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Title

UFCD Fitness for Duty Policy

Policy

This University of Florida (UF), College of Dentistry (UFCD) policy outlines the process for ensuring a dental student's (student) fitness for duty (FFD) meets the standards of practice as outlined by the College of Dentistry Technical Standards found in the UFCD Pre-Doctoral Student and Faculty Handbook (available [here](#)). The goal of this policy is to address the need to assess a student's mental/physical state in preparation for and during clinical care activities or when returning to dental school and/or clinical care environment for the safety of the students and patients under the student's care. The policy also defines the procedures to be followed to ensure the student receives effective treatment with the intention to continue or return to clinical duties. This policy does not supersede or replace any applicable law or regulation.

UFCD is required to comply with the Americans with Disabilities Act (ADA) of 1990. In general, the ADA prohibits (1) schools from requiring a student to submit to a medical examination; and (2) school inquiries into whether an individual has a disability. However, the protections afforded by the ADA are not without limits. Federal law permits UFCD to require a medical examination of a student if the requirement for the examination is performance-related, consistent with business necessity, and if UFCD has a reasonable belief that:

1. The student's ability to perform essential functions may be impaired by a health condition; or
2. The student may pose a direct threat to the health and safety of others.¹ A "direct threat" means a significant risk of substantial harm to the health or safety of the student or others that cannot be eliminated or reduced by reasonable accommodation. UFCD's

¹ For a student who poses a significant danger of serious harm to the health or safety of others, UF may, at its sole discretion, invoke UF Regulation 4.036 for Involuntary Medical Withdrawal. This FFD policy does not limit, supersede, or supplant UF Regulation 4.036.

determination that the student poses a "direct threat" shall be based on an individualized assessment of the student's present ability to safely perform the functions of the job, considering a reasonable medical judgment relying on the most current medical knowledge and/or the best available objective evidence. To determine whether a student poses a direct threat, factors to be considered include: (1) duration of the risk; (2) nature and severity of the potential harm; (3) likelihood that the potential harm will occur; and (4) imminence of the potential harm.

UF and UFCO are committed to the promotion of a safe and healthy environment for our students, patients, and staff. In order for appropriate learning and care of patients to occur, each student must be able to perform one's responsibilities in a safe and effective manner. Those students who are not fit for duty may present a safety risk to themselves, patients, or others and may adversely affect learning in the classroom and/or clinical setting, as well as patient care. With the safety of the student and patient in mind, it is important that individuals with a medical condition that affects their ability to perform in a safe manner receive ongoing care and support. The UFCO Associate Dean for Academic Affairs encourages students to register with the Disability Resource Center to receive reasonable accommodations. The Associate Dean may also be able to provide additional information on resources and is available to meet with a student to discuss support services available within the college. All students must meet minimal technical standards, with or without reasonable accommodations, for UFCO admission, progress during the period of studies, and graduation.

A FFD evaluation may be appropriate if UFCO (1) knows about a student's medical condition, has observed performance problems, and reasonably can attribute the problems to the medical condition; (2) UFCO observes symptoms indicating that a student may have a medical condition that will impair their ability to perform essential job functions or will pose a direct threat; or (3) UFCO receives reliable information by a credible third party that a student has a medical condition.

Faculty and Clinical Supervisors are responsible for the safety of students and the patients whom they treat. Whether on or off-campus, it is important to communicate observations of behavior that may affect the safety of others. During normal business hours, reporting supervisors, faculty, staff, or students should notify the Associate Dean for Academic Affairs, or the Associate Dean for Student Advocacy and Inclusion who will assess the immediate concern, take appropriate action and refer the matter to the Student Performance Evaluation Committee (SPEC). SPEC will follow the standard protocol for determining whether additional action is required which may include an extended medical leave of absence. Should an incident occur outside normal business hours, individuals are strongly encouraged to call 911, the Counseling and Wellness Center (CWC) crisis hotline (352-392-1575), or go to the nearest emergency room if concerned about the safety and well-being of themselves or another student.

In order to ensure an individual is ready to return to their academic and clinical duties, UFCD may request an individual to provide evidence of receiving an evaluation that confirms their fitness for duty from a provider who is trained in FFD evaluations.

