayed on the student's *my.uh.edu* account.

The faculty of the college has the responsibility of determining a student's qualifications to practice optometry. Personal integrity, initiative, motivation, and a professional attitude are essential attributes of optometrists. Therefore, while the grading of written, oral, and practice examinations represents the basic source of evaluating performance, these additional factors may be considered in determining the final grade in a given course.

Academic actions are based only upon the student's record in the University of Houston College of Optometry professional curriculum and will be taken at the conclusion of fall, spring and summer semesters. The grade point average (GPA) for the professional program in optometry is calculated and recorded at the conclusion of fall, spring, and summer semesters and shall be used as the basis for determining matriculation in, or probation and suspension from the college of optometry. The GPA is calculated by dividing the total grade points earned by the total semester hours of credit; see section 1.4 Grade Point Average (GPA). Grades earned at another institution, in the pre-optometry curriculum at University of Houston, or in any other University of Houston curriculum except the professional optometry program shall not be used in calculating the GPA. If any course in the professional program is repeated for any reason, both course grades are used in calculating the GPA. While grades earned for courses completed at another university are not used to calculate the GPA, course credit may be accepted at the discretion of the Dean on recommendation of the Admissions Committee.

1.2 Grades

Grades in the college of optometry shall be awarded in each didactic and laboratory course at the end of each semester. Instructors may use any of the following grade categories:

- A** *EXCELLENT* – Demonstration of consistent outstanding performance in the comprehension and interpretation of the subject.
- B** *GOOD* – Demonstration of comprehensive knowledge of the subject and marked ability to interpret it.
- C** *FAIR* – Demonstration of an acceptable level of subject knowledge.
- D** *MARGINAL* – Demonstration of a minimal passing level of understanding.
- F** *FAILING* – Demonstration of major factual or conceptual errors; inability to achieve course requirements or withdrawal while not performing satisfactorily.
- S & U** Grades of *S (Satisfactory)* and *U (Unsatisfactory)* may be awarded in certain cases.
- I** *INCOMPLETE* – The grade of *I (Incomplete)* is a conditional and temporary grade given when a student is passing a course but, for reasons beyond his/her control, has not completed a relatively small part of all requirements. The student is responsible for informing his/her instructor immediately of the reason for not submitting an assignment on time or not taking an examination. The grade of *I* must be changed to a letter grade by fulfillment of course requirements within one academic year of the date awarded, or it will be changed automatically to an *F*. Only if the Dean grants an administrative withdrawal may an *I* be changed to a *W*.
- W** *WITHDRAWN* – The grade of *W (Withdrawn)* indicates that (a) the student was passing, or (b) no evaluative data were available at the time the student dropped the course. The grade of *W* is

assigned only to a course dropped after the last day to drop without receiving a grade, and before the final day to withdraw (students may, with approval of the instructor and the advisor, drop courses at any time until the beginning of final examinations). It is the responsibility of the student to initiate action to drop or withdraw from classes. A student who fails to do so will be retained on the class rolls even though he/she may be absent for the remainder of the semester. In such instances a grade of *F* will be assigned unless the conditions for a grade of *I* have been met.

- The symbol (•) may be used to indicate that a student is performing satisfactorily in a course that continues beyond a given grading period.

1.3 Grade Points

Grade points are assigned according to the following table. Use of the ± system is at the instructor’s discretion:

Grade	A	A-	B+	B	B-	C+	C	C-	D+	D	D-	F
Points	4.00	3.67	3.33	3.00	2.67	2.33	2.00	1.67	1.33	1.00	0.67	0.00

1.4 Grade Point Average (GPA)

The grade point average is the quotient obtained by dividing the total number of grade points earned (each weighted for associated semester hours) by the total number of semester hours in which a student is enrolled. Required courses assigned a grade of *F* must be repeated until they are passed, and all of these grades must be used to calculate the GPA. If a student receives a grade of less than *C* (i.e. *C-* or lower) when repeating a course, which was previously failed, the student will be suspended.

Grades of *S*, *U*, *I*, *W*, and (•) are not assigned grade point values and are not used in the computation of the grade point average. Grades of *S* and *U* will be used in consideration of appeals of academic suspension or probation.

If a student receives an incomplete (*I*) during the semester that the student is placed on suspension, the Academic Committee will not consider the final grade received for the course even if the coursework is completed prior to the date that the student files an appeal for reinstatement.

1.5 Scholastic Honors

At the end of each semester, the Office of Optometry Relations will compile the *Dean’s List* for those students in each class whose cumulative grade point average and last semester grade point average are 3.50 or above. The grade of *S* is not included in this calculation. Students who earn a grade of *I* (except in a thesis course), *D*, *F*, or *U* during the semester are excluded from consideration for the Dean's List.

Students who earn a grade point average between 3.75 and 4.00 for the entirety of their optometry course work are eligible to graduate *summa cum laude*. Those who earn a cumulative grade point average between 3.50 and 3.74 are eligible to graduate *magna cum laude*.

The University of Houston chapter of Beta Sigma Kappa, the national optometric honor society, offers membership to students who maintain at least a 3.50 grade point average through the first year, a 3.40 through the second year, a 3.30 through the third year, and a 3.20 through the fourth year.

Phi Kappa Phi is a national university honor society that offers membership to students meeting its academic and personal standards. In addition, each year the college awards honors based on excellence in various aspects of academic performance and patient care.

1.6 Clinical Grading Policies

A clinical instructor will evaluate each student on every patient encounter on the basis of whether the student has met the behavioral objectives (refer to the current *Student Handbook* for a listing of the behavioral objectives) for a variety of performance categories. In addition, clinical instructors will determine an overall performance rating for the student for each patient encounter. Clinical instructors will complete a midterm and/or final evaluation at the end of each grading period and discuss performance with each student.

1.7 Clinical Grades

The following clinical grade categories are assigned to individual patient encounters, as well as the midterm, and final evaluations:

Excellent (5) Students may receive a grade of *excellent* if they demonstrate outstanding performance well beyond expectations based on the behavioral objectives outlined in the University Eye Institute (UEI) Policies Manual. A student who competently manages a case, demonstrates in-depth understanding of the case, and can work independently with no difficulty with decision making appropriate for the level of the student (i.e. 2nd year vs. 4th year) is eligible for a grade of *excellent*.

Above Expected (4) Students may receive a grade of *above expected* if they demonstrate performance at an above average/above expected level based on the behavioral objectives. A student who demonstrates some independence while managing a case in a complete and timely fashion, appropriate for the level of the student is eligible for a grade of *above expected*.

Expected (3) Students will receive a grade of *expected* if they exhibit performance at an expected level commensurate with their experience. This performance level should not deviate significantly from the behavioral objectives.

Below Expected / Probation (2) Students will receive a grade of *below expected/probation* if they demonstrate performance deficiencies in one or more areas which deviate significantly from the behavioral objectives, but not sufficiently to constitute failure, as defined below.

Failure (1) Students who demonstrate serious deficiencies in examination skills, assessment and/or a treatment plan which jeopardize the patients' health, comfort and/or visual efficiency, will receive a grade of *failure*. Other reasons for a grade of failure include, but are not limited to, failure to observe and/or record obvious ocular abnormalities or maintain adequate records.

Determination of final clinical course grades:

The Clinical Coursemaster(s) for each clinical year, in consultation with attending clinical instructors, will assign the final course grades based on individual patient-encounter evaluations, midterm and final evaluations from all clinic rotations.

Satisfactory (S) Students who achieve a clinical grade of *Expected (3)* or higher in *ALL* of their clinic rotations, will be assigned an overall clinical course grade of Satisfactory (S) for the semester.

Incomplete (I) Students who achieve a clinical grade of *Below Expected/ Probation (2)* in *ONE* clinical rotation will receive an overall clinical course grade of *Incomplete (I)* for the semester. See section 4.1 Academic Sanctions for Clinical Grades, for an expanded explanation of sanctions.

