

1.6.4.3 Committee on Rank and Tenure

See Section 1.5.1.5.2

1.6.4.4 Appeals Committee on Student Affairs

This committee guarantees the right to a hearing for any student* or registered student organization. Information regarding the procedure for appeal to the Committee is available from the Vice President and Dean for Academic Affairs or the Vice President for Student Affairs.

(*OPTIONS students wishing to file an appeal for a supplemental course must follow these guidelines.)

1. Status: Binding decision making authority for academic and non-academic appeals. Presents recommendations to the FGA regarding policies and procedures of the Committee.
2. Accountability: To the FGA with regard to the policies and procedures.
3. Reporting: To report the outcome of appeals to the Vice President and Dean for Academic Affairs and/or the Vice President for Student Affairs.
4. Composition: Four full-time faculty members plus two alternates elected by the FGA (each must have completed one year of full-time teaching at Fontbonne University); Four students, of whom one must be a graduate student, plus two alternates selected from the student body-at-large through the Student Government Association (Undergraduate students must be either juniors or seniors in good academic standing and have completed at least one year at Fontbonne University).

Term of office is one year. Members may be elected to consecutive terms.

5. Chairperson: A faculty member.
6. Duties:
 - a. To hear appeals by (a) student(s) on academic matters.
 - b. To hear a student's or a registered student organization's appeal regarding any non-academic disciplinary action imposed upon that person or organization in the event of alleged procedural error or if new information regarding the incident becomes available after the action is taken. (See procedures under non-academic matters.)
7. Meetings: At the beginning of the fall semester for an orientation session and to hear appeals.
8. Budget: For academic matters, from the budget of the Vice President and Dean for Academic Affairs. For non-academic matters, from the budget of the Vice President for Student Affairs.

1.6.4.4.1 Procedures for an Appeal Before the Appeals Committee on Student Affairs

Students have a responsibility to achieve their educational goals. The Code of Student Conduct and these appeal procedures are written to ensure that the rights and responsibilities of all members of the academic community are upheld through orderly procedure. Individuals requesting an appeal must follow these steps:

1. Steps to be taken prior to an Appeal of an Academic Matter:
 - a. Before an appeal regarding academic matters can be taken to the Appeals Committee, the student(s) and faculty member(s) involved must try to resolve the issue.
 - b. If it cannot be successfully resolved at the student-faculty level, the student must take the issue to the departmental chairperson or designee (to be determined by the Associate Academic Dean). When the faculty member involved is the departmental chairperson, this step is omitted.
 - c. If the student and departmental chairperson cannot resolve the issue, the student together with the faculty member involved, must meet with the Associate Academic Dean. The departmental chairperson will be apprised of the outcome at this level.
 - d. If the issue continues to remain unresolved, the student can request a hearing before the Appeals Committee.
2. Steps in the Appeal Process:
 - a. The student must appeal in writing to the chairperson of the Appeals Committee. If a written account of the issue has been previously presented, such documentation will be forwarded to the chairperson and will serve as the official letter of appeal. Written appeals must be submitted within the first thirty calendar days of the fall or spring semester immediately following the semester in which the course was taken. (The committee does not convene during the summer.) The written appeal must include the following: The name of the faculty member(s) involved; a complete description of the academic issue of which the student is appealing; citation of any regulation or policy involved with specific references to university policy or the course syllabus and/or the circumstances leading to the appeal; a recommended resolution; and the signature of the person appealing with the date of the report.
 - b. Upon receipt of the written appeal, the chairperson of the committee must immediately notify the faculty member involved and a copy of the documentation from the student will be forwarded to the faculty member.
 - c. The faculty member must present a separate written report to the committee chair within ten days of receipt of official notification that the appeal process has been initiated. This report must include a detailed description and rationale of the faculty member's perspective on the allegation. Upon receipt of the faculty member's response, a copy will be forwarded to the student. If the faculty member does not submit a written response, the appeals committee will consider the appeal on the basis of the evidence available. The committee chairperson will keep these reports confidential and will not provide them to committee members until the hearing.
 - d. The committee chairperson must contact members of the committee and set a date for the hearing. Each participant will be notified in writing and will be expected to verify the notification. The chairperson will then notify the Vice President and Dean for Academic Affairs, the student and the faculty member. Hearings will be arranged in an expeditious manner depending on the schedules of all parties involved except in cases where the reports are received during the summer months.
 - i. In order to avoid any conflict of interest, the committee chairperson will determine if a committee member should be disqualified and an alternate will serve.