If the student's fitness for duty is not confirmed, they will be relieved of their clinical/educational responsibilities until it is determined that they are fit to return to their clinical/educational responsibilities within a reasonable time frame. Participation in a treatment or rehabilitation program does not guarantee continued enrollment and may not necessarily prevent disciplinary action for violation of any UFCD policies. A student must comply with all treatment recommendations resulting from an FFD evaluation before they are permitted to return to school. The Associate Dean for Academic Affairs will oversee the evaluation process of the student, as well as plan the return to one's studies.

If the student requires an FFD evaluation, a list of providers who have expertise in FFD evaluations will be provided to the student. The student may select from one of these providers. Every effort will be made to find providers from within and outside of the UF Health system to allow for reasonable choices. The student is responsible for the cost of the FFD evaluation(s). To the extent required by law or UF regulations, UFCD shall protect the confidentiality of the evaluation and the results.

Non-compliance with a request for a fitness for duty evaluation shall be cause for academic sanctions, up to and including dismissal from dental school. If a student is dismissed, then the student may appeal the decision to the Dean per the student handbook.²

Procedures

Referral Process

Step One: Incidents should be reported to the Associate Dean of Academic Affairs. Self-referral by a student is also appropriate. *Contact Phone: (352) 294-4380*

Step Two: The Academic Leadership from the Office for Academic Affairs working with the Associate Dean for Student Advocacy and Inclusion will meet with the student to determine the next course of action, which may include a medical leave of absence and/or referral to SPEC. SPEC must approve a leave of absence greater than six weeks and may refer the student for evaluation as set out below.

² If, following an FFD, a student is involuntarily withdrawn from UFCD because the student poses a significant danger of serious harm to the health or safety of others (as distinct from failure to comply with the FFD recommendations) and refuses to voluntarily take a leave of absence, then such student shall be accorded (a) written notice of UFCD's decision stating the reasons for dismissal; (b) the opportunity to respond to the Dean of Students or designee; and (c) the opportunity to appeal the decision to the Associate Dean of Academic Affairs or designee within ten (10) days in accordance with UF Regulation 4.036.

- Students in need of mental health evaluation will be referred for an FFD evaluation prior to readmission.
- Students in need of evaluation for substance abuse or dependence, psychiatric or physical illness may be referred to a medical professional who will provide an FFD prior to readmission.
- Students in need of a medical evaluation will be referred to the appropriate physician, and if deemed appropriate, will be referred for an FFD prior to readmission.

Step Three: The Associate Dean for Academic Affairs will be the referring contact for the evaluations. In order for the Associate Dean for Academic Affairs to be allowed to review the recommendations provided by the evaluators as well as an executive summary of any completed initial evaluations, the student will need to sign and submit a waiver to the appropriate provider. *The individual student is responsible for any cost associated with evaluation.*

Step Four: Prior to readmission, a summary of the FFD evaluation will be reviewed by SPEC with input from the Associate Dean. Any academic leaves or adjustments will be addressed as necessary with SPEC. *Failure to submit proper documentation may delay return to dental education.*

After the FFD evaluation, the decision options are:

- Return to full duty
- Return to full duty with recommendations for follow up
- Return to part time duty with recommendations for follow up
- Not allowed to return to duty.

The student and the Associate Dean will work with the appropriate entities to apply for recommended reasonable accommodations to ensure student compliance and success with the recommendations. Any such recommended reasonable accommodations must not require a fundamental alteration of the program.

Continued matriculation shall be contingent upon compliance with recommendations provided by the formal evaluation. This may include participation in medical treatment programs, periodic drug screen testing, and/or professional counseling. Failure to comply with the recommendations or agreed upon reasonable accommodations may result in disciplinary action up to and including dismissal from UFCD. SPEC will determine resolution in cases where students are not compliant with recommendations. The UFCD Pre-Doctoral Student and Faculty Handbook describes the academic advancement process and the appeal process for students.

Confidentiality/Privacy of Fitness for Duty Evaluations:

UF ensures the confidentiality of education and treatment records in accordance with the provisions of various federal, state, and University regulations, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, also known as the Buckley Amendment.

FFD evaluations shall be treated as confidential education and treatment records protected by FERPA and shall be maintained by the Office Academic Affairs. These records may be shared only as permitted by law.

References

[UFCD Pre-Doctoral Student and Faculty Handbook](#)
[FERPA and Confidentiality of Student Records](#)
[Americans with Disabilities Act](#)

Contact Information

Policy Contact(s)

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Important Dates

- Original Effective Date: August 5, 2022, Approved by Dr. Patricia Pereira, Associate Dean for Academic Affairs