Unsatisfactory (U) Students who achieve a clinical grade of *Failure (1)* in one clinical rotation *OR Below Expected/ Probation (2)* in two or more clinical rotations will be given an overall clinical course grade of

Unsatisfactory (U) for the semester. See section 4.1 Academic Sanctions for Clinical Grades for an expanded explanation of sanctions.

1.8 Clinical Letter of Excellence

The clinical instructors, in coordination with the appropriate clinical coursemasters, will identify candidates for *Clinical Letters of Excellence*. Candidates must have achieved *Excellent (5)* performance in the majority of their clinical rotations. A Letter of Excellence is not awarded on the basis of performance in any one individual rotation but rather is determined by a compilation of performance in all clinics.

2. Academic Committee

The Academic Committee is a standing college committee, whose charge is to: develop rules and guidelines for academic performance of students, consider requests by students for leaves of absence, serves as the hearing body to decide the outcomes of student appeals of academic suspensions, and evaluate allegations against students regarding academic dishonesty and/or unprofessional conduct to affirm or dismiss such allegations and determine any associated consequences such as academic dismissal or repetition of course work.

2.1 Academic Committee Composition

The college Academic Committee shall consist of 6 faculty members (a non-voting chair and 5 voting members) and two voting students. The committee will be appointed by the Dean from the faculty and currently enrolled students from the professional program of the college. Appointment to the committee is solely the Dean's decision and not the result of an individual's request to participate on the committee. The chair of the committee is a faculty member appointed by the Dean to conduct and preside over hearings, ensure adherence to the policies described herein and facilitate communications among parties involved regarding the actions and recommendations of the committee. Committee members who have a conflict of interest for a given case (e.g. initiated charges of academic dishonesty or unprofessional conduct, or were material witnesses to the incident) shall be recused from voting on the case in question. If any member is recused or unavailable to attend the hearing, the Dean will appoint a temporary replacement to maintain a minimum of 5 voting faculty members and 2 students at each hearing. If the committee chair has a conflict of interest for a given case, the committee will elect a replacement from the existing faculty committee members to serve as the temporary chair for all matters pertaining to that case and the Dean will appoint a temporary voting faculty member to replace that faculty member and maintain 5 voting faculty members for the hearing.

2.2 Duties of the Academic Committee Chair

- A. Set and give notice of the time and place of the college hearing;
- B. Conduct the hearing in an orderly manner so that both sides are given an opportunity to state and clarify (in response to questions from members of the committee) their case;
- C. Rule on procedural matters;
- D. Participate in the committee's deliberations and facilitate discussion of the committee;
- E. Prepare and submit a copy of the decision to the student, Dean, Associate Dean for Professional Studies, relevant Department Chair, Office of Optometry Relations, and, when relevant, the faculty member initiating charges against the student.

2.3 Duties of the Academic Committee

The Academic Committee serves as the standing committee of the faculty to hear appeals and render decisions on the following academic issues:

Academic and Clinical Probation: Probation is automatic under the rules described in section 3.1 Academic Sanctions: Probation and Suspension and section 4.1 Academic Sanctions for Clinical Grades; it does not require action by the committee. However, if a student believes that the determination of probation was made in error, he/she may attempt to resolve this matter with the Associate Dean for Professional Studies who may set aside the probation in instances of clerical error. If not resolved, the student may appeal to the Academic Committee.

Academic and Clinical Suspension: Suspension is automatic under the rules described in section 3.1 Academic Sanctions: Probation and Suspension and section 4.1 Academic Sanctions for Clinical Grades; it does not require

action by the committee. If extenuating circumstances exist, the student may appeal their suspension to the Academic Committee.

Grade Disputes: The awarding of grades is the responsibility of the course instructor. If a student wishes to dispute or appeal a course grade, he or she should first discuss the matter with the responsible instructor. Alternatively, the student may wish to arrange a joint consultation with the instructor and the applicable Department Chair. If not satisfactorily resolved, the student may appeal to the Associate Dean for Professional Studies in writing to request a hearing of the appeal by the Academic Committee. If a request for appeal is determined by the Associate Dean for Professional Studies to warrant a hearing, the Academic Committee Chair will set a date for the hearing following the process outlined in section 9 College Academic Hearing Procedures. Because assigning a grade or evaluating a student's work performance involves the faculty member's professional judgment and is an integral part of faculty teaching responsibilities, disagreement with an instructor concerning a grade or evaluation is not a justifiable grievance to be considered under this policy unless a violation of university, college, or department academic policies or procedures can be shown to have affected that grade or evaluation.

Requests for a Leave of Absence: Requests for Leave of Absence should initially be presented to the Associate Dean for Professional Studies who may recommend to the Dean the granting of the request and may outline requirements for return to the college. If the circumstances surrounding the request are complex, or if the student is not in good academic standing, the Associate Dean must refer the request to the Academic Committee. The committee will consider issues which the student believes would justify a leave of absence from the professional program. Students wishing to receive this type of consideration must submit written requests to the Associate Dean. Should the student be denied a leave of absence by the Associate Dean, the student may appeal that decision to the Academic Committee. Decisions of the Academic Committee may be further appealed to the college Dean following the process outlined in section 9.13 Right to Appeal.

Allegations of Academic Dishonesty and Unprofessional Conduct: The objective of a hearing on academic dishonesty or unprofessional conduct is to assess allegations of student violations of college and/or university policy. When it is concluded that violations did occur the committee will determine the appropriate sanctions.

Extension of Educational Program: Students in good standing may develop a plan for extending their educational program beyond the minimum time of four years. Such plans should be submitted to the Associate Dean for Professional Studies. The Academic Committee will then be asked to judge the necessity of the extension and the academic feasibility of the student's plan. Upon receiving the committee's positive recommendation, the Associate Dean will be responsible for providing final approval of the plan. In the case that the Academic Committee does not recommend an extension of the education program, students may further appeal their case to the college Dean as outlined in section 9.13 Right to Appeal.

Design of Remedial Curricula or Altered Course Sequences: The Academic Committee, in consultation with the Associate Dean for Professional Studies, the relevant Department Chair, and the appropriate clinical and didactic coursemasters will provide input on the design and intent of remedial schedules or altered course sequencing for students that require remediation or special circumstances. While this may be most often required for students having academic difficulty, altered schedules may also be considered for students in special circumstances upon written appeal to the committee for consideration.

3. Academic Probation and Suspension

3.1 Academic Sanctions: Probation and Suspension

A full-time student in the professional program shall be placed on academic probation at the end of any semester or summer session in which his/her semester GPA falls below 2.00. A full-time student shall be suspended from the professional program for academic reasons under any of the following conditions:

1. The student earns a semester grade point average of 1.00 or below in any semester;
2. The student earns a grade lower than a "C" (i.e. C- or lower) in four or more courses in any semester;
3. The student is placed on probation (either clinical or academic) for two consecutive semesters or three nonconsecutive semesters, including any fulltime summer session;
4. The student's performance results in *both* academic and clinical probation (see section 4.1, Academic Sanctions due to Clinical Performance, and section 4.2, Procedures for Clinical Probation, Failure, and Suspension) in the same semester;
5. The student earns an overall failing grade on the 2nd year clinical competency examination after 2 attempts (initial attempt and 1 re-take) and either entered or completed the 2nd year fall semester on academic probation;
6. The student's cumulative grade point average falls below a 2.00 in any semester after the first semester in the program.

3.2 Automatic Sanctions

Academic probation and suspension are automatic and do not require any initiating or confirming action by the Dean, the Academic Committee or any other administrative unit. The Associate Dean for Professional Studies will notify students regarding these sanctions and place a letter in the student's academic file concerning the student's status of probation, or suspension. Unsuccessful notification for any reason does not abrogate these sanctions. It is the responsibility of each student to know his/her academic status before attempting to matriculate for the subsequent semester.

