

5.1.8.5 Retroactive Withdrawal

Withdrawals initiated after the last day of classes for the semester are governed by this rule. [US: 12/8/97; US 4/12/99]

A. Requirements

1. Typically, a student may withdraw from a given semester only if the withdrawal is from all classes. Advisors should discourage the submission of requests for partial withdrawals.

* In the exceptional circumstance that ~~a student submits a request to the Senate's Retroactive Withdrawal Appeals Committee (SRWAC) for a partial retroactive withdrawal from a single course, the criteria to grant such an unusual request shall be higher than for a more ordinary full withdrawal. Should the ~~and~~ ~~that~~ request ~~is~~ denied by the SRWAC, the student retains a standing to then submit a different request to the SRWAC for retroactive withdrawal from all classes. The act of submission of the second request does not constitute an improper 'appeal' to the SRWAC of the SRWAC's prior decision.~~ [SREC: 6/8/2006]

* For a request for partial withdrawal to be facially sustainable, the student statement must clearly explain why the circumstances that merit the withdrawal were limited to only a few courses.

2. A grade of E or XE assigned as a result of an academic offence may be changed to a W only by a petition to the University Appeals Board and only after a retroactive withdrawal for the semester in which the E was assigned is granted. In evaluating such petition, the student must demonstrate that the hardships enumerated in item (4) below also resulted in the academic offense in a manner that the student's culpability is severely diminished as a result. [US: 4/10/2006]

~~2-3.~~ The SRWAC may consider petitions to withdraw only from a semester in which all grades are final. It may not consider withdrawal from a course for which the current grade is an I, or otherwise incomplete.

~~3-4.~~ Requests for retroactive withdrawals shall be made of the Dean of the college in which the student was enrolled at the time the classes were taken. The complete request shall be made before a student has graduated and not later than ~~two-three~~ calendar years from the last day of classes for the semester for which the withdrawal is requested, ~~unless the SRWAC votes to waive the two-year time limit. The SRWAC may not waive this limit.~~ The fully complete request shall be submitted using the University Senate Retroactive Withdrawal Application, which includes a form on which an instructor can offer feedback, along with the documentation required by the University Senate as described on that form (<http://www.uky.edu/universitysenate/forms>). [US: 4/9/07; 5/7/2007]

* "Two-Three calendar years" means ~~three~~ consecutive periods of 365 days (or 366 if leap year) from the last day of classes for the semester for which the withdrawal is requested. [SREC: 5/19/2009]

Commented [DJ1]: Formalizes the internal practice and understanding of the committee, and explicitly communicates that while partials are not impossible, they are not a favored strategy and must satisfy a more stringent standard.

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Commented [DJ2]: This removes uncertainty about how these instances should be treated. As the grade is still in flux, and in theory salvageable and thus not needing retroactive withdrawal, incompletes should be deemed premature.

Commented [DJ3]: Currently the waiver process has resulted in an open-ended appeals process, in part because the Senate has provided no guidance on the grounds by which a waiver should not be granted. SRWAC has been reasonably criticized for not being more discerning. A compromise is suggested that the window of opportunity be extended an additional year, but then forever closed without appeal.

Commented [DJ4]: In the alternative to these changes to the statute of limitations, which some committee members felt was overly strict, the Senate is invited to consider specific guidelines identifying the conditions under which a waiver could be considered. Lacking that guidance, and in the interest of being consistent, SRWAC has approved all waivers in the opinion that any questions of merit is more equitably addressed at the hearing phase than at the waiver. If, however, the Senate were to provide criteria by which a principled decision could be made on waiver, that approach would achieve the same goal as the changes suggested.

4.5. Retroactive withdrawals may be granted only when the student has demonstrated satisfactory evidence that the student has incurred:

- (a) a serious injury or illness;
- (b) serious personal or family problems;
- (c) serious financial difficulties; or
- (d) permanent disability verified by the Disability Resource Center and diagnosed after the semester for which the withdrawal is requested.

5.6. Retroactive withdrawal from a class in which an XE or XF has been imposed shall not be granted.

B. Procedure

To the extent possible, the following procedures shall be uniform throughout the University:

1. The presence of a hold on a student's record shall have no effect on the submission, receipt, transmission, or review of an appeal for a retroactive withdrawal. [US: 5/7/2007]

2. The Dean shall recommend approval or disapproval of the request and shall forward the recommendation to the SRWAC, normally within 30 days of receipt of the petition and all supporting documentation. It is within the purview of the Dean to waive the requirement that a student must submit an Instructor Feedback Form(s) for reasons such as unavailability of the instructor or hardship on the student. If the Dean waives the submission of the Instructor Feedback Form(s), the justification must be included in the Dean's letter recommending approval or disapproval of the retroactive withdrawal appeal. [US: 5/7/07; US 5/8/2008]

3. The SRWAC shall rule on the request based on the submitted file, normally 30 days from receipt of the petition and all supporting documentation from the Dean. The student's advisor has primary responsibility in offering assistance on compiling the application file. In only the most extraordinary of circumstances may SRWAC request additional information to supplement the submission.

3.4. The student shall have the right to appear in person before the Committee to present his or her request and shall have the right to be represented by an attorney or other designated individual. The SRWAC reserves the right to impose a time limit on the length of any appearance by a petitioner. If the SRWAC in its initial review votes to approve the request, the personal appearance shall be unnecessary.

4.5. The SRWAC shall forward all approved requests to the Office of University Registrar for implementation.

5.6. The SRWAC shall forward a copy of its decision - whether the request was approved or not - to the Dean of the student's current college and to the Dean of the College in which the student was enrolled at the time of the retroactive withdrawal, if different from the current college. The Dean of the student's current college shall notify the student and Instructors of Record of the SRWAC's decision.

Commented [DJ5]: This change helps to expedite the conclusion of petitions. Petitioners already have adequate advisors available for the procedures; SRWAC should judge on file as it is submitted, and not be in the role of assisting in the construction of a suitable case. This is a conflict of interest.

Concern has been expressed that this puts obstacles before the student. To the extent that is true, the solution is better training of the advisors in each college who have the primary duty to assist the student in compiling a file. We cannot be both an advocate for the student, directing how to shape the application, and then render judgment on the worthiness of the same application.

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Commented [DJ6]: This is a time-saving change, so that time-consuming personal appearances are not spent on cases that the committee would already approve based on the submitted file.

- * There is no provision in the retroactive withdrawal process prescribed in the Senate Rules for a dean to block, overturn, or appeal a SRWAC decision. [SREC: 4/14/2006]

- * There is no 'cause of action' within the Senate Rules for appeal of the SRWAC's decision to either an administrator or to another University committee, except if the student attempts to make a case that the SRWAC's actions had constituted a violation of the academic "rights" of the student. In such a case, the cognizant entity to receive and entertain such an appeal is the University Appeals Board (see SR 6.5.1.2). [SREC: 4/14/2006]