

ST. JOHN'S COLLEGE OF LIBERAL ARTS AND SCIENCES
ACADEMIC FAIRNESS PROCEDURE

I. Informal Procedure

Students who believe themselves aggrieved in an academic matter should bring this grievance in the first instance to the attention of the faculty member in question. It is hoped that through a reasonable discussion of the problem by professor and student a solution can be found to the problem without taking it beyond this level.

If such discussion is not possible or if the student believes that his/her complaint has not been properly considered, he/she should bring the matter to the attention of the chairperson of the department.* Hopefully, consultation with the chairperson will resolve the problem in question.

Finally, if action at these levels is not possible or if the student is not satisfied with the response given to his/her complaint, he/she may bring the matter in writing to the attention of the undergraduate or graduate dean of the school or college to which the faculty member involved is contracted. Hopefully, consultation with the dean will resolve the problem in question.

* The term "chair of the department" is synonymous throughout these procedures with "director of the division or center".

II. Formal Procedure

The sole purpose of the formal procedure is to redress student academic grievances concerning the final grade received in a course. Such grievances shall be limited to those against the professor's application of his/her criteria for determining the final grade.

A. Initiation

1. A student, having completely followed the informal procedure but dissatisfied with the results, may request employment of the formal procedure by submitting his/her grievance in writing to the appropriate dean, with any materials supportive of the grievance, within sixty days from the start of the next semester.
2. On receipt of the written complaint, the dean shall within one week notify the student of its receipt and forward a copy of the complaint to the instructor involved.
3. Within two weeks of the date of the notification by the dean, the student and the instructor shall provide the dean with the name of the faculty member they have each selected for the Academic Fairness committee as prescribed in section B.1 below. The dean then will select a faculty member to serve as chair of the committee, also prescribed in B.1.
4. The initial materials submitted to the dean by the student, as well as any initial reply and material that might have been submitted by the instructor to the dean, shall be transmitted to the committee chairperson.

B. Composition of the Committee

1. In each case of academic grievance the Academic Fairness Committee shall be composed of three faculty representatives: a) One tenured faculty member from any department, selected by the faculty member against whom the grievance was placed; b) One tenured faculty member from any department, selected by the student initiating the academic grievance; c) One tenured faculty member, selected by the dean from the list provided for below excluding the department of the faculty member involved.
2. Each department annually, in September, will elect two tenured faculty members to provide alternate members for the Academic Fairness Committee when any of the above parties is unable to comply with the stipulated selection procedure. The dean will choose the chair from this list (II.B.1.c). When a faculty member or student is unable to comply with the stipulated selection procedure, the dean will appoint representatives from this list, but not from the faculty member's department.

C. Committee Procedure

1. Within two weeks of the composition of the committee, the chair shall convene a meeting of said committee to determine if the case submitted is a proper subject for implementation of this procedure.
2. If the committee, by majority vote, decides the matter is not within the jurisdiction of the procedure, the chair will so notify the appropriate dean, the student, and the instructor of the decision and the reason(s). Such a decision will be final and the grievances may not be re-presented.
3. If the committee, by majority vote, decides to hear the case the chair will notify both parties within one week and shall arrange a time to begin hearings. Usually, the hearings should begin within two weeks after the initial committee decision. However, Christmas and Summer recesses may require an extension of time. It is intended that the individual needs of each case will be considered before delay is exercised.
4. The hearing shall be essentially informal in that the hearing is not regarded as a court of law and full adversary-type procedures will not be followed.
5. The hearing shall be both confidential and closed to protect the student and instructor.
 - a. All parties may attend the entire hearing, but not the committee's deliberations and voting.
 - b. All parties may have an advisor or counsel of choice present.
6. Both the student and the instructor may testify, present evidence and witnesses, and challenge all testimony and evidence as well as hear and question adverse witnesses.
 - a. The burden of proof shall rest solely upon the student lodging the complaint.
 - b. The instructor shall provide the student access to all his/her tests, attendance records if any, and other material considered in the course of alleged grievance.

- c. In no case shall the committee consider statements against either the student or the instructor unless he has been advised of their content and of the names of those who made them, and has been given the opportunity to refute unfavorable inferences, which might otherwise be drawn.
 - d. All matters upon which the decision may be based must be introduced into evidence at the proceeding before the committee. The decision shall be based solely upon such matters.
7. The Committee may establish other rules of procedure consistent with these procedures upon adequate notice to all parties concerned.

D. Termination of Proceedings

All proceedings shall be automatically terminated without the possibility of reactivation if the complaint is withdrawn by the student, resolved by the instructor amenable to student, or whenever a formal complaint is filed with a state or federal agency, or a court action is initiated by the grievant on the same complaint.

E. Authority and Resolution of the Committee

1. The committee has the power to request and receive the evidence it deems necessary and pertinent to the case.
2. The committee shall, by majority vote, either:
 - a. Uphold the grade of the instructor and dismiss the complaint; or
 - b. Uphold the contention of the student that the final grade was unfair.
3. If the decision supports the instructor, the case is deemed closed.
4. If the decision supports the student, the committee shall submit in writing a recommendation to the instructor to change the final grade to any suggested by the committee.
5. The decision of the committee shall constitute final resolution of the complaint and written notice will be sent within two weeks by the committee to the student, the instructor, the chair of the department involved and the appropriate dean.
6. Upon non-compliance by the instructor within two weeks of the decision of the committee in connection with #4 above, the grade recommended by the committee will become the student's final grade.
7. The chair of the committee shall advise all parties that all portions of the complaint, including information and testimony gathered in the case as well as the resolution, are to be kept in strict confidence.
8. At no time may any reference to or portion of the record of the case be used, referred to or incorporated into studies and evaluations of any nature or into any official faculty files.
9. The ultimate decision and action of this committee shall be considered final and admit of no further appeal.