3.3 Appeal of Academic Sanctions

Exceptions from these academic or clinical sanctions may be granted on appeal. ***The student must initiate any and all appeals procedures.*** Appeal of academic and/or clinical sanctions (probation or suspension) within the college of optometry shall be filed by the student in writing and delivered either in person, via overnight mail, or electronically to the Academic Committee Chair within 5 class days of student notification by the college. Appeals of academic sanctions are heard by the college Academic Committee, as described in section 9 of this document. A student may further appeal decisions of the Academic Committee to the Dean of the college; however, the basis for appeals of Academic Committee decisions is limited to procedural grounds or to instances in which important new evidence was uncovered only after completion of the Academic Committee hearing. Electronic communications must be sent via the student's official university email account. Requests for an extension of time to file an appeal may be granted at the discretion of the Academic Committee Chair. A student considering an appeal must consult with the Office of Optometry Relations and may also seek other guidance to help prepare an appeal.

3.4 Sanctions under Appeal

Students who have been suspended and have an appeal in process are permitted to continue in the college as long as the appeal is pending. Sanctions do not become final and may not be applied while any appeal permissible under these policies is pending.

3.5 Exceptions to Academic Sanctions

Exceptions to automatic academic sanctions will be determined by the Associate Dean for Professional Studies, with written notification to the Academic Committee Chair and may be granted in the following circumstances:

1. A student who has been placed on academic probation at the end of one semester who fails to raise their cumulative GPA above a 2.00 in the subsequent semester (an outcome which would ordinarily result in suspension), but nevertheless achieves a semester GPA of 2.5 or better and has no individual course grade below a C, may not be suspended. If the suspension is set aside for this reason, the student will remain on academic probation.
2. Students placed on suspension for academic reasons may continue in the professional program only with the recommendation and under the conditions specified by the Academic Committee. These conditions may exceed those demanded of students at the same level who are not on probation or suspension. In these rare circumstances, the student's status will be probationary. Removal from probation will require that the student meets all stipulations specified by the Academic Committee and will not occur automatically when the cumulative GPA is raised to 2.00 or higher.

3.6 Readmission after Academic Sanctions

Students on suspension who fail to matriculate for a particular semester either because they did not file an appeal within 5 days of notification of their suspension or such an appeal was denied must apply to the Admissions Committee for consideration for readmission to the college of optometry within the standard admissions cycles posted on the college website. The suspension typically stands for a period of at least one academic year, but may be lesser or greater as determined by the Academic Committee at the time of appeal. The student may not be readmitted until the suspension period is complete. Previously suspended students can only be readmitted by the Admissions Committee and will be considered with other current applicants to the college (i.e. will not be given priority over other applicants). They may only be readmitted following consultation between the Admissions Committee and representatives of the Academic Committee. The Admissions Committee will then determine whether admission will be granted while the Academic Committee will determine the level at which the student is readmitted. Any student readmitted at a level other than the fall semester first year will be on probation for a minimum of one semester following readmission. During this time, the Associate Dean for Professional Studies must approve the student's class schedule. The Academic Committee will recommend which courses, if any, must be repeated. For students readmitted at any level other than fall semester first year, suspension does not require two semesters below a 2.00 but may occur at any time the student fails to satisfy any of the stipulated requirements defined at the time of readmission.

4. CLINICAL PROBATION AND SUSPENSION

The University of Houston College of Optometry is committed to producing competent clinicians who can render appropriate vision care and therapeutic treatment to their patients. In order to achieve this goal, students must successfully complete and pass all of their clinical rotations.

4.1 Academic Sanctions for Clinical Grades

CLINICAL PROBATION: Students who are assigned a grade of *below expected / probation* in any one clinic rotation at the final evaluation will receive an overall grade of *incomplete* for their clinical coursework and will be placed on clinical probation. If a student achieves *expected* performance or better in all of his/her rotations during the following semester, then the grade of *incomplete* for the previous semester will be changed to *satisfactory*. Nevertheless, a record of the clinical probation will be retained in the student's academic file for the purpose of identifying students who receive more than one semester of clinical probation during their enrollment at the college of optometry (see the paragraph below). A student cannot advance to the next clinical year while on clinical probation.

SUSPENSION: Students placed on clinical probation must demonstrate *satisfactory* performance in all rotations (perform at the level expected for a student at that point in the program) by the end of the next semester or the student will receive a grade of *unsatisfactory* for both semesters and will be suspended from the college. Any combination of two semesters (not necessarily sequential) of *probation* OR *unsatisfactory* grades will result in suspension from the College of optometry. Any clinical probation earned over the course of the student's career may count toward this suspension, irrespective of whether the student successfully repeated the probated clinic (as described in the paragraph above). Clinical assignments, if any, for students on suspension awaiting appeal will be determined by the Associate Dean for Professional Studies in consultation with the appropriate coursemaster(s) and service director(s).

4.2 Procedures for Clinical Probation, Failure, and Suspension

Optometry II. Optometry II clinical rotations include: primary care clinic, dispensary, and vision screenings (fall and spring semesters only). Students placed on clinical probation at the end of the spring Opt II term will repeat a semester of clinical work during the first seven weeks of the summer term following the spring Opt II term. If successfully completed, the student will then progress to Opt III clinics, for which the student will be enrolled during the second seven weeks of the summer term. Should the same student fail or be placed on probation for the repeated Opt II session, or a subsequent Opt III or IV clinic session, the student will be suspended from the clinical program due to the accumulation of two probations and/or *unsatisfactory* grades.

Optometry III. Students placed on probation for a summer session will enter the fall semester on probation. A student who is placed on clinical probation during the first summer session will *not* be allowed to register for the second summer session to remove this probation, as a similar opportunity is not available to students who are scheduled for Opt III clinics during the second seven weeks of the summer term. If a student receives an *unsatisfactory* grade in either the first or the second summer session, the student must repeat the summer semester's work during the fall semester. Should the same student fail or be placed on probation for the repeated summer Opt III session, or a subsequent Opt III or IV clinic session, the student will be suspended from the clinical program due to the accumulation of two probations and/or *unsatisfactory* grades.

Any student placed on probation or with a grade of *unsatisfactory* in the last semester of Opt III clinics must successfully complete another semester of all Opt III clinics prior to entering Opt IV. That student cannot register for Opt IV clinics prior to successful completion of the entire Opt III clinical year.

Optometry IV. Students who were previously placed on clinical probation or received a grade of unsatisfactory in *any* prior semester will not be allowed to begin an externship during the first semester of the Opt IV year. The student may appeal this provision to a committee composed of the clinic coursemasters, Executive Director of the UEI, Director of Externships, and the Academic Committee Chair or his/her designated representative from the college Academic Committee. This appeal must be presented in writing to the Associate Dean for Professional Studies before the end of the externship selection process.

4.3 Notification of Academic Sanctions due to Clinical Performance

The status of clinical probation and failure will be monitored by the appropriate clinical coursemaster. Within 10 class days of determining academic sanctions (which are typically determined during the 10 class days following the posting of final grades) due to clinical performance, the coursemaster will notify the Associate Dean for Professional Studies regarding any students who have incurred academic sanctions. The Associate Dean for Professional Studies will then notify the student regarding his/her status and place a letter in the student's academic file concerning the student's status of probation, failure, or suspension. Unsuccessful notification for any reason does not abrogate these sanctions. It is the responsibility of each student to know his/her academic status before attempting to matriculate for the subsequent semester.

4.4 Appeal of Academic Sanctions due to Clinical Performance

The student may appeal the suspension by notifying the Academic Committee Chair within 5 class days of notification. Requests for an extension of time to file an appeal may be granted at the discretion of the Academic Committee Chair. Appeals of academic sanctions are heard by the college Academic Committee, as described in section 9 of this document. A student may further appeal decisions of the Academic Committee to the Dean of the college; however, the basis for appeals of Academic Committee decisions is limited to procedural grounds or to instances in which important new evidence was uncovered only after completion of the Academic Committee hearing.

