***SECS . 8.3.* and *8.4. Grades, Credits, and Degrees* and**

***Procedures for Suspension, Dismissal, and Other Sanctions***

The Provost’s office of a large public university has received a lengthy petition from a

graduate student in psychology who was recently dismissed from the doctoral program.

University records indicate that the student had been enrolled as a full-time doctoral student for 6

semesters. An explanatory note on the student’s record indicates that “a pattern of insufficient

academic performance in the past two semesters, in course work, clinical field work, and the

qualifying exam,” was the basis for the dismissal. The dismissal had been recommended by the

graduate faculty of the psychology department’s clinical psychology program, approved by the

psychology department faculty, and further approved by the Dean of the Graduate School of Arts

and Sciences.

The graduate school catalogue, along with various departmental announcements

distributed to graduate students, sets forth the requirements for the award of doctoral degrees.

For the doctoral degree in psychology, the catalogue establishes a dissertation requirement and

states that, prior to beginning the dissertation, a student “must have: (1) successfully completed

all course work specified by the departmental faculty, and (2) received a passing grade on the

written and oral qualifying examination.” The catalogue also states that “students must

demonstrate competence in an area of specialization and the ability to meet the generally

accepted academic or professional standards of the discipline in which the degree is to be

obtained.” Further, the catalogue states that “no official time limits have been imposed on

acquiring the doctoral degree.”

In his petition, the student challenges his dismissal and makes these points:

(1) “I had a good academic record during my first four semesters.

I had a “B” average. This performance indicates that I am

capable of meeting the psychology department’s standards.”

(2) “I did fail one course during my fifth semester, but that was

because the professor misled me and others concerning the

final exam instructions. (The course grade was based entirely

on the final exam.) The professor told us during the course

and again just before the exam that we would have to do 3 of

the 5 questions on the exam; instead, the actual directions,

used in grading our exams, required that we do 4 of the 5

questions. I relied on the professor’s statements in studying

for the exam and in taking the exam, and I failed because I got

a zero for the fourth question that I did not do.”

(3) “I also did fail my clinical field work in my sixth semester, but

I consider this assessment of my work to be very unfair. First,

this was my very first clinical experience. Second, my field

supervisor, upon whose recommendation the failing grade

was based, spent very little time with me and gave me almost

no feedback on my work either during or at the conclusion of

my fieldwork. Third, the psychology department did not give

me or my field supervisor any evaluative standards by which

my work would be judged.”

(4) “I took my qualifying exam near the end of my sixth semester.

I had to have a combined score of at least 70.00 on the oral

and written parts in order to pass. The score I actually

received was 69.73! I think that this score should be rounded

up to 70.00 and considered a passing score. If not, I at least

think that I should be allowed to take the qualifying exam

over again; other students in the past have been allowed to do

so.”

Based on current knowledge, there is no reason to believe that any of the facts stated in

the petition are untrue. The Provost must now decide whether and how to respond to the petition

and whether to take any other action as a result of having received the petition.

Does the law constrain the Provost in her decision making on this matter? How so? Is

there any other information the Provost would need to have before ruling on this petition? If so,

why is this information needed? If the Provost denies the petition, would the student have substantial grounds for suing the school? What arguments might the student make, and what relief could he request?