Note: The committee chairperson can designate the Associate Academic Dean to assist with the administrative processes of notification and the collection and dissemination of documentation provided by the student and the faculty member.

3. Initial Steps for an Appeal of a Non-Academic Disciplinary Outcome

- a. The student must appeal in writing to the chairperson of the Appeals Committee within thirty days of the disciplinary decision. Decisions made during the summer period must be appealed within thirty days into the fall semester. The written appeal must cite the procedural error that occurred during the disciplinary process and/or an account of the new information that has become available since the conduct hearing.
- b. Upon receipt of the appeal the chairperson of the committee must immediately notify the Vice President for Student Affairs who will then inform any staff member(s) involved in the disciplinary action.
- c. The Vice President for Student Affairs may prepare a separate written report to address the alleged procedural errors or new information. The committee chairperson will keep these reports confidential and will not communicate them to other committee members until the appeal hearing.
- d. The chairperson must contact members of the committee and set a date for the hearing. Each participant will be notified in writing and will be expected to verify the notification. The chairperson will then notify the Vice President for Student Affairs, the student and the staff member(s). Hearings will be arranged in an expeditious manner depending on the schedules of all parties involved except in cases where the reports are received during the summer months.
- e. In order to avoid any conflict of interest, the chairperson will determine if a committee member should be disqualified and an alternate will serve.

4. The Hearing:

- a. A minimum of six (6) members, with an equal number of faculty and students, must be present for a hearing.
- b. Ordinarily, the student and faculty member (or staff member involved in an incident related to a non-academic matter) must be present at the hearing. However, if the student, faculty or staff member does not attend the scheduled meeting, the committee will proceed with the hearing. If the appeal involves an instructor who is no longer connected with the university, the departmental chairperson may act on that instructor's behalf.
- c. The committee chairperson presides over the hearing. That person is responsible for maintaining orderly procedures. Subject to being overruled by a majority of the members of the committee, that person has the power to rule on the relevance of evidence presented.
- d. The student and the faculty or staff member each have the right to have an advisor who must come from the Fontbonne University community. This individual will not be permitted to address the committee or make statements.
- e. The committee must give the parties involved the opportunity to verbally present their cases before it.

- f. Either party may request to bring in witnesses. Witnesses shall be present only for the portion of the hearing in which their statements are to be heard. All parties can ask questions of any witnesses. The committee chairperson may limit the number of witnesses if the material presented is redundant.
 - g. All hearings will be closed.
 - h. On the basis of the evidence presented at the hearing, the committee must reach its decision immediately in private conference.
 - i. Committee members will vote by secret ballot. A simple majority of votes is necessary to grant the appeal.
 - ii. In the event of a tie vote, the appeal will be forwarded to the Vice President and Dean for Academic Affairs for a final determination.
 - iii. The decision made by the committee or by the Vice President and Dean for Academic Affairs is final.
 - iv. The chairperson will communicate in writing the committee's decision to the student, the faculty or staff member, and the Vice President and Dean for Academic Affairs (who would inform the departmental chairperson) or the Vice President for Student Affairs.
5. After the Hearing:
- a. The chairperson will file a record of the hearing in the Office of the Vice President and Dean for Academic Affairs or the Vice President for Student Affairs.
 - i. The record must include all written communications to and from the Vice Presidents and the committee chairperson, and the written copy of the final decision.
 - ii. The record is subject to the provisions of the Family Educational Rights and Privacy Act (amendment pertaining to confidentiality of student records).
 - iii. For academic appeals, the record shall be retained in the Office of the Vice President and Dean for Academic Affairs until the student involved has graduated from the university or for one year after the student is no longer enrolled.
 - iv. For non-academic appeals, the student's disciplinary file is retained for a specified length of time. The maximum sanction imposed determines how long a file is retained before being destroyed (refer to the Student Conduct Code).

1.6.5 Committees of the Faculty General Assembly

1.6.5.1 Committee on Faculty Affairs

See Volume I, section 1.5.1.5.1.

1.6.5.2 Committee on Rank and Tenure

See Volume I, section 1.5.1.5.2.