5. ACADEMIC HONESTY AND PROFESSIONAL CONDUCT CODE

The University of Houston publishes current governing policies on academic honesty in the Undergraduate Catalog. These policies can be obtained online at: (<http://catalog.uh.edu/index.php>)

In accordance with University policy, the University of Houston, College of Optometry adopts the following Academic Honesty and Professional Conduct Code which is unique to the College of Optometry.

5.1 General Provisions

5.1.1 Rationale The University of Houston, College of Optometry can best function and accomplish its objectives in an atmosphere of professionalism and high ethical standards. It expects and encourages all faculty, staff and students to contribute to such an atmosphere by observing practices that adhere to conduct consistent with accepted standards of ethical, professional, and academic integrity. It is recognized that ethical failures and allegations of academic dishonesty or unprofessional conduct may occur by a few students who do not understand, appreciate, or practice these principles. The following procedures are designed to handle these cases with fairness to all concerned: the accused student, faculty, staff, patients, the college of optometry, the University of Houston, and the profession of optometry.

5.1.2 Purpose of Procedures The purpose of these procedures is to provide for the orderly administration of the *Academic Honesty and Professional Conduct Code* consistent with the principles of due process. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless the Dean or Provost determines, upon written appeal from the accusing and/or accused parties, that the deviation might have resulted in prejudice to one or more of the parties involved.

5.1.3 General Jurisdiction Matters relating to academic honesty are within the general jurisdiction of the Senior Vice President for Academic Affairs and Provost. Allegations of scientific misconduct against students engaged in research supported by funding from the University of Houston or other sources will be handled according to the University of Houston Ethical Conduct in Academic Research and Scholarship Policy: <http://www.uh.edu/research/sponsored-projects/proc-pol-guide/ethics-research/>.

5.1.4 College with Jurisdiction Specific jurisdiction in academic honesty matters rests in each school or college of the University of Houston. The school or college with jurisdiction is determined by the course in which dishonesty occurs. If the student involved majors in a college other than that offering the course, the college offering the course has jurisdiction, but the college hearing officer of the student's major college will be informed. If the college with jurisdiction cannot be determined from the relationship between the alleged actions of a student or group of students and a particular course, then the Provost will designate which has jurisdiction.

5.1.5 Questions Regarding Applicability of Policies All questions regarding the applicability of college codes or University of Houston policy or special provisions of either shall be determined finally by the Provost. The purpose of these procedures is to provide for the orderly administration of the Academic Honesty and Professional Conduct Code consistent with the principles of due process of law. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless the Provost determines, upon written appeal from the accusing and/or accused parties, that the deviation will result in prejudice to one or more of the parties involved.

5.1.6 Compass of Actions Taken Against Students Actions taken against students are specific to the college in

their effect, unless otherwise specified, but may nonetheless have university-wide application.

5.1.7 Faculty Responsibility Faculty shall have the responsibility of reporting alleged incidents of academic dishonesty or unprofessional conduct through the appropriate Associate Dean (Professional Studies or Graduate Studies) in accordance with guidelines described in section 8.1 Notification Requirements. Instructors, teaching assistants, exam proctors, etc., are responsible for reporting incidents of alleged academic dishonesty or unprofessional conduct to the relevant coursemaster who shall then be responsible for reporting incidents in accordance with section 8.1 Notification Requirements

5.1.8 Student Responsibility Students shall have the responsibility of reporting incidents of alleged academic dishonesty or unprofessional conduct to the instructor involved, or to the appropriate authority (such as the Associate Dean, clinic director, etc.) if the alleged act is not associated with a specific class.

5.1.9 Application of the Academic Honesty and Professional Conduct Code This policy applies to acts of dishonesty or unprofessional conduct committed by a student while enrolled at the University of Houston, College of Optometry and also applies to those acts committed by enrolled students while on external rotations or in other instances where the student may be seen as a representative of the college or profession.

5.1.10 Retaliation The University of Houston prohibits retaliatory action against persons who report incidents of alleged academic dishonesty or unprofessional conduct under this policy, who are suspected of having reported incidents of alleged academic dishonesty or unprofessional conduct under this policy, who are identified to serve or have served as witnesses in any academic honesty or unprofessional conduct proceedings, or who are identified to serve or have served on the Academic Committee. Any acts of retaliation will be referred to the Office of Optometry Relations or to the Office of the Dean of Students for the University of Houston (http://www.uh.edu/dos/programs_and_services/student_advocacy_services.html).

5.2 Preventative Practices

Instructors can help students comply with the academic honesty and professional conduct policy by minimizing temptation to act dishonestly or unprofessionally. Instructors should consider the following measures:

- A. Maintaining adequate security precautions in the preparation and handling of tests;
- B. Structuring the type and sequence of examination questions so as to discourage dishonesty;
- C. Providing ample room for proper spacing of students during examinations, when possible;
- D. Monitoring examinations, especially in large classes and in classes where not all students are known to the instructor or his/her assistant(s);
- E. Making clear to their students the rules concerning the use of electronic devices;
- F. Making clear to their students, in writing, what constitutes academic dishonesty, particularly in those classes where group activities (laboratory exercises, generation of field reports, etc.) or on-line course activities are part of the instructional process;
- G. Requiring students to show a picture ID and sign major assignments and exams;
- H. Helping raise consciousness of the issue of academic honesty by asking students to sign an honor pledge in the first week of class and to write a short pledge in their own hand on their major assignments;
- I. Familiarizing students with the *Optometric Oath* and its implications for professional behavior;
- J. Making clear to students the instructor's policy regarding the use of previous examinations, homework assignments or other previous course materials.

6. Categories of Academic Dishonesty and Unprofessional Conduct

6.1 Acts of Academic Dishonesty

Academic dishonesty is to employ a method or technique or to engage in conduct in an academic endeavor that the student knows or should know is not permitted by the University of Houston or the college of optometry, e.g. lying, cheating or stealing. Examples of Academic Dishonesty include, but are not limited to, the following:

- A. Stealing, as theft of tests or grade books, from faculty offices, computers, electronic servers, or elsewhere; this includes the removal of items posted for use by the students (e.g. physical or electronic media);
- B. Using unauthorized notes, electronic aids, or other unauthorized resources to answer questions during an examination (on-line, written, or practical skills). This includes attempts to reproduce test questions, create study sheets based on explicit knowledge of test questions, or attempts to pass sensitive test material to future students taking the course, etc.;
- C. Having another person take a test in the student's place. Both the student taking the test for another and the student registered in the course are at fault;
- D. Signing an attendance sheet for another individual;
- E. Plagiarism: representing another person's work as one's own without acknowledging the source;
- F. Changing answers or grades on a test that has been returned to a student in an attempt to claim instructor error;
- G. Giving or receiving unauthorized aid during an examination, such as trading examinations, whispering answers, passing notes, and using electronic devices to transmit or receive information, or seeking information about exam questions from a student who took an exam before others;
- H. Openly cheating in an examination, such as copying from another's paper;
- I. Misrepresentation: using another's work or results as one's own, whether with or without the permission of the owner;
- J. Creation of fictitious data, results, or information, i.e. falsified laboratory results, purchased term papers, etc.;
- K. Mutilating or stealing library materials; mis-shelving materials with the intent to reduce accessibility to other students; deleting or intentionally removing student resources meant for shared benefit, e.g. course files stored on a public server or website;
- L. Failing to report to the instructor or departmental hearing officer an incident which the student should recognize as a violation of the academic honesty policy;
- M. Misrepresenting academic records or achievements as they pertain to course prerequisites or co-requisites for the purpose of enrolling or remaining in a course for which one is not eligible;
- N. Possessing on one's person during an examination, quiz or any in-class assignment an electronic device that allows communication with another person, access to unauthorized material, access to the internet, or the ability to capture an image, unless such possession is expressly permitted by the instructor; and

- O. Any other conduct that a reasonable person in the same or similar circumstances would recognize as dishonest or improper in an academic setting.

