

Discipline paper



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Discipline Paper *

Discipline: Problem 13 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

A doctoral student was dismissed from a University. The University claimed, according to Kaplin (2007), that "[a]n 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.

According to Kaplin (2007), the doctoral student had: maintained a " B" average his first four semesters; failed one course due to the fact that a professor the doctoral student as well as other students about examination requirements; was given a fail in his clinical work although the examiner spent little time with the doctoral student or gave constructive feedback; a received less than a half a point shy of 70% on his qualifying exam (69.73%).

In the court case of Guang-Chyi Liu suing Pennsylvania University, Liu's Petition for Allowance of Appeal was denied on February 12th, 2001. This was four years after the fact that Liu had been denied a

According to Lanman (1997), " Guang-Chyi Liu claim[ed] the University tried to force him to write [about] his homeland." Apparently, according to

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Lanman (1997), " The University has denied all the charges in the suit, saying that the school dropped Liu because he repeatedly failed his preliminary doctoral examinations and didn't come up with an 'acceptable dissertation proposal,' according to a court document[and] Judge Pamela Cohen denied Liu's request for a preliminary injunction that would reinstate him into the doctoral program for the fall semester and award him a master's degree" (pgh. 1). Even though Liu thinks that his department dropped him from the program because he would not focus on China.

With regard to the case study, the Provost is not constrained by the law in the sense that, unless there is a burden of proof proving otherwise, the Provost is beholden to the Provost's personal decision. Good information regarding the sinister nature of one of the professor's faulty information during the exam should be taken into account. If the Provost denies the student's petition, the student would probably not have grounds pursuant to suing the school. Basically the student would have no arguments or relief for his case, in this writer's opinion. There is just too much academia has stacked up against him, including the fact that he failed his qualifying exam. Basically, the academic world has this student at their mercy. The student has no means of recourse precisely because of the fact that this student failed qualifying exams-for which there is no excuse, even if it is true that one of the student's professor's was misleading in giving faulty directions on the final exam, which constituted the student's grade for his course. Additionally, the student failed the practicum, which does not bode well in the student's favor either. All in all, this student would have no case.

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