6.2 Acts of Unprofessional Conduct

Unprofessional Conduct means engaging in conduct the student knows or should know is in conflict with the core principles of the profession of optometry as stated or implied by the Optometric Oath. Examples of unprofessional conduct include, but are not limited to the following:

- A. Disregard for the rights and dignity of patients, faculty, staff, or fellow students;
- B. Placing personal gain above patient care;
- C. Disregard for patient confidentiality and privacy;
- D. Intentional withholding of information or services that could benefit a patient;
- E. Unwillingness to take personal responsibility for developing one's knowledge, skills, and abilities;
- F. Misrepresentation of one's self (or others), skills, professional standing, reputation, or credentials;
- G. Misappropriation of college resources for personal gain or benefit;
- H. Conduct that is selfish, unfriendly, unreliable, or exhibits unwillingness to serve the community and one's patients;
- I. Conduct that creates a hostile learning or workplace environment;
- J. Falsification of clinical records, including patient data or financial information, or moving forward data from past clinical records that has not been verified during the current patient exam;
- K. Use of social media that results or could result in individual or group harm (physical or emotional), e.g. damage to an individual's personal or public reputation;
- L. Harassment resulting in personal or public humiliation of others;
- M. Lewd, lascivious, or criminal behavior.

7. Academic Sanctions

7.1 Possible Sanctions

The sanctions for confirmed violations of this policy shall be commensurate with the nature of the offense and with the record of the student regarding any previous infractions. Sanctions may include, but are not limited to: a lowered grade, failure on the examination or assignment in question, failure in the course, probation, suspension, expulsion from the college or the University of Houston, immediate removal from a clinical site, or a combination of these.

7.2 Time Limit of Sanctions

Any sanction of probation or suspension must have a specified start and end date, unless the sanction is expulsion, in which case the sanction is permanent. Students are not permitted re-enrollment under sanctions of suspension or expulsion for academic dishonesty or acts of unprofessional conduct.

7.3 Sanctions under Appeal

A student within the college who is found to have violated the *Academic Honesty Policy and Professional Conduct Code* may remain enrolled in the course at issue, as well as enroll in future courses while any appeal permissible under this policy is pending. Any student who is scheduled to graduate while an appeal is pending will not be awarded an official diploma while the appeal is pending. Sanctions will not become final and may not be applied until a final determination of any permissible appeal is made.

7.4 Sanctions and Grading

Students may not avoid a sanction for academic dishonesty by withdrawing from a course. In addition, if a course grade of *W* was assigned prior to the student being found guilty of a violation in the course, the course grade must be changed. As the result of a guilty finding, the student is liable for the penalty determined by the committee, which may include assignment of an *F* grade.

7.5 Probation, Suspension, and Expulsion

The terms probation, suspension and expulsion, as used herein, refer to these sanctions, only as they are imposed as a result of violations of this *Academic Honesty and Professional Conduct Code*. All policies and procedures for the imposition and appeal of these sanctions are contained within this policy.

7.6 Record of Sanctions

A record of the final sanction decision reached by the Academic Committee is permanently placed in the student's academic record in accordance with Sections 11.1-11.3.

8. College Academic Dishonesty/Unprofessional Conduct Hearings

8.1 Notification Requirements

When an instructor has reasonable grounds to believe that a student has committed an act of academic dishonesty or unprofessional conduct, the instructor shall provide written notification to the Associate Dean for Professional Studies within 5 class days of discovery. Students who believe they have observed an act of academic dishonesty or unprofessional conduct shall report the incident to the instructor, as soon as possible. Upon discovery, the instructor shall report the incident in writing to the Associate Dean for Professional Studies, within 5 class days. Upon receipt of allegations, the Associate Dean for Professional Studies shall notify the Academic Committee Chair and the accused student of the nature of the alleged violation within 5 class days. Any deviations from the timeline must be supported by written documentation of the circumstances that warrant the delay and communicated to the concerned party (e.g. Associate Dean for Professional Studies or Academic Committee Chair).

8.2 Waiver of Academic Committee Hearing for Minor and First-Time Offenses

Upon notifying the Associate Dean for Professional Studies of the alleged violation, if the instructor believes the actions of the student do not warrant an Academic Committee hearing, the instructor shall have the option of recommending to the Associate Dean for Professional Studies a sanction for the alleged violation of the *Academic Honesty and Professional Conduct Code* that would, if acceptable to the student, instructor, relevant Department Chair, Associate Dean for Professional Studies and Academic Committee Chair, invoke a waiver of a college Academic Committee hearing.

Such sanctions would normally include reduced or zero credit for a test or assignment, a grade of *F* in a course, or other such agreed-upon sanctions. Sanctions involving probation, suspension or expulsion from the college cannot be invoked in exchange for a waiver of a college Academic Committee hearing. Any offense consistent with these substantial sanctions will automatically result in formal investigation of the incident, as described in section 8.5 Investigation of Alleged Violations. In cases for which the instructor suggests a sanction so as to waive the college hearing, the accused student shall be notified, in writing, by the Associate Dean for Professional Studies of the nature of the violation and recommended sanction, and be provided the choice of:

1. Admitting the alleged academic honesty or professional misconduct violation, waiving the formal Academic Committee hearing, and accepting the recommended sanction within 3 class days; or
2. Proceeding to a formal investigation and potential Academic Committee hearing.

Students will be provided 5 class days to respond regarding this option.

A student is eligible for a waiver only if he/she has no prior waiver and no previous findings of violation of the *Academic Honesty and Professional Conduct Code*. The waiver of a formal Academic Committee hearing must be agreed to by the instructor, the student, the relevant Department Chair, the Associate Dean for Professional Studies, and the Academic Committee Chair. In the event that all parties cannot agree to a waiver or the student failed to respond, the case must move to a formal investigation and potential Academic Committee hearing.

8.3 Consequences of Waiver

Upon electing the waiver of a college Academic Committee hearing, the waiver will be noted in the student's record. A record of waivers will be maintained by the Associate Dean for Professional Studies, the Academic Committee Chair, Office of the Dean, and the Office of the Provost, until graduation. Following graduation, the student can request that documentation of the waiver be removed by contacting the Associate Dean for Professional Studies. An agreement to settle an academic honesty infraction via a waiver of the formal Academic

Committee hearing will not result in any record being kept that is reflected on the student's transcript except for any negotiated grade or similar notation that would be reflected in the transcript.

8.4 Investigation of Alleged Violations

The Associate Dean for Professional Studies shall be responsible for investigating all charges of alleged academic dishonesty or unprofessional conduct brought against a student that are either not eligible for or not resolved with a waiver. In the event that the Associate Dean has a conflict of interest with the student's case, the Dean of the College will appoint an alternate administrator to conduct the investigation.

The Associate Dean for Professional Studies will be permitted sufficient time to fully investigate allegations of academic dishonesty or unprofessional conduct. Investigation and discovery lasting more than 10 class days will require written updates from the Associate Dean for Professional Studies to the Dean, the Academic Committee Chair, the relevant Department Chair, and the Executive Director of the Office for Optometry Relations (who shall then relay updates to the student(s) involved) every 10 class days. The investigation must be incident-specific. Within 5 class days of completing the investigation, the Associate Dean for Professional Studies will notify the Dean, the Academic Committee Chair, and the relevant Department Chair concerning the findings of the investigation. If there is not sufficient evidence to support the allegation of academic dishonesty or unprofessional conduct, the student will be notified by the Associate Dean for Professional Studies within 5 class days that the allegations have been dismissed. If there is evidence to support the allegation of academic dishonesty or unprofessional conduct, the student will be notified of the charges by the Associate Dean for Professional Studies within 5 class days and a formal Academic Committee hearing will be scheduled.

8.5 Scheduled Hearings

If waiver is not selected or is not an option, to schedule an Academic Committee hearing, the Academic Committee Chair shall notify the instructor, the relevant Department Chair, the accused student, and the accusing party, if other than the instructor, of the nature of the alleged violation and the time and date of the hearing. The hearing shall proceed in accordance with Section 9. Should any of the parties fail to appear at the hearing, without good cause, the Academic Committee may render a decision in their absence.

8.6 Group Violations of the Academic Honesty and Professional Conduct Code

At the discretion of the Academic Committee, in instances where two or more students are alleged to be involved in the same infraction of the *Academic Honesty and Professional Conduct Code*, the case against the whole group will be addressed at a single hearing. The facts common to all cases will be presented with all students allegedly involved in attendance. Each student shall be allowed to present his/her statement to the Academic Committee separately. If requested by the presenting student, such statements shall be presented outside the hearing of the other students.

8.7 Conflict of Interest

When the Academic Committee Chair or members of the Academic Committee are themselves party to a case, they shall in no way participate in the committee's deliberation or determination of any sanction in that case. Such responsibilities shall pass to other members of the Academic Committee not directly involved in the case. The Dean shall appoint temporary members to the committee, if needed, to maintain a total of 5 voting faculty and 2 voting student members.

8.8 Retention of Records Relating to Academic Honesty and Professional Conduct

The Associate Dean for Professional Studies shall serve as the college's repository of records of students found in violation of the *Academic Honesty and Professional Conduct Code*. Records will also be retained in the Office of Optometry Relations.

9. College Academic Committee Hearing Procedures

9.1 College Hearing

If the Associate Dean for Professional Studies recommends a formal Academic Committee hearing for academic dishonesty or unprofessional conduct, the Academic Committee Chair will set a time, date and place for the hearing, within 10 class days of notification of the need for a hearing. The hearing itself need not occur within these 10 class days.

The college hearing is a *de novo* hearing in which the committee must consider all the evidence on all the issues presented as though no previous action has been taken. All communication between the student involved and the Academic Committee shall be in written form, and the student is expressly advised against communication with any member of the college Academic Committee other than the Chair prior to the committee hearing.

The same policies apply for committee hearings of appeals of automatic academic/clinical sanctions, or grade disputes, except where described below. Within 10 class days of receipt of a written request by the student for appeal of automatic academic sanctions, or receipt of notification by the Associate Dean for Professional Studies of the need to conduct a hearing related to a grade disputes the Committee Chair will set a time, date and place for the hearing. The hearing itself need not occur within these 10 class days.

9.2 Hearing Body

The college Academic Committee shall serve as the hearing body, and shall hear allegations of academic dishonesty and unprofessional conduct and determine any appropriate academic sanctions.

For appeals of automatic academic/clinical sanctions, the college Academic Committee shall serve as the hearing body to determine whether an appeal shall be granted and what reduction in sanctions, if any, will be applied.

For hearings related to grade disputes, the college Academic Committee shall serve as the hearing body to determine an appropriate resolution.

9.3 Hearing Procedures

The hearing will take place when scheduled, absent approval by the Academic Committee Chair who must approve any delay. Only documented, extenuating circumstances will be considered. The committee may adopt any other reasonable procedures necessary, including order of proceedings, to ensure a fair hearing.

9.4 Student Counsel and Resources

The Executive Director of the Office of Optometry Relations, or a similarly appropriate staff member appointed by the Executive Director of the Office of Optometry Relations, shall serve as advisor and resource for the students involved in Academic Committee hearings and will be in attendance at the hearing, but shall not have a vote or be present during deliberations.

9.5 Right of Review and Representation

Both the student and the instructor, or the Associate Dean for Professional Studies or similarly appropriate representative in cases where the instructor is absent, shall have an opportunity to present their full cases during a hearing of Academic Misconduct/Unprofessional Conduct. This may include the introduction of documents and/or physical evidence as well as written or oral statements from individuals who have direct knowledge of the circumstances. Both parties shall have an opportunity to examine the documents pertaining to the alleged violations during the hearing. If either party intends to have individuals appear at the hearing for such statements or as legal counsel, the Academic Committee Chair **must** be notified in writing at least **3 class days before the hearing of the names of the witnesses and subject of their testimony**. The Academic

Committee Chair may also request that the parties provide any information and documents the Academic Committee believes may be relevant. Each party shall be required to submit a copy to the Academic Committee Chair of any document they deem relevant to the proceeding. If legal counsel will advise either party, the hearing cannot be held with such counsel in attendance unless a representative from University of Houston legal counsel is also present. Legal counsel shall not participate directly in the hearing, but may be present to observe the process, or to advise the party he represents.

If physical evidence or witness testimony is presented in a hearing, and if either party needs reasonable time to review the evidence and/or consider the witness testimony, either party may request a postponement of the hearing. Decisions on postponement of the hearing will be made at the discretion of the Academic Committee Chair with the intent to conduct the hearing in a timely and fair fashion.

Similar procedures will be followed in student appeals of automatic academic/clinical sanctions or grade disputes; however, in cases of appeal of automatic academic/clinical sanctions, only the student, the Academic Committee, and the representative from the Office of Optometry Relations will be in attendance at the hearing. For appeals of automatic academic/clinical sanctions, any statements relevant to the appeal from outside parties should be submitted prior to the hearing in written form, as no additional witnesses will be permitted to attend the hearing.

9.6 Audio Recording

The hearing shall be audio-recorded. Upon request, the parties involved may obtain a copy of the recording, at their own cost expense, from the Academic Committee Chair.

9.7 Pre-review of Documents

For cases of academic misconduct/unprofessional conduct, or cases of grade disputes (when relevant), at least three class days prior to the hearing, all parties shall notify the Academic Committee Chair in writing of the names of their witnesses, if any, and the subject of their testimonies. At that time, the parties will also submit a copy of the documents they intend to present during the hearing. Upon request, the Academic Committee Chair will make available to the parties the information and documents referenced in this section. All parties shall be afforded the opportunity to present statements, pertinent documentation and witnesses and have an opportunity to examine the documents pertaining to the alleged violations during the hearing. While witnesses are not permitted to attend hearings in the case of a student appeal of automatic academic/clinical sanctions, supporting documentation is permitted and should be submitted to the Academic Committee Chair at least three class days prior to the hearing consistent with the policy for academic misconduct/unprofessional conduct hearings.

9.8 Hearing Structure

The hearing shall be held in two phases. The first phase is the expository phase during which all concerned parties are present for the committee to gather information regarding events that transpired. This is followed by a deliberation phase attended only by the Academic Committee members for the purpose of determining whether a violation occurred and if sanctions will be applied. During the deliberation phase of a hearing for academic dishonesty/professional misconduct, the committee will first deliberate and vote as to whether a preponderance of the evidence indicates that a violation occurred. Following this vote, if the committee deems a violation did occur, the committee will then deliberate and vote to apply a sanction. In the case of a student appeal of automatic academic/clinical sanctions, the deliberation phase will be used for the purpose of determining whether there exists sufficient evidence to overturn or mitigate the academic/clinical sanction. In the case of grade disputes, the deliberation phase will be used for the purpose of determining an appropriate resolution.

9.9 Expository Phase of the Hearing

In cases of academic dishonesty/unprofessional conduct, all parties shall have the right to advice of counsel of choice. When counsel is engaged, he or she may attend the hearing but shall not directly participate in the hearing or enter into discussion with parties other than the client. The case presented to the committee must be made by the accusing individual and the accused student. The instructor, Associate Dean for Professional Studies who investigated the charge(s), or other individuals who reported the alleged misconduct shall present the relevant information, including written or oral statements by witnesses (when applicable). The accused student shall then present his/her statement and relevant information, including statements by witnesses. Neither party shall ask questions of or solicit answers directly from the other party or its witnesses. Where it appears that there are matters of disputed fact, the Academic Committee Chair shall request the committee to ask appropriate questions of either or both parties and/or their respective witnesses so as to clarify the points in dispute.

As the investigator, the Associate Dean for Professional Studies can present details of previous findings of acts of dishonesty or misconduct that are contained in the student's permanent records at the University of Houston College of Optometry. Records of such past findings can be used: 1) at the student's hearing on new charges to demonstrate that the student is capable of dishonesty; and/or 2) for consideration by the Academic Committee in determining its final recommendations. Information regarding previous allegations of dishonesty or misconduct, i.e. findings that were not established, must neither be solicited nor admitted as evidence at any hearing of the Academic Committee.

In cases of a student appeal of automatic academic/clinical sanctions, the expository phase shall consist of the student stating their justification for request of an appeal, followed by questions from the committee to gather information about the events surrounding the poor academic/clinical performance and steps taken, or proposed steps the student believes will result in improved academic/clinical performance, should a sanction be reduced or set aside.

In cases of grade disputes, the student must first present their case to the committee, followed by questions from the committee to gather information about the events surrounding the case. The faculty member who assigned the grade in question has the right to attend the hearing to be available to answer questions directed by the committee.

9.10 Deliberation and Decisions

At the conclusion of the expository phase of the hearing, the Academic Committee shall meet in a closed session to deliberate and render a decision based on the information presented. A student is found in violation of the *Academic Honesty and Professional Conduct Code* by an absolute super majority (i.e. 5/7 or greater) vote of the committee. Determinations of sanctions for violations of the *Academic Honesty and Professional Conduct Code* require agreement by an absolute simple majority (i.e. 4/7 or greater). Regarding student appeals of automatic academic/clinical sanctions (Section 3.4 Appeal of Academic Sanctions), sanctions may be overturned or reduced by an absolute simple majority vote of the committee (i.e. 4/7 or greater). Resolutions of grade disputes will be determined by an absolute simple majority vote of the committee (i.e. 4/7 or greater).

9.11 Confidentiality of Proceedings

All of the information contained in the student's written appeal and any supporting documents, as well as oral statements and exchanges made during the hearing and subsequent deliberation phase are considered to be privileged communications. As such, all of the participants in the hearing process must treat the information that is divulged as confidential, and that information is not to be shared with any parties outside the proceedings except as otherwise permitted under University or UHCO policy or as required by law. Clearly, the

committee's decision and any associated sanctions must be communicated to those individuals in the college who will be involved in implementing the decision and sanctions. In addition, as the information that emerged in the hearing will be germane during any subsequent appeal, it is appropriate for hearing participants to communicate relevant aspects of information to the appropriate officials as part of the appellate process.

9.12 Notification of Decision

The college Academic Committee shall render a decision within 3 class days after the hearing and the Academic Committee Chair will forward copies of the decision to the student, instructor, relevant Department Chair, Associate Dean for Professional Studies, and Dean of the college within 5 class days of the Academic Committee's decision.

9.13 Right to Appeal

1. Appeals of Cases Academic Dishonesty or Unprofessional Conduct. Regarding cases of academic dishonesty or unprofessional conduct, both the accused student and the individual bringing charges against the student have equal opportunity to appeal to the Dean of the college to question the decision of the Academic Committee based solely on procedural grounds, in instances in which important new evidence is uncovered after the Academic Committee hearing is completed, to question the severity of a sanction assigned by the committee, or if other procedural irregularities in the process interfered with the rights of any of the parties. Within 5 class days of notification of the committee's decision, either party may file an appeal for review with the Dean. If the Dean does not receive a written appeal within 5 class days of the decision, the action determined by the committee shall be implemented.

2. Appeals involving Academic or Clinical Sanctions. A student who previously appealed academic or clinical sanctions to the Academic Committee may appeal the decision of the Academic Committee to the Dean of the college within 5 class days of receipt of the committee's decision, but the appeal may only be based on procedural deviations, or in instances in which important new evidence is uncovered after the Academic Committee hearing is completed. Appeals questioning the severity of a sanction are not permitted in cases of academic or clinical sanctions given that the sanctions themselves are automatically triggered and were not originally assigned by the committee. If the Dean does not receive a written appeal within 5 class days of the decision, the action determined by the committee shall be implemented.

3. The Academic Committee hearing is the final level of appeal for cases of grade disputes.

9.14 Appeal of the Academic Committee's Decision

In the request for any appeal to the Dean, the appealing party shall specifically describe, in writing, why the appeal is appropriate and the procedural issues, newly uncovered important information, or sanctions to be reviewed. The Dean shall review the appeal within 15 class days of receipt. If the Dean chooses to meet with the appealing party, the meeting shall also include the Academic Committee Chair or his/her designated representative from the College Academic Committee. The presence of the Academic Committee Chair at the meeting is to provide committee representation who can disclose information regarding the events that transpired during both the expository and deliberative phases of the academic hearing at the request of the Dean.

Upon completion of review of the appeal, the Dean may approve the decisions of the College Academic Committee and see that the resultant outcome is enforced, or the Dean may send the case back to the Academic Committee for further review. Within 3 class days of completion of the Dean's review, the Dean will communicate in writing to the student, instructor, relevant Department Chair, Associate Dean for Professional

Studies, and Academic Committee Chair whether the committee's original decision is upheld, or whether the case has been sent back to the Academic Committee for further review, specifying the procedural issues to be addressed. If the Dean recommends further review by the Academic Committee, the committee shall review the case within 15 class days of receipt of the Dean's request. The committee's final decision, which may change or stand as originally determined, will be forwarded in writing to the Dean within 3 class days of completion of review. At this time the Dean will make a final determination in the case and notify the student, instructor, relevant Department Chair, Associate Dean for Professional Studies, and Academic Committee Chair in writing within 3 class days of receipt of the Academic Committee's final determination.

In cases of academic or clinical sanctions, the Dean's determination stands as the final level of appeal. In cases of academic dishonesty or professional misconduct, in the event of a procedural discrepancy affecting the outcome, the student or faculty may further appeal the decision to the level of the Provost in accordance with Section 10 (Senior Vice President for Academic Affairs and Provost Appeal of Academic Dishonesty/Professional Misconduct Cases).

10. Senior Vice President for Academic Affairs and Provost Appeal of Academic Dishonesty/Unprofessional Conduct Cases

10.1 Appeal of the College's Decision

Within 5 class days of the college Dean's decision, either party may file an appeal for review with the Provost or an officer designated by the Provost. The appeal shall be in writing and shall specifically address the procedural issues to be reviewed.

10.2 Senior Vice President for Academic Affairs and Provost Procedural Review

The Provost shall review the appeal within 15 class days of the receipt of the appeal. If either party has requested an appearance or is requested to appear by the Provost, then both parties must be informed. Because a peer group heard the case, the intent of the Provost's review is neither to modify the sanction nor to substitute the judgment of the Provost for that of the peer panel that heard the case, or hear new or additional facts on the case. The intent of this review is to ensure that the college hearing and judgment were not arbitrary, capricious or discriminatory, did not violate the due process of the accused, and did not violate the concepts of a fair hearing for both parties. The Provost shall notify all parties of the decision within 3 class days of the completion of the review.

10.3 Actions That the Senior Vice President for Academic Affairs and Provost May Take

- A. The Provost may conclude that one or more of the basic concepts involved in a fair hearing at the college level were violated and return the case to the college for another hearing with a different panel in accordance with the University Policy on Academic Dishonesty and resubmission for Provost procedural review; or
- B. If, in a rare case, the Provost feels that another hearing in the same college would not result in a fair hearing, the Provost may send the case to another college with the disciplinary expertise to hold a fair hearing, for a new hearing there in accordance with the University Policy on Academic Dishonesty and resubmission for Provost procedural review; or
- C. If, in a rare case, the Provost independently feels that the sanction assessed in the college hearing is not commensurate with the violation, then the Provost may send the case back to the college as described above; or
- D. The Provost may approve the actions and conclusions of the college academic honesty panel and see that the judgment is enforced. The Provost's procedural review is the final institutional step in matters of academic integrity and unprofessional conduct.

11. Records Pertaining to Academic Dishonesty/Unprofessional Conduct Cases

11.1 Records of Academic Honesty Proceedings

Records of proceedings under this Policy are considered a student's education records in accordance with the University of Houston's Student Records: Family Educational Rights and Privacy Act Policy. The college will maintain records relating to college proceedings under this policy, including waivers.

11.2 Provost's Office Records

Along with the College, the Office of the Provost shall maintain a record of those students found in violation of the policy at any level, including those students who have elected a waiver of the college hearing (see section 8.2 Waiver of Academic Committee Hearing).

11.3 Notations on a Student's Transcript

A sanction of probation, suspension or expulsion under this policy will be expressly noted as such on the student's transcript, unless specified to the contrary as part of the sanction. When the specified period of time for a sanction of probation or suspension has elapsed, the student may petition the college placing the notation of academic honesty violation to request that the Office of the Registrar remove the notation from the transcript. It is the student's responsibility to initiate any petition to remove the notation from the transcript. Notations of expulsion because of academic dishonesty or unprofessional conduct are a permanent part of the student's transcript.

Appendix 1: Student Responsibilities in Academic Committee Procedures

The committee acts upon the fundamental assumption that the students it deals with are mature, responsible adults, who are, in fact, fit candidates to become a health-care professional. In this context, a significant proportion of the responsibility for the determination of a student's status in academic matters and professional conduct rest with the individual student. The following guidelines are not exhaustive, but are instead intended to set the tone of student participation in these proceedings.

1. The college administration will make all reasonable efforts to notify a student who is placed on probation or suspended for academic reasons. However, the student must recognize that academic probation and suspension are automatic administrative actions taken only in clearly defined circumstances. They are effective regardless of whether the student actually receives notification or not. Because GPA is easy to compute, the student can readily determine what his/her academic status is at a particular time. If the student's calculations generate any doubt about standing, the student should consult the designated student advocate within the office of optometry relations.
2. It is prudent for a student to report life circumstances that may be detrimental to the student's performance to the academic affairs officer, the executive director of the office of optometry relations, or a faculty advisor before they result in failing grades, probation or suspension. This enhances the consideration of these facts if they are later called into question.
3. A student should seek tutoring in areas of weakness **before** they become matters of academic record and be prepared to document this action if it becomes necessary.
4. In the event that a student is suspended, the Academic Committee will take no action except in the event of an appeal. All contact with the Committee must be initiated by the student through the Academic Committee Chair.
5. The student should ensure that his/her **current** email and correct mailing address are on file with the Office of Optometry Relations.
6. If a student wishes to appeal the administrative actions of probation or suspension, or any other academic action seen as unfair or in error, the student may appeal, in writing, to the Academic Committee Chair within 5 class days of notification of the action. The student's letter of appeal must list *all* the particulars of the case that he/she wishes to bring to bear upon this request. For this reason, the student is strongly encouraged to consult with the executive director of the office of optometry relations in preparing a letter of appeal.
7. If a student wishes to appeal a course grade he/she should first consult the course instructor. If the student's concern cannot be resolved satisfactorily, the student should then consult the Associate Dean for Professional Studies to request an appeal before the Academic Committee.
8. Students are specifically cautioned not to harass, coerce, or threaten members of the Academic Committee concerning pending actions or to encourage other students to lobby on their behalf. Any student involved in such actions may be charged with unprofessional conduct.

9. A student who is on probation or facing suspension may not use this information to influence an instructor to issue a higher grade or to change a grade. Therefore, any student who is on probation or facing suspension must make grade change requests through the Academic Committee Chair. If a student approaches an instructor seeking a grade change which would have the effect of removing the student from suspension or probation, and tries to coerce the instructor by implying that the instructor is somehow responsible for the student's suspension, the student may also be charged with unprofessional conduct.

11. If the Academic Committee votes to permit a suspended student to continue in the program, it is the student's duty to initiate remedial steps to eliminate any deficiencies. This may involve meeting with the Associate Dean for Professional Studies, any instructors involved, and registering for the appropriate courses. The student should not assume, however, that the schedules of other students will be rearranged to fit his/her schedule.

12. The student should meet with the Associate Dean for Professional Studies to determine his/her schedule in compliance with the approved recommendations from the Academic Committee to the Dean. This schedule will ensure that there is no overlap of courses or clinics and to confirm that the schedule is in compliance with the expectations of the Academic Committee. The Associate Dean for Professional Studies will monitor the student's progress. If a student is placed on an altered/reduced schedule, there are often financial aid implications. Therefore, the student should also consult with the designated financial aid officer to discuss any potential implications of the altered/reduced schedule.

Appendix 2:

Suggested Faculty Guidelines for Academic Dishonesty or Unprofessional Conduct

In addition to the formal policy which requires the approval of the Provost, the Academic Committee has been asked by several members of the faculty to advise them about what to do *at the time that a student is suspected of academic dishonesty* in order to facilitate subsequent hearings and possible disciplinary actions. This is a difficult thing to do, and the best that the Academic Committee can achieve is to identify the sorts of things that make its job at a hearing easier. This implies that as the membership of the Academic Committee changes, the emphasis on particular issues addressed by these guidelines may also change. In any case, the following short list contains suggestions that are not binding.

Academic Dishonesty

1. Unless the suspected incident of academic dishonesty is blatant, one should probably allow the student to complete the examination. Stopping the exam pre-supposes guilt and would create difficulties should the committee find that there was not a violation.
2. As soon as possible, write down **exactly** what you observed and ask any other witnesses to do likewise. Write what you observed, not what you concluded. Sign such statements and include the date and time they were written. No matter how vividly an incident leaps to your attention at the time, it has been the committee's experience that accurate reporting some 8-10 or more days later is often befuddled. Use of photographs or video recordings can be helpful.
3. Identify as many witnesses as you can; ask another faculty member to observe discreetly if you can persuade someone to do so.
4. Identify all students in the immediate vicinity of the ones who were involved in the incident. While students often hesitate to turn in a fellow student for academic dishonesty, when called as witnesses, they are typically highly cooperative and astute.
5. Confiscate anything that you suspect the student was using with which to cheat. You may have trouble doing this unless you specifically inform students, **in advance**, that they should bring **nothing** to the examination room except pencils, pens and blank paper. If a student refuses to yield something to you, don't force or threaten him/her, but make sure his/her refusal is witnessed and documented.
6. **Do not negotiate.** Report the matter to the Academic Committee Chair at once and refuse to deal directly with the student again until the hearing.

Unprofessional Conduct

Similar procedures for documentation and reporting should be followed for suspected incidents of unprofessional conduct.

Appendix 3: Procedures for Grade Changes

Grade change requests initiated by a student should begin with the course instructor. If necessary, consultation with the appropriate Department Chair, and finally the Academic Committee Chair shall be initiated by the student.

1. After consulting with the student, if the faculty member elects to change the grade it should be done electronically through the online university grade system.
2. The only acceptable reason for changing one student's grade in isolation from the rest of the class should be to correct an arithmetical or clerical error made in calculating the grade in the first place.
3. If a professor chooses to yield to an argument from one student that individual test questions are invalid, unfair, ambiguous or otherwise unacceptable, he must present these arguments to the entire class and grant exceptions to all concerned. Rationale: To do otherwise is manifestly unfair.
4. Grades must be posted in the online university grade system according to the University's academic calendar.
5. Any grade changes must be accomplished within one month after the grades are assigned, unless prior arrangements were made to complete coursework over a longer time course (i.e. Clerkship, approved medical leave, etc.).
6. All grade changes require the approval of the Associate Dean for Professional Studies.
7. A student who is on probation or facing suspension may not use this information to influence an instructor to issue a higher grade or to change a grade. Therefore, any student who is on probation or facing suspension must make grade change requests through the Academic Committee Chair.
8. A grade of *I* must be changed by fulfillment within one year of the date awarded, or it will be changed automatically to an *F* or *U* (in *S* and *U* graded courses). An *I* must not be changed to a grade of *W* but only to a letter grade.
9. If an instructor provides an opportunity for one or more students to improve a course grade, the same opportunity must be offered to all students enrolled in the course.
10. Dates in the University of Houston approved Academic Calendar shall be used for determining the last days for withdrawal from and dropping courses with and without grades. The Office of Optometry Relations must notify the Academic Committee Chair and Associate Dean for Professional Studies immediately when a student who is on probation drops or withdraws from a course.